

# *The University of North Carolina at Charlotte*



## *Annual Security and Fire Safety Report*

*December 31<sup>st</sup>, 2020*



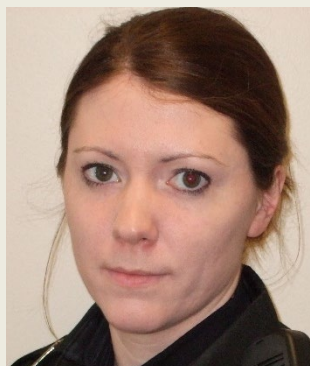
### **“Right to Know”**

**This report is provided in compliance with the federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998 (formerly the Crime Awareness and Clery Act of 1990)**

**<http://police.uncc.edu/clery-act>**

**Compiled by University Police & Public Safety with submissions from: Legal Affairs, Title IX, Dean of Students, Housing & Residence Life, Environmental Health & Safety, and the Center for Counseling and Psychological Services (CAPS)**

**For questions regarding this report please contact the Clery Compliance / Crime Analysis Officer: **Captain Sarah Smyre** at 704-687-8300 or **[sasmyre@uncc.edu](mailto:sasmyre@uncc.edu)****



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## From the Chancellor -



To the University Community -

As many in our community know, on April 30, 2019, our campus was challenged to the limits. Two students did not survive this tragedy but we are confident that it could have been even more horrific had it not been for our high level of emergency preparedness, including technology that allowed for an immediate and effective lockdown with the push of a button. Ultimately, the swift and brave actions of our campus community, and especially our police and first responders, saved lives.

We will continue to remain vigilant in our efforts to ensure the physical, mental, and emotional well-being of all members of Niner Nation. This publication contains information about campus safety measures and provides statistics about crime in our University community. It also describes our efforts to combat alcohol and drug abuse. Please take the time to read it, and join me in working to create a more caring and safe environment for all of us.

Indeed, we are ALL Niners.

Sharon L. Gaber

Chancellor





## From the Chief of Police

To the University Community –



On behalf of the members of UNC Charlotte Police Department, I want to thank you for your interest in our Annual Security and Fire Safety Report. We publish this report based upon the valuable information it provides for our campus community and in compliance with the federal mandate of the Clery Act. Campus safety and security should be a part of everyone's responsibility at UNC Charlotte. As Chancellor Gaber mentioned, our University faced tragedy on April 30, 2019. The UNC Charlotte Police Department responded expeditiously and courageously when responding to an active shooter on our campus. I encourage all students, staff, and faculty to participate in our active shooter response training. The buildup of safety and security measures at UNC Charlotte has always been a priority for our community.

We encourage you to review the information we have made available to you in this publication. You will find information about our organization including descriptions of certain services that are provided. You will also become familiar with our strong commitment to victims of crimes and the specific extensive services we make available to crime victims. Lastly, you will find important information about security policies and procedures on our campus, crime data, and crime prevention information.

The UNC Charlotte Police Department joins Chancellor Sharon Gaber in the commitment to foster a secure and supportive environment at UNC Charlotte. We are proud to be an integral part of UNC Charlotte's tradition of excellence. Campus safety and security is a collaborative effort at UNC Charlotte and we partner with the many departments at the University that have a critical role in fostering campus safety. It has always been our goal to provide the highest quality of public safety services to the University community and we are honored to collaborate with the entire UNC Charlotte community. The men and women of the UNC Charlotte Police and Public Safety Department are committed to making the University campus a safe place in which to live, work, and study.

Jeffrey A. Baker

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Chief of Police

## Overview

Campus safety is an important consideration for any community. To enhance campus safety, UNC Charlotte provides an annual report to current and prospective students and employees. The information in this report can help empower members of the campus community. Students and employees can take advantage of campus resources and can make decisions that positively impact individual as well as community safety.

## Summary of The Jeanne Clery Act

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 USC 1092 (f)) is a federal law passed in 1990 as an amendment to the Higher Education Act of 1965. Otherwise known as the Clery Act, it mandates that all colleges and universities that receive federal financial assistance must disclose certain timely and annual information concerning campus crime and safety. Each year the updated report must be distributed to current students and employees. Prospective students and employees also must be made aware of the availability of the report.

In 1990, Congress enacted the *Crime Awareness and Clery Act* (Title II of Public Law 101–542), which amended the *Higher Education Act of 1965* (HEA). This act required all postsecondary institutions participating in Title IV student financial aid programs to disclose campus crime statistics and security information. The act was amended in 1992, 1998, 2000, and 2013. The 1998 amendments renamed the law the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act* in memory of Jeanne Clery, a student who was slain in her dorm room in 1986.

The *Clery Act* requires higher education institutions to give timely warnings of crimes that represent a threat to the safety of students or employees, and to make public their campus security policies. It also requires that crime data are collected, reported, and disseminated to the campus community and are also submitted to the U.S. Department of Education. The act is intended to provide students and their families, as higher education consumers, with accurate and timely information about safety on campus so that they can make informed decisions.

Pictured left: Jeanne Clery



The Clery Act requires colleges and universities to:

- Publish an annual report every year by October 1st containing the last three years of campus crime statistics and fire safety statistics as well as certain campus security University Policy (ies); (Note that the U.S. Department of

Education extended the deadline for the 2020 Annual Security Report until December 31, 2020.

- Disclose crime statistics for the campus, public areas immediately adjacent to or running through the campus, and certain non-campus facilities and classrooms. The statistics must be gathered from campus police, local law enforcement agencies, and other University officials who have “significant responsibility for student and campus activities;”
- Provide “timely warning” notices of those crimes that have occurred and pose an “ongoing threat to students and employees;”
- Implement emergency notification procedures if there is an immediate threat to the health or safety of students or employees on campus;
- Disclose in a public crime log “any crime that occurred on campus or within relevant geography or was reported the campus security department and is reported to the campus police or security department;” and
- Maintain a public fire log, which is a record of any fire that occurred in an on campus student housing facility.

In 2013, the Violence Against Women Reauthorization Act made additional changes to the Clery Act. New crimes were added to those that must be reported and new protected statuses were added as hate crime criteria. In addition, institutions are now required to provide primary prevention and awareness programs to all incoming students and new employees, including information about bystander intervention and grievance procedures associated with reports of sexual assault, domestic violence, dating violence, and stalking. Institutions must also provide written



information to students and employees who are victims of certain crimes. The information, called the Interpersonal Violence Resource Guide, is continuously updated and is available at: <http://titleix.uncc.edu/>. This report and all documentation required by the Clery Act is compiled and maintained by Captain Sarah Smyre, Police and Public Safety Department. This information is updated on a continual basis with the most recent update provided on April 23, 2020. Documentation is available in Suite 152 of the Facilities Management and Police & Public Safety Building at UNC Charlotte.

### The Annual Disclosure

The Police and Public Safety Department at UNC Charlotte is responsible for preparing and distributing this report. The Department works with many other campus departments and outside agencies, such as Legal Affairs, Dean of Students, Housing and Residence Life, Environmental Health and Safety, the Center for Counseling and Psychological Services (CAPS), and local law enforcement agencies to compile the information. Members of the campus community are encouraged to use this report as a guide for safe practices on and off campus. It is available on the internet at [police.uncc.edu](http://police.uncc.edu). For a hardcopy, contact the Police & Public Safety Department at UNC Charlotte at 704-687-8300 or email at [police@uncc.edu](mailto:police@uncc.edu). The report is also emailed to all students, faculty, and staff on October 1st (December 31, for the 2020 report). In addition, the report is available for prospective employees and students on the UNC Charlotte website and in orientation packets.

### Definitions of Reportable Crimes

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

**Manslaughter by Negligence** – the killing of another person through gross negligence.

**Sexual Assault** – Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental incapacity.

- A. Rape — The penetration, no matter how slight, of the vagina or anus, with any body part or object or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes the rape of both males and females.
- B. Fondling — The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental incapacity.
- C. Incest — Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- D. Statutory Rape — Sexual intercourse with a person who is under the statutory age of consent.

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

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

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

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

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

**Larceny/Theft**—the unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Attempts are counted.

**Simple Assault**— (counted only for the purposes of Hate Crimes) an unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration or loss of consciousness.

**Intimidation**— (counted only for the purposes of Hate Crimes) to unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct but without displaying a weapon or subjecting the victim to actual physical attack.

**Destruction/Damage/Vandalism of Property (except Arson)** — (counted only for the purposes of Hate Crimes) to willfully or maliciously destroy, damage, deface or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

**Hate Crime** – A criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. This definition includes all of the crimes listed above that manifest evidence that the victim was chosen based on one of the categories of bias listed below:

#### **Categories of Bias:**

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

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

**Sexual Orientation** – A preformed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation. Sexual Orientation is the term for a person's physical, romantic, and/or emotional attraction to members of the same and/or opposite sex, including lesbian, gay, bisexual, and heterosexual (straight) individuals.

**Gender** – A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender, e.g., male or female.

**Gender Identity** – A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g. bias against transgender or gender non-conforming individuals. Gender non-conforming describes a person who does not conform to the gender-based expectations of society, e.g., a woman dressed in traditional male clothing or a man wearing makeup. A gender non-conforming person may or may not be a lesbian, gay, bisexual, or transgender person but may be perceived as such.

**Ethnicity**– A preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry. The concept of ethnicity differs from the closely related term “race” in that “race” refers to a grouping based mostly upon biological criteria, while “ethnicity” also encompasses additional cultural factors.

**National Origin** – A preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth. This bias may be against people that have a name or accent associated with a national origin group, participate in certain customs associated with a national origin group, or because they are married to or associate with people of a certain national origin.

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

## VAWA Offenses

**Dating Violence** – Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For purposes of this definition dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse and dating violence does not include acts covered under the definition of domestic violence.

**Domestic Violence** – A felony or misdemeanor crime of violence committed:

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

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

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

For purposes of this definition –

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

**Sexual Assault** – Defined above

## UNC Charlotte Police & Public Safety Department

UNC Charlotte provides its own police department. The Police & Public Safety Department has a total of fifty five (55) sworn and ten (10) non-sworn employees as well as part-time personnel and student employees. Full-time employees include sworn police, telecommunicators, non-sworn rangers (security), and business support.

### The Mission of UNC Charlotte's Police & Public Safety Department

The mission of the Police and Public Safety Department is to provide a safe and secure environment supporting the University's pursuit of research and academic excellence. Our highly trained law enforcement professionals continually strive to reduce crime, accidents and loss of property through processes and effective community partnerships.

### Campus Police Officers and Law Enforcement Authority

UNC Charlotte Police & Public Safety Department is a

Campus Law Enforcement Agency as defined by North Carolina General Statute §116-40.5. The Police & Public Safety Department appoints and employs Campus Police Officers who meet or exceed all selection, training, and certification requirements for law enforcement officers in North Carolina. These officers have all of the powers of law enforcement officers, including the authority to arrest individuals and to carry firearms.

The territorial jurisdiction of our Campus Police Officers includes all property owned or leased by UNC Charlotte and that portion of any public road or highway passing through University property and immediately adjoining it. Officers may also arrest a person outside the University's territorial jurisdiction when the suspect has committed a criminal offense within that territory but has just fled from that territory. In addition, the Police & Public Safety Department has the statutory authority to enter into mutual aid and jurisdiction extension agreements with other law enforcement agencies. A mutual aid agreement with Charlotte Mecklenburg Police Department extends Police & Public Safety's jurisdiction into the community area.

The Police & Public Safety Department operates on a 24-





hour basis year round. Officers conduct patrols by car, bicycle, all-terrain vehicles, and on foot. Four to six officers and one to two telecommunicators are always scheduled for duty. In the event of an emergency, several officers and other non-sworn essential personnel may be called to return to campus. Departmental policy requires officers to remain on duty until relieved to ensure that the designated minimum number of officers is maintained.

The communications center of the Police & Public Safety Department answers calls for service, dispatches officers and other emergency services to incidents, and monitors intrusion and fire alarms.

The Police & Public Safety Department's communications center is staffed by certified dispatchers and police telecommunicators who are authorized to dispatch police, fire, or emergency medical services immediately upon receiving a call for help. A police officer, or depending on the severity of the call, a non-sworn ranger (i.e., security) will be sent to the scene of an emergency as the first responder before Fire or EMS personnel arrive. The administrative and patrol offices of the Police & Public Safety Department are located in Suite 152 of the Facilities Management and Police & Public Safety Building at UNC Charlotte, 9201 University City Blvd., Charlotte, NC.

Other departments within the campus community also employ security guards to provide a strong visible presence and service for students, including: Housing and Residence Life, Athletics, and Atkins Library.

Additional contracted security personnel assist with patrolling The Dubois Center at UNC Charlotte Center City in Uptown Charlotte since the facility opened in 2011. These security guards observe and report all suspicious activities to the Police & Public Safety Department.

UNC Charlotte Police may be reached via the emergency telephone dispatch line at 704-687-2200. UNC Charlotte Police recommends downloading the new "Live Safe" application for smart phones. The application provides immediate mobile access to police, fire and medical services. Safety features include buddy walks and access to safety tips. The application is free of charge.

Other campus organizations and agencies provide managers who oversee security for their own facilities. The Department of Parking and Transportation Services, Housing & Residence Life, Library, Facilities Management, Student Activities Center, and Cone University Center have their own two-way radio networks capable of communicating with the Police & Public Safety Department. They provide additional eyes and ears for reporting suspicious persons and circumstances to the Police & Public Safety Department.

## Geography

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

The first part of this definition states that, for Clery reporting purposes, UNC Charlotte's campus includes buildings and properties that meet all of the following criteria:

- UNC Charlotte owns or controls them;
- They are reasonably contiguous to one another; and
- They directly support or relate to UNC Charlotte's educational purposes.

UNC Charlotte has two campuses, the Main Campus located at 9201 University City Boulevard and The Dubois Center at UNC Charlotte Center City Campus located at 320 E. 9<sup>th</sup> Street. Information in this report is applicable to both campuses unless otherwise differentiated.

A list of buildings & properties owned by UNC Charlotte is available in Appendix III.

The building list and mapping is maintained by the Office

of Facilities Information Systems Asset Manager located in the Facilities Management and Police & Public Safety Building and is updated on a continual basis.

### Interagency Cooperation

The Police & Public Safety Department has the statutory authority to enter into mutual aid and jurisdiction extension agreements with other law enforcement agencies. Under a jurisdiction extension agreement with the Charlotte-Mecklenburg Police Department (the law enforcement agency for the City of Charlotte), Campus Police Officers have jurisdiction in certain areas near the main UNC Charlotte campus. In addition, pursuant to a Mutual Aid Agreement, Campus Police Officers, if requested, will assist with crime prevention and police calls in neighborhoods adjacent to the University's campus. As needed, the Charlotte-Mecklenburg Police Department (CMPD) also provides support and assistance to the campus police. For example, assistance from CMPD will be sought for the investigation of any death, natural or otherwise, that occurs on campus. In addition, the campus police will seek assistance with investigating crimes that "happen to occur on the campus," meaning that no participant, including the victim and suspect, is related to the campus community. In addition to CMPD, UNC Charlotte Police also works closely with various other law enforcement agencies, including Alcohol Law Enforcement (ALE), the State Bureau of Investigation (SBI), US Secret Service (USSS), and the Federal Bureau of Investigation (FBI).

### Crime Prevention

Crime prevention is a top priority. Together with other campus offices, the Police & Public Safety Department provides programs to enhance personal safety, teach proactive crime reduction strategies, and help community members develop self-esteem, all of which contribute to a healthy community.

The major theme of all the University's campus crime prevention programs is to educate members of the UNC Charlotte community on how to protect themselves and their property proactively. The Police & Public Safety Department is but one layer of the campus community's security system. Each individual has the responsibility to help prevent crime to promote personal and community safety.

When crimes and accidents occur, trained and qualified individuals from the University are prepared to respond and provide victim/witness assistance.

New students and employees are expected to attend orientation programs. For employees, a part of the orientation program includes safety and security presentations from such departments as Risk Management, Police & Public Safety, and Environmental Health & Safety. These programs are repeated several times each year in partnership with Human Resources.

First year students may participate in two major orientation programs. The first program, S.O.A.R. (Student Orientation Advising and Registration), is presented throughout the summer. Trained orientation counselors discuss safety and security issues with incoming students. The Associate Dean of Students and Director of Student Conduct and Academic Integrity discusses the [Code of Student Responsibility \(University Policy 406\)](#) and briefly touches on safety. A representative from the Police & Public Safety Department addresses students and their parents. The frequency of this summer program is dependent on the number of incoming students. The S.O.A.R. program also hosts a Resource Fair. At the fair, Campus Police Officers provide handouts and information to both students and parents. The second major orientation program is called Gold Rush. Police & Public Safety Department participates in many of the events during that week. At the start of the fall semester, new resident students must attend a meeting with their Resident Advisor. Residence hall policies and issues related to general security are among the discussion items at this meeting.

Resident Advisors receive information on a variety of safety and security issues as part of their training. In addition, Resident Advisors are expected to provide additional programming during the year on a variety of topics, including safety and security issues. Speakers from both within and outside of the University community are often invited to participate. Crime prevention materials are available at the Police &



Public Safety Department. Informative speakers can be arranged for either individual or group discussions about campus crime issues. The Police & Public Safety Department often partners with CMPD on crime prevention campaigns in nearby neighborhoods where many students, staff, and faculty live. In addition to the programs above, the Police & Public Safety Department participates in a number of safety committees as well as in partnerships with various University departments and outside organizations. For a more complete List of Crime Prevention Committees and Initiatives, see Appendix I.

### Personal Safety Tips

There are many steps one can take to protect oneself from crime. Many incidents are crimes of opportunity. For example, most crimes of theft and burglary are random and not calculated. These crimes often occur because community members leave a residence hall door, room door, window, or car door unlocked. On a beautiful campus like UNC Charlotte, it is easy to think that no crime will occur, but crime can happen anywhere. Follow these simple steps to reduce your likelihood of being targeted:

#### In Your Residence

1. List only your initials and last name on your mailbox or in directories.
2. Immediately report to Housing & Residence Life or your landlord any maintenance deficiencies that may compromise building security.
3. Never open your door to strangers.
4. Request identification from all Housing & Residence Life and Facilities Management personnel, and verify their identities before letting them in, especially if you have not called for repairs.
5. Never hide your door key anywhere outside your residence.
6. Make sure your door is locked whenever you leave, even if only for a short time.
7. Never leave your wallet, purse, or valuables unattended and unsecured.
8. When you travel out of town, have a friend or neighbor watch your residence for you. Have them get the mail and newspapers.

9. Get timers for lights and place them on lights near windows to give the impression that someone is home.
10. Consider putting a timer on a radio or TV.

### When Walking

1. Walk with someone else, preferably in groups of three or more whenever possible.
2. Walk only in well-lit areas and avoid short cuts through poorly lit and vacant lots and other deserted places.
3. Walk near the curb on the side of the street facing traffic.
4. If a driver stops you to ask for directions, do not get too close to the vehicle in order to avoid the risk of being pulled inside.
5. If you expect to be walking, wear comfortable clothes and shoes in the event you need to run.
6. If you think you are being followed while walking, change directions and head for a well-lit area with other people around. Cross to the other side of the street rather than confront a lone individual in an isolated area.

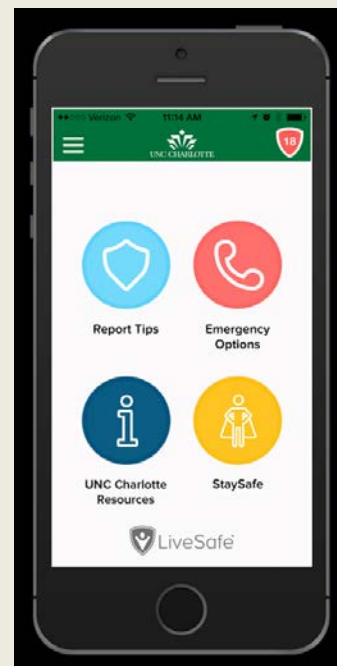
### In Your Office

1. Lock and secure your desk and office when away, even if it's for just a minute.
2. Keep small valuables (wallets and purses) out of sight by placing them in a closed and locked desk or file cabinet.
3. If possible, when away from your work area, let a coworker or close neighbor know about your departure and expected time of return.
4. Lock computers and similar office equipment to the desk or table top with some type of security device.
5. Keep a list of brand names, serial numbers, model numbers, and descriptions of all office equipment in your work area.
6. Protect your personal property by marking it with an additional, special identification number, such as your driver's license number.

## At Any Time

1. Be alert. Watch for obvious strangers around your office, your home, or your apartment. Check for signs of a break-in before entering an empty house, office, or car. Call the Police & Public Safety Department if you see signs of forced entry to a building or a car.
2. Call the Police & Public Safety Department if you experience minor theft problems over a period of time.
3. When at campus facilities, do not leave backpacks or books unattended. Print your name inside every textbook you own.
4. If you are driving and think you are being followed, make several turns in one direction and head back the way you were going. If the car is still behind you, go to the nearest police or fire station or to a public place. Do not stop or get out of the car. Have someone call the police for you.
5. Involve your peers. If you are expecting a delivery or a guest in your absence, leave your keys with a neighbor or a co-worker. Let your neighbors know when you will be away from home and ask them to challenge strangers in the area.
6. Never give information about yourself or others to strangers on the phone.
7. Maintain a record of serial numbers of your property and of identification and credit cards. Include a brief description with each and keep this information in a safe place.
8. Report any crime or suspicious activity to the police. Be prepared to supply as much information as possible, such as descriptions of people, property, and cars.
9. Post the telephone number of the police department (704-687-2200) near your work phone, and numbers for local police and fire departments at home.
10. If you need to contact the Police & Public Safety Department while on campus, use one of the blue light call stations located at strategic places around campus. Take a few minutes now to review the blue light [Emergency Phones Map](https://facilities.uncc.edu/sites/facilities.uncc.edu/files/media/Maps/Emergency-Phones-Map.pdf) (available at: <https://facilities.uncc.edu/sites/facilities.uncc.edu/files/media/Maps/Emergency-Phones-Map.pdf>)

to locate and identify blue light phones in those areas where you park, work, walk, or play. If you would like additional information on crime prevention or wish to discuss a problem that may be crime-related, contact the Police & Public Safety Department at 704- 687-2200 or by utilizing the LiveSafe phone application.



11. If you have to work late at night or when the campus is closed, avoid working alone. Keep all doors between you and the public closed and locked after-hours or whenever appropriate.
12. Report all suspicious persons or activities to the police.
13. When vendors come to the office to pick up equipment for return or repairs, ask to see I.D. or proof of affiliation with the appropriate company. If you have a vendor coming in to work on, or to pick up, equipment, tell somebody in the office, so they can check on it for you if you are away from the office when the vendor arrives.
14. If you think somebody is trying to steal items, notify the police.



## Reporting Criminal Incidents and Other Emergencies

### Reporting to the Police & Public Safety Department

All members of the University community are encouraged to promptly and accurately report any crime, accident, or suspicious circumstance to the Police & Public Safety Department. All staff and faculty at the University should, according to UNC Charlotte University Policy 803, (available at: <http://legal.uncc.edu/policies/up-803>) report certain types of crimes to the police. All crimes, accidents, and emergencies should be reported to the Police & Public Safety Department immediately upon their discovery.

The Police & Public Safety Department can be summoned by the simple touch of a button on approximately 400 "Blue Light" emergency phones, by dialing 911 or 7-2200 from any University phone, by calling 704-687-2200 from any non-University phone, or by utilizing the LiveSafe phone application. The University provides phone jacks in some residence hall rooms and phones in common areas. It is important to note that a 911 call made from a cell or University phone will be routed to one of four off-campus law enforcement agencies, including the City of Charlotte Enhanced 911 (E911) System. Once the off-campus dispatcher at 911 determines the call is coming from the campus, they usually try to transfer the call to UNC Charlotte Police & Public Safety Department. The **direct dial number** for the Police & Public Safety Department is **704-687-2200**. We encourage individuals within the campus community to program this number into their cell phones for quick response. Classrooms with smart podiums are equipped with "talkmaster" technology which calls classroom support at the touch of a button. Classroom Support will transfer emergencies to the Police & Public Safety Department.

**In addition to (or instead of) reporting criminal incidents to Police & Public Safety Department, individuals may also report criminal incidents to certain other offices on campus, including Campus Security Authorities (CSAs)**

### Reporting to the Title IX Coordinator, Dean of Students and/or Housing & Residence Life

In addition to reporting criminal incidents to Police & Public Safety Department, individuals may also report criminal incidents to the Title IX Coordinator, Deputy Title IX Coordinators, the Dean of Students, or authorities within Housing & Residence Life. When appropriate, these departments will coordinate with the Police & Public Safety Department. Reports of sexual assault, domestic violence, dating violence, or stalking can be reported to the Title IX Coordinator, who will not involve Police & Public Safety unless the victim wishes to do so. If individuals wish to remain anonymous every attempt will be made to maintain their anonymity, but it is not guaranteed. Aggregated crime statistics from incidents reported to the Title IX Coordinator, the Dean of Students and Housing and Residence Life, among other offices, will be included in the Annual Crime Statistics.

### Confidential Reporting of Crimes and Other Serious Incidents

UNC Charlotte has an online anonymous web form to report crimes and other serious incidents on a voluntary and confidential basis. This form allows victims or witnesses to anonymously report an incident of sexual assault or any other serious incident. It assists the University in evaluating whether a "NinerAlert" or should be issued and in collecting valuable information about serious incidents. It is a valuable tool available to any member of the community. Access this online at: <https://police.uncc.edu/webform/anonymous-crime-reporting>. Police & Public Safety will fully investigate reports that come through the anonymous web form, which could result in identification of the reporter. Aggregated crime statistics from incidents reported in the Confidential Reporting system are included in the Annual Crime Statistics.

### Confidential Resources Policies on Advising Clients Regarding Their Options to Report Crimes

Three offices on campus have been designated as Title IX Confidential Resources: the Center for Counseling and Psychological Services (CAPS), the Student Health Center, and the Athletics Department psychologist.

The Center for Counseling and Psychological Services (CAPS) and the Athletics psychologist are both exempt from being considered a Campus Security Authority (CSA). CAPS and the Student Health Center have policies in which they provide their clients options for reporting (or not reporting) and separately report de-identified statistical information to the Clery compliance officer.

### Campus Security Authorities (CSAs)

In addition to reporting crimes to Campus Police, the Title IX Coordinator, the Dean of Students, and/or Housing and Residence Life, crimes may also be reported to Campus Security Authorities (CSAs). CSAs are University faculty, staff or students that hold a position with the University designating them as CSAs. CSAs currently receive training on how to identify and report crimes in compliance with the Clery Act. Sarah Smyre of the Police & Public Safety Department is responsible for CSA training and maintains a list of all

CSAs and associated training records in Suite 152 of the Facilities Management/Police & Public Safety Building. This information is updated on a continual basis. Specific incident reporting forms are utilized to ensure the following statistical information is reported:

- Date reported
- Date of incident (to the extent it can be determined)
- Approximate time of incident
- Location of incident
- Brief description of alleged criminal activity
- Gender of victim

All CSAs have a duty to report to PPS. These statistics are reported for compilation into the Crime Statistics of the Annual Security Report even if the reporting party or victim wishes to remain anonymous. The UNC Charlotte Police Department Policy regarding Campus Security Authorities was last updated June, 2019.

### CSAs Include:

CSAs	Location	Phone
<b>Chancellor</b>	<b>Cato Hall</b>	<b>704-687-5700</b>
• Chief of Staff	Cato Hall	704-687-5700
• All staff in the Chancellor's Office	Cato Hall	704-687-5700
<b>Division of Institutional Integrity</b>	<b>Cato Hall</b>	<b>704-687-5732</b>
• The Title IX Office	Cato Hall	704-687-6130
<b>Division of Business Affairs</b>	<b>Reese Building</b>	<b>704-687-5750</b>
• Vice Chancellor for Business Affairs	Reese Building	704-687-5750
• Associate Vice Chancellor for Safety & Security	Police / FM Building	704-687-8454
• Police & Public Safety Department	Police / FM Building	704-687-8300
• Office of Safety & Security	Police / FM Building	704-687-8454
• Parking and Transportation Services shuttle drivers	Parking Services	704-687-0161
• Risk Management and Insurance (RMI)	Police / FM Building	704-687-5711
• Associate Vice Chancellor for Human Resources and University Affirmative Action Officer	King Building	704-687-0644
• Title IX Deputy Coordinator and Employee Relations Manager of Human Resources	King Building	704-687-6058

Administration, Employee Relations, and Compliance		
<b>Division of Student Affairs</b>	<b>King Building</b>	<b>704-687-0350</b>
• Vice Chancellor for Student Affairs	King Building	704-687-0350
• Dean of Students Office	King Building	704-687-0345
• Associate Vice Chancellor of Student Affairs and Director of Housing and Residence Life	Scott Hall	704-687-7501
• Senior Associate Director – Housing and Residence Life	Scott Hall	704-687-7501
• Residence Education Coordinators (RECs)	Scott Hall	704-687-7501
• Resident Advisors (RAs)	Scott Hall	704-687-7501
• HRL Graduate Assistants (GAs)	Scott Hall	704-687-7501
• Housing & Residence Life Security Guards	Scott Hall	704-687-7501
<b>Student Union, Activities, and Recreation</b>	<b>Student Union</b>	<b>704-687-7128</b>
• Associate Vice Chancellor for Student Union, Activities, and Recreation	Student Union	704-687-7128
• Assistant Vice Chancellor and Director of Student Activities	Student Union	704-687-7128
• All professional members of Student Activities office	Student Union	704-687-7128
• Director of Recreational Services	Cone Building	704-687-0430
• All professional members of Recreational Services office	Cone Building	704-687-0430
• Director, Student Activity Center & Venue Management	Student Activity Center	704-687-1099
• All professional members of SAC & Venue Management (including Supervisor-level staff and student building manager, but excluding Technician-level staff)	Student Activity Center	704-687-1054
• Security Personnel	Student Activity Center	704-687-1100
• Executive Director, Student Union and Cone University Center	Student Union	704-687-7111
• All professional members of the Student Union and Cone Center (including Supervisor-level staff and student building managers, but excluding Technician-level staff)	Student Union / Cone Center	704-687-7128
<b>Associate Vice Chancellor of Student Affairs</b>	<b>King Building</b>	<b>704-687-0311</b>
<b>Director of Student Health Center</b>	<b>Student Health Center</b>	<b>704-687-7418</b>
<b>Director, Center for Wellness Promotion and Collegiate Recovery Community</b>	<b>Student Health Center</b>	<b>704-687-7414</b>
<b>Division of Academic Affairs</b>	<b>Reese Building</b>	<b>704-687-5740</b>
• Provost and Vice Chancellor for Academic Affairs	Reese Building	704-687-5962
• Title IX Deputy Coordinator and A.D. of the Graduate School	Cato Hall	704-687-7248



<b>Associate Deans who have significant student responsibilities</b>	<b>Reese Building / Other</b>	<b>704-687-5740</b>
<ul style="list-style-type: none"> <li>• Title IX Deputy Coordinator and Sr. Assoc. Director of the COAA</li> <li>• Title IX Deputy Coordinator and Principal of Niner University Elementary School</li> </ul>	<ul style="list-style-type: none"> <li>▽ Storrs</li> <li>▽ Niner University Elem School at Amay James</li> </ul>	<b>704-687-</b> <b>704-687-</b>
• Atkins Library Security Officers	Atkins Library	704-687-1120
• The Dubois Center at UNC Charlotte Center City Security Officers	Center City Building	704-687-8902
<b>Athletic Department</b>	<b>Student Activity Center</b>	<b>704-687-1054</b>
• Director of Intercollegiate Athletics	Student Activity Center	704-687-1054
• Title IX Deputy Coordinator and Executive Associate Athletic Director/Senior Women's Administrator	Student Activity Center	704-687-4955
• Coaches	Student Activity Center	704-687-1054
• Assistant Coaches	Student Activity Center	704-687-1054
• Trainers	Student Activity Center	704-687-1054
• Staff leading intercollegiate athletics	Student Activity Center	704-687-1054

The Title IX information contained in this report is current for the statistics reflected in calendar year 2019. See Appendix VII for University Policy 504: Title IX Grievance Policy. <http://titleix.uncc.edu> August 14, 2020.

## SEXUAL ASSAULT, DOMESTIC VIOLENCE, DATING VIOLENCE, and STALKING INFORMATION

### Reporting Sexual Assault, Domestic Violence, Dating Violence and/or Stalking

#### Reporting Sexual Assault, Domestic Violence, Dating Violence and/or Stalking to the Police & Public Safety Department

If the survivor or witness elects to contact the Police & Public Safety Department to file a formal report of the assault, a detective trained in investigating sexual assault, domestic violence, dating violence and stalking will work with the individual to gather the pertinent information. The survivor always retains the right to decide whether she or he wants to proceed with a criminal prosecution. Police & Public Safety will notify the Title IX Coordinator of all reports of sexual assault, domestic violence, dating violence, and stalking that involve a University student. The officer will ensure that the survivor gets the counseling and other assistance she or he needs. The safety of the survivor will always remain the top priority of the officer. Reporting sexual assault, domestic violence, dating violence and/or stalking may help to prevent another incident.

Reporting the incident does not mean that the survivor must proceed with a prosecution. Immediately following an attack, the survivor should try to write down everything she or he remembers about the incident, including the physical description of the suspect(s) and any further information about the identity or location of the suspect(s). It is important to preserve evidence of a criminal offense; therefore, the survivor should report the incident immediately to the Police & Public Safety Department or local law enforcement. In incidents of sexual assault, a survivor should not take a shower and should go directly to a nearby hospital for examination. See below: Sexual Assault Prevention and Reporting; and/or visit the Title IX website at <http://titleix.uncc.edu>.

Any member of the University community who wishes to file a report should contact the Police & Public Safety Department at 704-687-2200. The survivor maintains the ultimate decision of whether to proceed with an investigation. An Interpersonal Violence Resource Guide is provided to survivors and is available for review in Appendix IV of this report. More information about the Xgvd)bfm process for handling sexual and interpersonal misconduct is available in University Policy 504, available as Appendix VII; University Policy 502, Sexual Harassment and Interpersonal Violence; and Chapter 8 of University Policy 406, available as Appendix VI.





## Reporting Sexual Assault, Domestic Violence, Dating Violence and/or Stalking to the Title IX Coordinator

Survivors may report to the University without involving law enforcement by contacting the Title IX Coordinator directly. The University process is completely separate from any criminal process and can take place even if there is not corresponding criminal process. All University Employees, which includes all CSAs, are required by policy to report sexual and interpersonal misconduct to the Title IX Office. The Title IX Office will then connect impacted parties with available resources (counseling, medical, etc.) and accommodations (changing classes, residence hall rooms, etc.) and help them determine their preferred next steps.

### Director of Title IX Compliance & Title IX Coordinator

<b>Dr. Michelle Reinken</b> <a href="mailto:michelle.reinken@uncc.edu">michelle.reinken@uncc.edu</a>	704-687-6130
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### Title IX Case Managers

<b>Alex Tompkins</b> <a href="mailto:atompki5@uncc.edu">atompki5@uncc.edu</a>	704-687-6037
<b>Whitney Badramraju</b> <a href="mailto:whitney.badramraju@uncc.edu">whitney.badramraju@uncc.edu</a>	704-687-6031

### Title IX Investigator

<b>Christine Weigel</b> <a href="mailto:christine.weigel@uncc.edu">christine.weigel@uncc.edu</a>	704-687-6129
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## 'Interpersonal Violence Prevention & Education' Committee

An interpersonal violence prevention specialist is located in the Center for Wellness Promotion and co-chairs an Interpersonal Violence Prevention & Education Committee. More information on the Interpersonal Violence Prevention & Education Committee can be obtained by contacting Beau Dooley at 704-687-7414 or [bdooley1@uncc.edu](mailto:bdooley1@uncc.edu).

## Deputy Title IX Coordinators

Pamela Broome [pamela.broome@uncc.edu](mailto:pamela.broome@uncc.edu)  
704-687-5340

Christine Reed Davis [crdavis@uncc.edu](mailto:crdavis@uncc.edu)  
704-687-0343

Cindy Edwards [ckedward@uncc.edu](mailto:ckedward@uncc.edu)  
704-687-0658

Lee Gray [legray@uncc.edu](mailto:legray@uncc.edu)  
704-687-0093

Katherine Hall-Hertel [khall-hertel@uncc.edu](mailto:khall-hertel@uncc.edu)  
704-687-7251

Ragean Hill [rhill64@uncc.edu](mailto:rhill64@uncc.edu)  
704-687-4955

## Preventing and Responding to Sexual Assault

The University cares about its students and any traumatic or other event that affects a student's life. With respect to sexual assault, the University has devoted significant resources and attention to this area to create a culture that provides appropriate support and procedural protections for students.

The University continues to evaluate how best to achieve these objectives, including by distributing an annual climate survey to solicit feedback about students' experiences and perspectives. It uses each year's survey results to make strategic, data-driven decisions about where to focus attention and resources in order to make the UNC Charlotte campus a safe, discrimination-free environment.

The University is committed to creating and maintaining a community in which students, faculty, and staff can work and study in an atmosphere free from harassment, exploitation, or intimidation. Every member of the campus community should be aware that the University does not tolerate sexual or interpersonal misconduct and that such conduct is prohibited by federal and state law and by University policy.

The University will take whatever action may be needed to prevent, correct, and, if necessary, discipline and/or prosecute behavior that violates this policy and the law. All forms of sexual or interpersonal misconduct

are regarded as serious University offenses. A full list of possible sanctions for student respondents is available in University Policy 406, which is attached as an appendix. The University, including any officer, employee or agent of the institution, or student may not retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or utilizing the University's procedures for reporting any improper activities, including reporting sexual assault, domestic violence, dating violence and/or stalking.

### **Safety Tips: In Your Residence:**

1. When someone is at your door, ask who is there before you open it, and don't let strangers in.
2. Keep doors and windows locked.
3. Don't give your name, address or phone number to a stranger on the phone.
4. Report any suspicious activities (obscene phone calls, peepers, exhibitionists, threats, attacks, attempted attacks, etc.) to the police.
5. Insist on immediate replacement when light bulbs burn out in dark walkways, parking lots and hallways.
6. Always keep your residence secure and never prop open exterior doors.
7. Never post to social media when you're planning to be out-of-town, when you are home alone, or your home address.
8. Call the Police & Public Safety Department to report suspicious activity.

### **Safety Tips: Around the Campus**

1. Familiarize yourself with the security services available to you - the shuttle service provided, the availability of blue light emergency phones and the LiveSafe phone application.
2. Avoid shortcuts through deserted places.
3. Don't walk alone at night.
4. Don't accept rides from strangers.
5. Whether on or off campus, walk/jog/bike in groups of three or more, especially after dark.
6. Avoid giving your address, phone number or name to someone you don't know or to friends in public places where you might be overheard.
7. Use your intuition. If you sense something suspicious, take appropriate precautions.

8. Report any suspicious people or activities you might encounter to campus police or residence hall guards.
9. Participate in RAD (Rape Aggression Defense Systems), the self-defense course taught by certified instructors at the Police & Public Safety Department.
10. When driving, park in well-lit, well-traveled areas. Have your keys ready so that you can enter your car quickly.
11. Look into your back seat before entering your car; lock the doors after you enter.

### **Date and Acquaintance Sexual Assault**

1. Be aware that most sexual assaults are committed by non-strangers in familiar social situations.
2. Be aware that perpetrators often target intoxicated individuals and/or use alcohol to facilitate assault. Don't leave a drink (alcoholic or otherwise) unattended. People should only accept drinks which were poured in front of them or they opened themselves, and have not been left unattended at any time.
3. If a person chooses to drink, consuming from sealed, premeasured, regulated alcohol containers (i.e.: domestic beer or wine in cans or bottles) is safer than pouring an unmeasured mixed drink or consuming from open source containers such as punch bowls where the alcohol content may not be known.
4. Trust instincts. If a person is uncomfortable in a situation, then they should trust their 'gut' reaction and get out of that situation as soon as possible.
5. When going to social gatherings, a person should go with a group of friends. They should arrive together, check in with each other throughout the evening, and leave together.
6. Watch out for friends and vice versa.
7. Encourage group activities in the early stages of any relationship. A person should not leave an event with someone they just met or don't know well.
8. All campus community members should know that they have the right to set limits on sexual activity or to say no to sexual activity, whether or not they have previously had sexual contact with someone.
9. If someone is overheard talking about taking advantage of a partner sexually, a bystander should

let that person know they heard it, and that it is wrong, and likely criminal behavior. If someone seems to be intentionally trying to get a person drunk, they should alert their friends, a bartender or party host, and remove themselves from the situation immediately. If they find they are more intoxicated than they should be given the amount of alcohol they have consumed, or if they experience symptoms that are not normally associated with alcohol, call 9-1-1.

10. Students with questions about their own or a friend's potential exposure to an illicit substance should contact the UNC Charlotte Police Department or the local police department.

### **Sexual Assault Reporting (Filing an Internal Complaint within the University)**

1. Alleged cases of sexual assault should be reported to the Title IX Coordinator at [titleixcoordinator@uncc.edu](mailto:titleixcoordinator@uncc.edu). An incident report can also be submitted at [incidentreport.uncc.edu](https://incidentreport.uncc.edu)
2. A Title IX Office staff member will meet with the impacted party(ies) to provide information about resources available to support them, accommodations for changing classes or residence hall rooms, the investigation and adjudication process, and any other appropriate assistance as needed. Individuals are given several options on how and whether to proceed with an investigation and hearing process under relevant University policy. Those options include:
  - a. The impacted party requests the Title IX Office staff to conduct a formal investigation of the incident. If there is sufficient evidence, the person accused may be charged with a violation(s) of relevant University policy. An impacted student or employee participates as a complainant throughout the process.
  - b. The impacted party files a report and requests that no investigation occur and / or the party wants to remain confidential. The Title IX Office staff will inform the victim that its ability to investigate the incident may be limited by the victim's decision to report anonymously.
  - c. The party files a report and gives a statement to the Title IX Office staff describing the incident, but does not want a formal investigation conducted. The victim will be instructed to preserve any evidence in the event that the victim wishes to pursue action in the future.
3. Where a formal investigation takes place, a Title IX investigator meets with the complainant, the accused person, and any relevant witnesses to gather testimony and evidence and then drafts an investigation report that summarizes all the information.
4. At any time prior to a determination on responsibility, the parties may decide to resolve a case. Each party would talk with a trained, unbiased facilitator about possible resolutions without being required to interact directly with the other party. If both parties agree on the resolution, the investigation and hearing process would stop. Otherwise, the process would move forward to a hearing.
5. University community members impacted by sexual and interpersonal misconduct, as well as accused individuals, are given certain assurances within the UNC Charlotte community to ensure the creation of a sensitive environment and to ensure the procedural due process rights. These assurances include:
  - a. The sharing of the case status as it progresses through the disciplinary process.
  - b. The ability to remain present throughout all portions of the hearing.
  - c. The presence of an attorney or non-attorney advocate as well as a support person throughout any or all of the steps of the disciplinary process.
  - d. The sharing of the outcome of the hearing.
  - e. Information concerning the availability of counseling and medical services.
  - f. The right to appeal the Administrative Hearing Officer's decision.
6. In addition, the parties are assured exclusion of previous, unrelated sexual behavior from the hearing, freedom from harassment and intimidation on campus, and accommodations within the hearing. The accused individual is provided information describing the disciplinary process and receives due process rights as outlined in the relevant University policy.

The Administrative Hearing Officer, investigators, appellate officers, and other officials involved in the process receive annual specialized training on sexual assault, domestic violence, dating violence, and stalking and on how to conduct an investigation and hearing process that protects the safety impacted parties and promotes accountability. Possible sanctions if a student is found responsible for sexual or interpersonal misconduct include expulsion or suspension from the University, disciplinary probation, educational sanctions, and/or restitution for loss. Possible sanctions from an employee include warnings, required education, demotions, and/or termination. An Interpersonal Violence Resource Guide is provided to impacted parties and is available for review in Appendix IV of this report.

### **Educational Programs and Resources to Promote Awareness of Sexual Assault, Domestic Violence, Dating Violence, and Stalking**

Freshmen students receive training on sexual assault, domestic violence, dating violence, and stalking at the "SOAR" orientation program prior to the beginning of the Fall Semester. Awareness and prevention programs surrounding these significant issues also are offered in all residence areas and resources are available to personnel. Materials are available through the Department of Housing & Residence Life, the Police & Public Safety Department, the Student Health Center, the Center for Counseling and Psychological Services (CAPS), the Dean of Students Office, Title IX Office, and the Center for Wellness Promotion.

Incoming students are provided an online awareness and prevention training module. UNC Charlotte uses its own online module, Niner Knows, that thoroughly tackles issues of consent, bystander intervention, North Carolina laws and University policies, and other important educational information surrounding the topics of sexual assault, interpersonal violence, and stalking. New employees also received awareness and prevention training through New Employee Orientation, which now takes place online.

See Appendix I for more information on prevention and awareness programs.

Each primary awareness and prevention program conducted for incoming students and new employees covers the following information:

- (1) UNC Charlotte prohibits sexual harassment, sexual assault, dating violence, domestic violence, and stalking. That means that students or employees who perpetrate any of these offenses can be disciplined, and students or employees who are victims of this conduct can receive services and accommodations to help remedy the harmful effects.
- (2) North Carolina state law does not specifically define "sexual assault," "dating violence," or "consent." However, the definitions of the relevant conduct and the possible penalties for that conduct are listed in Appendix V. University Policy 406, The Code of Student Responsibility ([legal.uncc.edu/policies/up-406](https://legal.uncc.edu/policies/up-406)) provides a robust definition of "consent" that is used during the student conduct process.
- (3) Active bystanders can directly intervene in a situation (if they feel safe in doing that), can delegate intervention to another person or entity (by calling police or providing counseling information), or can distract those involved in order to de-escalate potentially problematic situations. Doing nothing is never the right answer for a bystander who observes a problematic situation.
- (4) Warning signs of abusive relationships include distancing someone from family and friends; criticizing, insulting, or humiliating someone; and jealous, possessive, controlling behavior. Our Center for Wellness Promotion provides excellent training programs on these topics, such as "Interpersonal Violence 101" and "Healthy Relationships: Are You Seeing Red, Green, or Somewhere in Between?"
- (5) The University's conduct process is implemented by trained professionals who conduct fair and impartial investigations and hearings. Complainants and Respondents have equal rights throughout the process, including the right to have an advisor present. Victims do not have to contact police, but if they decide to do so, they can be assisted by a University official. Victims' names must be revealed to the Title IX Coordinator (unless working with a designated confidential resource), but the Title IX Coordinator will discuss with the victim their options regarding the process, confidentiality, available resources and accommodations, etc. and will strive to maintain the victim's privacy.



(6) The Interpersonal Violence Resource Guide (Appendix IV) includes important information about evidence preservation, no contact orders, resources, contact information, parties rights, confidential resources, and the relevant disciplinary process and is provided to every victim who reports sexual assault, dating violence, domestic violence, or stalking.

## **Bystander Intervention**

UNC Charlotte teaches and hopes to foster an environment of bystander intervention through training sessions that offer safe and positive options for individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault or stalking. Options include: recognizing situations of potential harm; understanding potential facilitations of violence; overcoming barriers to intervening; identifying safe and effective intervention options and taking action to intervene.

What is a Bystander?

- Someone who is present but is not taking part in the situation
- A spectator or witness who may or may not know what to do
- A person who is present during a potentially dangerous situation and DOES NOTHING to stop it

What is an Active Bystander?

- Someone who intervenes safely in situations that don't seem "quite right."

Why become an Active Bystander?

- To help keep you, your friends, and the campus community safe. We all have a part!

Bystander intervention training teaches participants how to observe situations, assess whether the situation is problematic, act to respond in a safe and appropriate manner, and follow up with individuals affected.

## **What to do if You or Someone You Know is Sexually Assaulted**

If you or someone you know has been sexually assaulted (including acquaintance rape) you should:

- I. Go to a safe place.

2. Do not wash, douche, brush your teeth, change clothes or even comb your hair. Do not disturb anything in the area where the assault occurred. This evidence is extremely important if you decide to prosecute.
3. Report the crime to the Police & Public Safety Department or other appropriate law enforcement agency, if you choose to do so. Authorities from the Dean of Students, Title IX Office, or Housing & Residence Life will assist you in notifying the Police & Public Safety Department about the incident, if you make a request for assistance. Reporting the assault does not mean that you have to prosecute. You may decide to file an anonymous report, or you may wish to file a confidential report to a counselor or other health professional in the Center for Counseling and Psychological Services (CAPS), or the Student Health Center.
4. The Police & Public Safety Department at 704-687-2200 is available 24 hours a day to help arrange the following important services:
  - a. Emotional support through a rape crisis center, such as Safe Alliance, a friend or a family member.
  - b. Immediate medical attention and evidence collection at the nearest hospital emergency room. [If the assault is reported within 72 hours, Rape Victim Assistance will assist with the medical bill. You may have injuries you don't know about. They can provide you with information and treatment for pregnancy and sexually transmitted diseases. A rape victim advocate can be present with you during your examination.]
  - c. Counseling through the Center for Counseling and Psychological Services (CAPS) and a rape crisis center. All cases are handled confidentially.

## **Changing Living and Academic Situations**

Once an incident has been reported, the Title IX Office will arrange for accommodations for the Complainant as appropriate. The Title IX Office will be responsible for contacting faculty, the Department of Housing and Residence Life, and any other relevant parties to coordinate 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.

### **Additional Resources**

Sexual assault, domestic violence, dating violence and stalking awareness and prevention programs are offered in all residence areas, and resource personnel and materials are available through the Department of Housing and Residence Life, Police & Public Safety Department, the Student Health Center, the Center for Counseling and Psychological Services (CAPS), the Dean of Students Office, Title IX Office, and the Center for Wellness Promotion.

For more information about Rape Victim Compensation for associated services rendered, please contact:

**N.C. Crime Victim's Compensation  
Commission,  
Division of Victim and Justice Services  
Victims Compensations Services  
4323 Mail Service Center  
Raleigh, NC 27699-4703  
1-800-826-6200 or 1-919-733-7974**

\*Note: In order to receive reimbursement for the cost of the sexual assault examination kit, the assault must be reported to law enforcement within 72 hours.

**Safe Alliance (Charlotte, NC)  
Domestic Violence Crisis Line: 704-332-2513**

Rape Crisis Hotline: 704-375-9900  
<http://www.safealliance.org/>

**For Information on Registered Sex  
Offenders in North Carolina, go to:**

<http://sexoffender.ncsbi.gov/>

### **Sex Crimes Prevention Act**

The federal Campus Sex Crimes Prevention Act requires

institutions of higher education to issue a statement advising the campus community where information concerning registered sex offenders may be obtained. In North Carolina, this information is accessible at [sexoffender.ncsbi.gov](http://sexoffender.ncsbi.gov). You may sign up at this site to receive e-mail and telephone alerts when an offender registers to an address in your community.

### **Dating Violence, Domestic Violence & Stalking**

Dating violence, domestic violence, and stalking also affect members of the university community.

Domestic or dating violence can take the form of physical or sexual assaults as well as emotional, financial, and/or psychological abuse. Although only physical or sexual assaults (or the threat of such assaults) are actionable under state law or university policy, UNC Charlotte encourages victims of all types of abuse to contact the Center for Counseling and Psychological Services (CAPS) (for students) or the Employee Assistance Program (for employees) to work through the aftermath of the abuse, put together a safety plan, and/or receive other support.

Law enforcement agencies have specific legal responsibilities to victims based on the 1998 Crime Victims' Rights Law. In addition, the 2004 NC Workplace Violence Prevention Act permits employers to file a civil no-contact order on behalf of an employee who has suffered unlawful conduct from any individual that can reasonably be construed to be carried out, or to have been carried out, at the employee's workplace.

University Policy 101.17, Workplace Violence further describes the University's resources and processes for responding to workplace violence, including sexual assault, domestic violence, dating violence, or stalking. As with sexual assault or other forms of sexual misconduct, reports of dating violence, domestic violence, or stalking should be made to the Title IX Coordinator.

If a victim also wants to report to law enforcement, they can contact the UNC Charlotte Police & Public Safety Department. The Police & Public Safety Department can assist victims in obtaining domestic



violence protective orders or civil no-contact orders through the Mecklenburg County court system. The Interpersonal Violence Resource Guide, attached as Appendix IV, provides additional information. A list of Prevention and Awareness Programs are available in Appendix I.

The Police & Public Safety Department maintains a close working relationship with CMPD, including information sharing of crimes and chronic patterns. The University also shares information with other first responder agencies, such as Charlotte Fire Department and Medic.

## **MISSING STUDENT INFORMATION**

### **Reporting a Missing Student**

The term “missing student” is defined as any UNC Charlotte student residing in an on-campus student housing facility who is reported missing from his or her residence. Reports of missing students should be immediately referred to the UNC Charlotte Police and Public Safety Department at 704-687-2200 located at 9151 Cameron Boulevard, Charlotte NC 28223. Once information of a missing person is reported to the Police & Public Safety Department, a complete and thorough investigation will be conducted in accordance with North Carolina law and Police & Public Safety’s Written Directive 600-001 (Missing Persons) approved September 27, 2010 and reviewed annually with the last review in August, 2020. Missing students may also be reported to a Campus Security Authority as outlined in this report.

### **Missing Student Contact Procedures**

All students residing in on-campus student housing facilities have the option of identifying a contact person or persons whom the University will notify in case of an emergency or if the student is determined to be missing by the Police & Public Safety Department or a local law enforcement agency. The contact information will be confidential, accessible only to authorized campus officials and law enforcement, and may not be disclosed to the public except in a missing person investigation. When a student who resides in an on-campus student housing facility is determined to have been missing for 24

hours, the University will follow the procedures below:

### **Notification Procedures:**

Any report of a missing residential student should immediately be directed to the Police & Public Safety Department.

When a residential student is reported missing, the Police & Public Safety Department will:


- Contact the Director of Housing & Residence Life (or designee).
- Initiate an investigation to determine the validity of the missing person report.
- Make a determination as to the status of the missing student and initiate proper protocols based upon that determination.

The Director of Housing and Residence Life (or designee) will:

- Notify the missing student’s emergency contact within 24 hours of a determination by Police and Public Safety that the student is missing.
- If the missing student is under the age of 18, notify the student’s custodial parent or guardian as contained in the records of the University within 24 hours of a determination by the Police & Public Safety Department that the student is missing.
- Initiate additional action as deemed appropriate under the circumstances.

UNC Charlotte Police Department’s Missing Person Policy 600-001 was last updated September 27, 2010 and reviewed August, 2020.



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## I. PURPOSE


The purpose of this directive is to establish policy and procedures for the UNC Charlotte Police Department to investigate cases involving missing persons.

## II. POLICY

When members of the campus community are reported missing and/or abducted to the UNC Charlotte Police Department, this agency shall initiate a missing person report and a subsequent investigation. Although rare in a university setting, it shall be the policy of this department to include the investigation of missing children, comprising of runaways, abandonment of children, and unidentified children.

## III. DEFINITIONS

- A. **Missing Person:** any individual who is 18 years of age or older, whose temporary or permanent residence is in North Carolina, or is believed to be in North Carolina, whose location has not been determined, and who has been reported as missing to a law enforcement agency.
- B. **Missing Child:** a person who is less than 18 years of age whose location has not been determined or is unknown, who has been reported missing to a law enforcement agency, and whose parent's, guardian's, spouse's, or legal custodian's temporary or permanent residence is in North Carolina or is believed to be in North Carolina.
- C. **Missing Person Report:** a report prepared on a prescribed form for transmitting information about a missing person or a missing child to an appropriate law enforcement agency.
- D. **At Risk Persons:** any person who is physically or mentally challenged and who poses a risk to themselves or others, e.g., mental disorder, suicidal, Alzheimer, or Diabetic.
- E. **Unusual Circumstances (Missing Critical):** A person who been reported missing where foul play may be a factor, or is a child (as defined above), or is any at-risk person, or is potentially in a situation where factors and/or conditions could possible put them at risk.
- F. **Zone of safety:** The distance a child could travel from the location where last seen before he or she would most likely be a risk of injury or exploitation based on the child's age, developmental stage, and related matters.


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- G. **Amber Alert:** Multi-media means of disseminating information to the community concerning missing persons under the age of 18 in accordance with NCGS 143B- 499.7.
- H. **Silver Alert:** Multi-media means of disseminating information to the community concerning missing persons who are suffering from dementia or other cognitive impairment in accordance with NCGS 143B-499.8.
- I. **Confidential Contact Register:** A confidential emergency contact list that is maintained by the UNC Charlotte Office of Housing and Residence Life (HRL). Any student who resides in an on-campus student housing facility may register confidential contact information on this list. Contact information on this list may only be accessed by authorized University officials in the event that the individual named is the subject of a missing person investigation.


#### IV. PROCEDURES- FOR ALL CASES

- A. Initial Response to an Adult Missing Persons Call. When Telecommunications receives a call in reference a missing person, the following shall be done:
  - 1. The Telecommunicator receiving the call shall get as much information as possible regarding:
    - a. The name of the missing person
    - b. A physical description and a clothing description
    - c. Last known whereabouts
    - d. Any medical or behavioral precautions
    - e. Known associates of the person missing
  - 2. Telecommunications shall dispatch a uniformed patrol officer to take the initial missing persons report.
- B. The responding officer shall obtain the following information from the complainant:
  - 1. Identifying information about the missing person(s) such as:
    - a. Name



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- b. Address
    - c. Social security number
    - d. Date of birth
    - e. Race
    - f. Sex
    - g. Any other identifiable information, such as a recent photograph
  2. The last known location of the missing person(s).
  3. The name, location, and type of any place this person may frequent.
  4. Any and all information about this person that would be useful in helping locate them, such as any habits this person may have that may lead to location of this individual.
  5. Information about any present or past medical or psychological illnesses this person may have had, along with the names of the person's physicians when possible.
  6. Try to determine the names of friends of the missing person and names of groups or organizations this person belongs to.
- C. Upon completion of the initial investigation, the officer shall complete a report on the computerized reporting system before the end of his tour of duty.
1. The report shall include all information obtained by the officer.
  2. The officer shall have the Telecommunicator on duty perform the following:
    - a. Enter the missing person into the National Crime Information Center (NCIC) computer system in accordance with their standards.
    - b. Provide this information to all Department of Public Safety on-duty officers as well as send this information out on the DCI Computer system as a statewide broadcast.
    - c. Contact the Charlotte Mecklenburg Police Department's (CMPD) Missing Persons Unit.

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- d. A copy of this report shall be sent to the N.C. Center for Missing persons as outlined in N.C. General Statute 143B-499.1.
3. Within the same tour of duty the responding officer shall contact the reporting person, advise them of what has been done so far, and determine if any new information has developed.

NOTE: NCIC requires All missing persons under the age of 21 *must* be entered into NCIC (DCI) within 2 hours of the time the agency has obtained the minimum mandatory data. If an agency receives a phone call and verbally obtains the minimum mandatory data over the phone, the two hour time frame begins when the minimum data is received via the phone call. If the agency receives a phone call and dispatches an officer to the scene to obtain the information, the two hour time frame begins when the officer receives the minimum mandatory data for entry is obtained by the officer on the scene.


#### V. PROCEDURES- FOR UNUSUAL CIRCUMSTANCES (Missing Critical) INVOLVING A MISSING CHILD

A Refers to a missing child who is:

1. 17 years of age or younger. This age was established by the Federal Missing Children Assistance Act because children of this age group have not established independence from parental control and do not have the survival skills necessary to protect themselves from exploitation on the streets.


Note: In the event that the missing child (less than 18 years of age) is also a UNC Charlotte Student, the UNC Charlotte Police Department or another member of the University Administration shall notify their legal parent of guardian unless the child has been emancipated from the same.

2. Believed to be one or more of the items below:
  - a. Out of the zone of safety for his or her age and/or development stage.
  - b. Mentally incapacitated.
  - c. Drug dependent.
  - d. A potential victim of foul play or sexual exploitation.

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- e. In a life threatening situation.
  - f. Absent from home for more than 24 hours before being reported as missing to law enforcement.
  - g. Believed to be with others who could endanger his or her welfare.
  - h. Is absent under circumstances inconsistent with established patterns of behavior.
  - i. Has demonstrated the potential for suicide.
  - j. Has been involved in a boating, swimming, or other sporting accident or natural disaster.
3. Whose disappearance involves circumstances that would cause a reasonable person to conclude that the child should be considered **at-risk**.
- B. Actions upon determination of unusual circumstances (missing critical)
- 1. If it is determined that unusual circumstances are involved in the report of a missing child, the child shall be considered **at-risk**, and an expanded investigation, including the use of all appropriate resources, shall immediately commence. While all missing child incidents should be investigated thoroughly, those involving unusual circumstances indicate a heightened likelihood of risk to the child and, therefore, require an intensive response.
  - 2. The tele-communicator shall notify CMPD, and at a minimum, provide a description of the missing person, where they were last seen, and any other information that may be of use in locating the individual. If circumstances require the mobilization of additional resources, the watch commander may also forward this request through the tele-communicator. Depending upon the circumstances surrounding the incident, additional agencies may be notified at the discretion of the watch commander.
  - 3. The supervisor shall determine if the unusual circumstance meets the requirements for this issuance of an Amber Alert as set forth in NC G.S. 143B-499.7, those requirements being: See [http://www.ncleg.net/enactedlegislation/statutes/html/bysection/chapter\\_143b/g\\_s\\_143b-499.7.html](http://www.ncleg.net/enactedlegislation/statutes/html/bysection/chapter_143b/g_s_143b-499.7.html)
    - a. The child is 17 years of age or younger




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- b. The child is believed:
    - (1) To have been abducted, or
    - (2) To be in danger of injury or death
  - c. The abduction is not known or suspected to be by a parent of the child, unless the child's life is suspected to be in danger of injury or death.
  - d. The child is not believed to be a runaway or voluntarily missing; and
  - e. The abduction has been reported to and investigated by a law enforcement agency.
3. If the criteria for an Amber Alert are met, the investigator, watch commander, or on duty supervisor shall contact the Chief of Police or his designee in order to:
  - a. Confirm that statutory criteria have been met
  - b. Obtain permission to request the activation of an Amber Alert
4. Once statutory criteria has been confirmed and the Chief of Police has the request for the issuance of an Amber Alert: the investigator, watch commander, or on duty supervisor shall follow Amber Alert issuance procedures,
  - a. See...NC Department of Public Safety website at <http://www.ncdps.gov/>
  - b. Contact the NC Center for Missing Persons at 1-800-522-5437 or 1-919-733-3914
- C. Upon determination that the Amber Alert is no longer needed, the lead investigator shall notify the North Carolina Center for Missing Persons to cancel the alert.

## VI. CASES INVOLVING THE POTENTIAL ISSUANCE OF A SILVER ALERT

### A Actions taken in the event of a Silver Alert

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- ⓪ The supervisor shall determine if the unusual circumstance meets the requirements for this issuance of a Silver Alert as set forth in NCG.S. 143B-499.8, those requirements being: See...  
[http://www.ncleg.net/enactedlegislation/statutes/html/bysection/chapter\\_143b/g!s\\_143b-499.8.html](http://www.ncleg.net/enactedlegislation/statutes/html/bysection/chapter_143b/g!s_143b-499.8.html)

Is believed to be suffering from dementia or other cognitive impairment regardless of age

Is believed missing, regardless of circumstance

A legal custodian of the individual has submitted a missing person report

If the criteria for a Silver Alert is met, the investigator, watch commander, or on duty supervisor shall contact the Chief of Police or his designee in order to:  
 Confirm that statutory criteria have been met

Obtain permission to request the activation of a Silver Alert

Once statutory criteria has been confirmed and the Chief of Police has approved! the request for the issuance of a Silver Alert: the investigator, watch commander, or on duty supervisor shall follow Silver Alert issuance procedures:


See...NC Department of Public Safety website  
 at <http://www.ncdps.gov/>

Contact the NC Center for Missing Persons at 1-800-522-5437 or 919-733-3914

- B. Cancellation of a Silver Alert: Upon determination that the Silver Alert is no longer needed, the lead investigator shall notify the North Carolina Center for Missing Persons to cancel the alert.


## VII. CASES INVOLVING A MISSING UNC CHARLOTTE STUDENT

- A. In the event that a UNC Charlotte Student has been reported to be missing for a period of 24 hours the on duty watch commander, supervisor, or investigator shall immediately:

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Note: This requirement does not preclude implementing these procedures in cases where the student has been missing for less than 24 hours if circumstances warrant a faster implementation.


1. Immediately notify the Chief of Police or his designee so the proper notifications can be made
    - a. Vice Chancellor of Business Affairs
    - b. Vice Chancellor of Student Affairs
    - c. UNC Charlotte Dean of Students Office
    - d. Any other notifications as deemed necessary by the before mentioned individuals or offices
  2. Contact the UNC Charlotte 49er Card Office to obtain information about recent activity on the missing individual's student ID card.
  3. Contact the UNC Charlotte Office of Information and Technology (IT) to determine if the missing individual has recently logged into the network.
- B. In the event that the missing UNC Charlotte Student also resides in on-campus student housing, all of the before mentioned steps in section A shall be implemented and supplemented by the following steps:
1. The UNC Charlotte Office of Housing and Residence Life (HRL) shall be notified immediately.
  2. The confidential contact register on file at HRL shall be checked to see if the missing resident named anyone to their confidential contact list.
  3. Officers shall interview roommates/suitemates and any other residents determined to have a close personal relationship with the missing individual.
  4. Officers shall conduct a check of:
    - a. The missing resident's room with assistance from an authorized HRL employee (welfare check)
    - b. The common areas of the entire residential facility
    - c. The periphery of the residential facility

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- d. Common public areas on campus such as the Student Union and dining facilities.
- e. A check of social networking sites

## VIII. INVESTIGATIVE FOLLOW-UP FOR A MISSING PERSON

- A. The missing person report shall be forwarded to the Criminal Investigations Unit of the UNC Charlotte Police Department for a follow-up investigation
  - 1. The investigator assigned to this case shall contact the reporting person to obtain any additional information needed.
  - 2. The investigator shall also contact the N.C. Center for Missing Persons to provide any additional information or obtain any information from them needed to conduct this investigation.
  - 3. This investigator shall follow-up on any leads on the whereabouts of this missing person and organize/conduct a search of the suspected area if the need arises.
  - 4. Special considerations applicable with any critically missing or at-risk person to be taken.
- B. Location of Missing Persons
  - 1. Once a missing person has been located and the Department of Public Safety has been notified, a supplement report should be completed to indicate when and where the person was located.
  - 2. The report should be forwarded to the telecommunications office where the missing person hit shall be taken out of the DCI/NCIC computer system by using the proper DCI/NCIC procedures for doing the same.
  - 3. A copy of this report shall be forwarded to the North Carolina Missing Persons Center so that they can also clear the report out of their system.
- C. Special Considerations for Adult Missing Persons: Competent adults, having left home for personal reasons, cannot be forced to return home. Officers locating such individuals shall:

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1. Advise them that they are the subject of a missing person investigation.
2. Ask if they desire the reporting party or next-of-kin to be notified of their whereabouts.
3. Make provisions to transmit this information to the reporting party or next-of-kin if permitted by the missing person.

Note: In all cases, reporting parties shall be informed of the well-being of located missing persons. Unless criminal matters necessitate other action, desires of missing persons not to reveal their whereabouts shall be honored.

D. Special Considerations for Child Missing Persons: Officers locating such individuals shall:

1. Ensure the child receives appropriate medical attention if necessary and in a timely manner.
2. Initially question the child to identify the circumstances surrounding the child's disappearance, any individuals who may be criminally responsible and/ or whether an abusive or negligent home environment was a contributory factor.
3. Ensure that parents, guardians and/or the person reporting the missing youth are notified in a timely manner.

IX. REFERENCES

NC General Statutes: 143B-495, 143B-499.1, 143B-499.7,  
143B-499.8 CALEA: 41.2.5, 41.2.6, 41.2.7  
Clery Act  
UNC Charlotte Office of Housing and Residence Life





## Missing Residential Student Notification Guidelines

**Federal Statute:** The Higher Education Act Reauthorization bill was signed into law by the president on August 14, 2008. This act requires institutions that both participate in any federal higher education programs and maintain on-campus housing to establish a missing student notification policy for students who reside in on-campus housing and have been determined after an investigation by campus security officials to be missing for 24 hours.

**UNC Charlotte Policy:** This policy, with its accompanying notification procedures, establishes a framework for cooperation among members of the University community aimed at locating and assisting residential students who are reported missing. Reports of missing residential students will be directed to UNC Charlotte Police and Public Safety, which will investigate each report and make a determination as to whether the student is missing. A residential student shall be deemed missing when he or she is absent from the University for more than 24 hours without any known reason.

All residential students have the opportunity to confidentially identify an individual whom they wish to be contacted by the University in case he/she is determined to be missing. The designated contact person will be notified no later than 24 hours after the student is determined to be missing. Additionally, if a missing residential student is under 18 years of age and not an emancipated individual, the University is required to notify the parent or guardian of the missing student not later than 24 hours after the student is determined to be missing.

The Director of Housing and Residence Life (or designee) has the responsibility to make the provisions of this policy and the procedures set forth below available to students.

### Notification Procedures:

- Any report of a missing residential student should immediately be directed to UNC Charlotte Police and Public Safety.
- When a residential student is reported missing UNC Charlotte Police and Public Safety will:
  - contact the Director of Housing and Residence Life (or designee).
  - initiate an investigation to determine the validity of the missing person report.
  - make a determination as to the status of the missing student and initiate proper protocols based upon that determination.
- The Director of Housing and Residence Life (or designee) shall:
  - notify the individual identified by the missing student as the emergency contact within 24 hours of a determination by UNC Charlotte Police and Public Safety that the student is missing.
  - if the missing student is under the age of 18, notify the student's custodial parent or guardian as contained in the records of the University within 24 hours of a determination by UNC Charlotte Police and Public Safety that the student is missing.
  - initiate additional action as deemed appropriate under the circumstances.

## **Criminal Activity at Off Campus Locations**

The University relies on its close working relationships with local law enforcement agencies to receive information about incidents involving students. UNC Charlotte Police & Public Safety Department actively investigates all criminal information it receives concerning or involving a member of the campus community. If the University is notified of a situation in which a campus community member is the victim of a crime, the Police & Public Safety Department may issue a "NinerAlert" detailing the incident and providing tips so that other community members may avoid similar incidents. When local law enforcement becomes aware of criminal or other serious incidents occurring at off-campus fraternities or sororities in addition to off campus incidents involving UNC Charlotte students, UNC Charlotte Police & Public Safety Department is notified.

## **Contacting Other Law Enforcement Agencies**

Individuals may also contact local law enforcement agencies on their own. Alternatively, members of the Police & Public Safety Department and other University officials will assist the individual in notifying the appropriate agency in the applicable jurisdiction.

## **Access to Campus Facilities**

UNC Charlotte campus is generally open to the public. As with any governmental agency, there are limits to access in some areas.

The amount of access granted to an individual depends on the intended space usage, residential privacy, current status of enrollment or employment, community safety, and state and federal regulations. Use of facilities is generally restricted to current students, faculty, and staff. Specific facilities, such as the University Library, are open to the community. The community is encouraged to attend and become involved in performing arts and athletic events. During routine business hours, exterior doors to academic and administrative buildings are unlocked. Generally, exterior doors are locked after the last scheduled activity. After-hour users of these buildings are strongly encouraged to take special

personal precautions such as locking the office doors where they are working. Persons working alone and after hours should be careful when using bathroom and break areas. Persons working late are also encouraged to notify the Police & Public Safety Department of their presence. University Policy 719, Access Control (available at <https://legal.uncc.edu/policies/up-719>), and its supplemental procedures establish standards for the issuance of and accountability for methods of access to the UNC Charlotte campus buildings and restricted areas, including keys, 49er ID cards, and their temporary or digital counterparts, as well as the regulation of building and guest access areas on campus.

## **Special Procedures for Residence Hall Access**

Because they are living areas, security in the residence halls differs from academic and administrative areas of the campus. Residence hall entrances have 24-hour card access control readers restricting access to only designated individuals. A Housing and Residence Life employee is typically on call to respond to any crisis that might arise and has access to the building. During business hours, the Residence Life staff, consisting of Residence Coordinators, Graduate Assistants and maintenance and housekeeping staff, are in and around the residence halls. The residence halls are normally staffed by uniformed security guards from 11:00 p.m. until 7:00 a.m.

Residence hall key control policies require that lock cylinder cores be changed immediately upon the report of a lost key. The type of key used by Housing and Residence Life is not readily duplicated in the Charlotte area. Students are educated not to let people into their residence halls who don't have access cards. Specific information on each type of residence hall is available from the Department of Housing and Residence Life. See the Resident Handbook for rules, regulations and procedures regarding residence hall access.

## Security Considerations in the Maintenance of Campus Facilities

The University is committed to campus safety and security. Exterior lighting and landscape control are a critical part of that commitment. Representatives from various departments conduct security surveys to ensure campus lighting is adequate and the landscape is appropriately controlled. Police & Public Safety Department employees conduct routine checks of lighting on campus during regularly assigned patrol duties. If lights are out or dim, officers will initiate an immediate work order, which is acted upon by a representative of the appropriate maintenance office, usually within 24 hours or the next business day. Community members are encouraged to report any deficiency in lighting to the Facilities Customer Service Center at 704-687-0562. Any community member who has a non-emergency concern about physical security should contact the Police & Public Safety Department at 704-687-3400. The Police & Public Safety Department, Facilities Management, and representatives from the alarm and lock shops work together to identify inoperative locking mechanisms. Community members are encouraged to promptly report any locking mechanism deficiency to the Facilities Customer Service Center at 704-687-0562 or to Police & Public Safety Department at 704-687-2200. Maintenance staff members are available to respond to calls for service regarding unsafe facility conditions or for personal safety and property protection. These conditions also may include unsafe steps or handrails, unsafe roadways on campus, and unsecured equipment. See Facilities Management Policies available at: <http://facilities.uncc.edu/about-us/policy-statements> for more information.

H]a Y'mK Ufb]b[ 'B ch]Wgf7 f]ja Y'5`Yfhgž7 Ua di g  
GUZ/m5 Xj ]gc f]Ygž UbX' h\ Y]f' 8 ]gh f]Vi h]cbŁ

In the event of a serious crime 'cWwff]b[ ' ]b'fY`Yj Ubh  
[Yc[ fUd\m that has been reported to police or CSAs and that represents a serious or continuing threat to the university community, the Police & Public Safety Department is required to issue a crime alert/timely warning. Advisories/Emergency Notifications are also quickly distributed if a natural or manmade mishap could affect a significant segment of the campus community. These advisories are published through the University's e-mail system, posted on UNC Charlotte Police & Public Safety website [police.uncc.edu](http://police.uncc.edu), text messages alerts, LiveSafe application and tv/computer screen alerts. In the event an advisory needs to be delivered on an immediate basis, flyers may be posted and hand delivered to each area. The Police & Public Safety Department is responsible for issuing the warning. The Police & Public Safety Department communicates with local police requesting their cooperation in informing the institution about crimes reported to them that may warrant timely warnings.

## Decision Criteria for Timely Warnings

The issuance of a Timely Warning must be decided on a case-by-case basis in light of all of the facts surrounding a crime, including factors such as the nature of the crime, the continuing danger to the campus community, and the possible risk of compromising law enforcement efforts. An ongoing investigation will normally not preclude the issuance of a Timely Warning. The Department will issue a Timely Warning without delay and will only restrict information that is sensitive to an investigation if the restriction of such information does not inhibit the ability of members of the campus community to protect themselves from harm.

## Content of Timely Warnings

The intent of a Timely Warning is to enable members of the campus community to protect themselves from harm. Accordingly, all Timely Warnings must include any information that would promote safety. Such information should include, at a minimum:

- Nature and location of the crime
- Date/time of the crime
- Suspect information, if available (victim name is withheld as confidential)
- Any additional information that may aid in protecting the campus community

## Initiating Timely Warnings

Every attempt must be made to issue a Timely Warning as soon as is reasonably possible after the facts of the incidents have been established. For threats that are considered particularly exigent, a Timely Warning may be issued immediately with any known facts and then updated with additional pertinent information until the threat is contained or neutralized. The Chief of Police has the authority to issue Timely Warnings and Emergency Notifications via the Watch Commander or designee.

Timely Warnings and Emergency Notifications will be

provided in an accurate and timely fashion to inform students and campus community members of the threatening situation and how they can best protect themselves from harm.

Individuals may also sign up to receive notifications through UNC Charlotte Alerts System. Offered free of charge, this system allows individuals, including employees, students and parents, to receive campus alerts on their cell phones via text messages. More information can be found at :



<http://www.unccharlottealerts.com>.

Additionally, methods of dissemination can include, but are not limited to, the following: Whalen Alert Siren, University webpage alerts, email, Smart Classroom/Podium alerts, Digital television and signage alerts, Cisco IP phone alerts and Campus warning messages. Documentation will be kept at the UNC Charlotte Police Department. See UNC Charlotte Police Department Emergency Notifications and Timely Warnings Policy 600-007 last update August, 2018 and reviewed August, 2020.

## Niner Notice

A NinerNotice provides information about certain incidents that do not pose a threat to University safety or operations, but about which it may be helpful for the campus community to know. A NinerNotice does not require any action on the part of a student or employee but is intended to be helpful in clarifying unfounded rumors or notifying the campus community of unusual incidents. Anyone may subscribe to be alerted to new NinerNotices by signing up at:

[emergency.uncc.edu/ninernotice](http://emergency.uncc.edu/ninernotice)

	<b>UNC Charlotte Police Department</b>		<b>600-007</b>
	Interactive Directives Guide	Emergency Notifications and Timely Warnings	
	Effective Date: Aug. 24, 2011 (revised Aug. 14, 2018)		Page: 1 of 4
	Approved By: Chief Jeffrey A. Baker Director of Police and Public Safety		Signature: 

## I. PURPOSE

The purpose of this directive is to provide guidelines for the issuance of Timely Warnings and Emergency Notifications to the campus community.

## II. POLICY

If a situation arises, either on or off campus, that constitutes an ongoing or continuing threat to the campus community, the UNC Charlotte Police Department (Department) will issue a campus-wide notification. There are two kinds of notifications that may be issued under this directive:

- A. “Timely Warnings” are issued for situations related to criminal activity as required under applicable provisions of the Clery Act (20 U.S.C. § 1092(f) et seq.).
- B. “Emergency Notifications” are issued for threatening situations not involving criminal activity.

Timely Warnings and Emergency Notifications will be provided in an accurate and timely fashion to inform students and campus community members of the threatening situation and how they can best protect themselves from harm.



## III. TIMELY WARNINGS

### A. Crimes Requiring Consideration of Timely Warnings

The Clery Act requires UNC Charlotte to issue Timely Warnings to the campus community about certain criminal activities considered to represent a continuing threat to students and employees once they are reported to the Department, local police, or to officials with significant responsibility for student and campus activities. Timely Warnings will be considered for dissemination by the Department for the following classifications of reported crimes:

- ☐ Criminal homicide
- ☐ Sex offenses
- ☐ Robbery
- ☐ Aggravated assault
- ☐ Hate crimes
- ☐ Burglary
- ☐ Motor vehicle theft
- ☐ Arson



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In addition to these instances, Timely Warnings will be disseminated by the Department when any crime occurs that poses a serious or continual threat to the campus community and/or the surrounding area, including crimes involving illegal firearm possession.

#### B. Decision Criteria for Timely Warnings

The issuance of a Timely Warning must be decided on a case-by-case basis in light of all of the facts surrounding a crime, including factors such as the nature of the crime, the continuing danger to the campus community, and the possible risk of compromising law enforcement efforts. An ongoing investigation will normally not preclude the issuance of a Timely Warning. The Department will only restrict information that is sensitive to an investigation if the restriction of such information does not inhibit the ability of members of the campus community to protect themselves from harm.

#### C. Content of Timely Warnings

The intent of a Timely Warning is to enable members of the campus community to protect themselves from harm. Accordingly, all Timely Warnings must include any information that would promote safety. Such information should include, at a minimum:


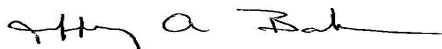
- ☐ Nature of the crime
- ☐ Location of the crime
- ☐ Date/time of the crime
- ☐ Suspect information, if available
- ☐ Any additional information that may aid in protecting the campus community

#### D. Timing of Timely Warnings

Every attempt must be made to issue a Timely Warning as soon as is reasonably possible after the facts of the incidents have been established. For threats that are considered particularly exigent, a Timely Warning may be issued immediately with any known facts and then continually updated until the threat is contained or neutralized.

### IV. EMERGENCY NOTIFICATIONS

The Department is responsible for disseminating an Emergency Notification in the event that there is a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on campus. An Emergency Notification to the campus community will contain any information that is reasonably necessary to promote the safety of the campus community as dictated by the situation and will be released

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as soon as is reasonably possible and without delay, unless notification will compromise efforts to assist a victim, or to contain, respond to, or otherwise mitigate the emergency. Examples of situations that may constitute the University's decision to issue an Emergency Notification include, but are not limited to:

- ❑ Situations where serious injuries may or have occurred (e.g., building collapses, fires, explosions)
- ❑ Situations that cause major disruption to campus operations (e.g., weather-related situations, gas leaks, chemical spills, power outages, water emergencies)
- ❑ Any other non-criminal situations that represent a threat to the campus community

## V. PROCEDURES

### A. Authority to Issue Timely Warnings and Emergency Notifications



The Chief of Police or their designee will inform the Vice Chancellor for Business Affairs or their designee of any situation that may warrant the issuance of a Timely Warning or Emergency Notification. The Vice Chancellor or their designee will approve the issuance of a notification before it is disseminated to the University community; provided, however, that if the Chief of Police or their designee believes that a Timely Warning or Emergency Notification must be issued immediately in order to ensure the safety of the campus community, they may approve the issuance of a Timely Warning or Emergency Notification without consultation.

In the event there is information sufficient to warrant a consultation between the above-referenced administrators, but a determination is made not to issue a Timely Warning or Emergency Notification, the Chief of Police will immediately document the reasons for not issuing the notice. This information will be maintained on file in accordance with the University's record retention policy.

### B. Methods of Dissemination

All Timely Warnings and Emergency Notifications must be distributed in a manner that is reasonably likely to reach the entire campus community in time for individuals to take precautionary measures. Methods of dissemination may vary depending on the severity of the crime/situation, the level of threat to the campus community, and the need to disrupt normal University workflow to deliver the message. Methods of dissemination can include, but are not limited to, the following:

- ❑ Whalen Alert Siren
- ❑ Text message notifications
- ❑ University webpage alerts
- ❑ Mass electronic mail messages

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- ☐ Smart Classroom/Podium alerts
- ☐ Digital television and signage alerts
- ☐ Cisco IP phone alerts
- ☐ Campus warning flyers

Whenever possible without compromising the safety of the campus community, the Department should consult with Director of Public Relations or their designee to discuss the appropriate method of dissemination and to allow for any media distribution. The Director of Public Relations or their designee should also be consulted regarding the necessity, nature, and content of any corrections or updates to the initial Timely Warning or Emergency Notification, including the issuance of an “all clear” notification when a situation no longer poses a threat to the campus community.

## VI UNIVERSITY SPECIFIC TERMINOLOGY

### A. NinerNotice

A NinerNotice provides information about incidents that do not pose a threat to the University community or its operations, but may be helpful for interested campus members to know about. A NinerNotice is for informational purposes only; no action is required from the University community. In the case of a threat to campus safety or operations, a NinerAlert will be issued.

### B. NinerAlert

When there is a threat to campus safety or operations, the University issues a NinerAlert. NinerAlerts are sent using a variety of methods, which are determined based on the nature of the threat. NinerAlerts are sent via University email, text message, digital screen take-over, and the LiveSafe App, social media, and/or alert sirens. This mixture of communication avenues allows the University to reach the widest number of people during an emergency.

## VII. REFERENCES

Clery Act (20 U.S.C. § 1092(f) et seq.)

UNC Charlotte Police & Public Safety Department publishes a daily summary, or crime log, each business day of crimes that occurred within its patrol jurisdiction. This information summarizes incident reports and includes the nature of the crime, the date and time the crime occurred, the general (or specific) location of the crime, and the disposition of the complaint (if known). It is distributed daily to selected senior campus administrators, Charlotte-Mecklenburg Police Department (CMPD), and requesting media. A copy is available for inspection during routine business hours in Suite 152 of the Facilities Management and Police & Public Safety Building or online at <http://police.uncc.edu/police-log>. Periodically the *Niner Times*, a student newspaper, has published excerpts from the daily crime log. Captain Sarah Smyre is responsible for the daily crime log and other Police employees are trained in the procedures. Both electronic and hard copies of the daily crime log are maintained as well as a back-up log. The Daily Crime Log Policy was last reviewed August, 2020.

The Office of Emergency Management (OEM) is in the department of Safety and Security. Its primary responsibility is to help the campus prepare for, respond to, and recover from any emergency that threatens the University. Additionally, the office is responsible for the coordination of emergency exercises and the business



continuity program. The UNC Charlotte Emergency website is designed to make you aware of both natural and manmade hazards that could affect you as well as help you prepare for a variety of emergency events. University Emergency Plans and training are also available on the website. Please visit <http://emergency.uncc.edu>. Emergency Plans for UNC Charlotte Main Campus and The Dubois Center at UNC Charlotte Center City are available at this site. Preparedness for campus emergencies is ongoing. Through proactive training, drills, and involvement with organizations, such as Charlotte-Mecklenburg Office of Emergency Management (CMEMO), Charlotte Fire Department (CFD), Charlotte-Mecklenburg Police

## Emergency Evacuation

UNC Charlotte has developed a plan to evacuate members of the campus community to include students, faculty, staff, and visitors in the event of an emergency. Evacuation Route signs are prominently posted throughout campus to assist with evacuation. Evacuation plans are available at:

[emergency.uncc.edu/emergency-management-plans](https://emergency.uncc.edu/emergency-management-plans)



The office of Environmental Health & Safety has established building emergency evacuation procedures for each campus building. These building evacuation procedures can be found at the following address: [safety.uncc.edu/fire-life-safety/building-evacuation-plans](https://safety.uncc.edu/fire-life-safety/building-evacuation-plans).

Disability evacuation plans can also be accessed on this website. The Department of Safety and Security is responsible for updating the Evacuation Procedures. This documentation is kept in Suite 152 of the Facilities Management / Police & Public Safety Building and includes each test, a description of the exercise, the date, time and whether the test was announced or unannounced. A current emergency evacuation policy for the entire UNC Charlotte campus was last reviewed August 2019.



## **Emergency Response**

### **Process to confirm there is a significant emergency or dangerous situation**

UNC Charlotte Police & Public Safety Department is the primary first response unit for the University. The Police & Public Safety Department utilizes a 911 telecommunications center so members of the campus community can report any potentially dangerous or emergency situation to the Police & Public Safety Department. The Police & Public Safety Department dispatches certified law enforcement officers to every report of any such situation and treats each situation as an emergency until it can be definitely determined otherwise.

### **Coordination of the process**

Several steps have been taken to assist the campus community in contacting the Police & Public Safety Department. Every landline on the campus is configured to route all 911 calls to the Police & Public Safety Department. The University has also installed over 400 emergency blue light phones so members of the campus community can contact the police with the push of a button. The Police & Public Safety Department has also initiated an aggressive informational campaign by providing informational sessions where brochures and thousands of emergency alert cards displaying pertinent emergency contact information are disseminated. Finally, the Department of Police & Public Safety has

acquired an interoperable radio system that allows all University employees who have been assigned 400 MHz and 800 MHz radios the ability to directly contact Police & Public Safety Department's Emergency Telecommunications Center. While the University has a number of community partners willing to assist in the event of a large scale incident, the Police & Public Safety Department, in coordination with the Emergency Operations Center and OEM, is largely self-sufficient and capable of handling the vast majority of incidents occurring at the University.

### **Procedures to Test the Emergency Response and Evacuation**

Both the evacuation procedures described above and the emergency alert systems described below are tested periodically. NinerAlerts, utilizing RAVE Mobile Safety (sends emails and text messages) and Alertus (sends a message to classroom podiums), emergency system testing and training are conducted several times throughout the year. Police & Public Safety has a Campus Lockdown procedure and internal procedures for other types of emergencies.

### **Business Continuity Planning**

Disasters come in many forms and often without warning. As such, it is extremely important that everyone is prepared to take appropriate actions to protect students, faculty, and staff, as well as visitors to the University. The University must also take steps to minimize damage, to the extent possible. And finally, the University must be able to recover and resume operations in as short a time as possible. This is the essence of Business Continuity Planning - being prepared to respond effectively to the unthinkable and return the University to its mission. The University is a complex enterprise which must develop the necessary methods and means to protect its people, its assets (both physical and intellectual), and its reputation as an organization. Building an effective business continuity plan will ensure that the University will be ready to respond appropriately to a disaster of any type and to resume its operations as soon as possible. OEM, through its business continuity program, maintains a robust database of continuity plans and procedures from across the campus.



## Alcohol / Drug Policies and Programs

### Alcohol Policy

Students are expected to be acquainted with and abide by state laws and University regulations regarding alcohol and drugs. Students also are encouraged to be aware of the social, physiological, and psychological consequences of excessive drinking. The University regularly provides educational programs on alcohol and drug abuse as well as counseling services. The University's alcoholic beverage policy is designed to be consistent with the laws of the State of North Carolina, which, in general, prohibit the possession, consumption, and serving of alcoholic beverages by and to persons less than 21 years of age. If you have questions or concerns, call the Center for Wellness Promotion at 704-687-7407. If you seek alcohol or other drug education information and resources, visit the [Center for Wellness Promotion, Alcoholic Beverages, \(University Policy 706\)](#) and [Program to Prevent Use of Illegal Drugs and Alcohol Abuse \(University Policy 711\)](#), maintained by the [Office of Legal Affairs](#) for more information. Possession and/or consumption of alcohol underage, intoxicated and disruptive (regardless of age), drinking in an area on campus other than a residence hall room and the sale of alcoholic beverage on campus will result in a minimum of a referral to the Office of Student Conduct and Academic Integrity and possibly a state citation and/or arrest. Additionally, intoxication with a Blood Alcohol Concentration (BAC) over .20 will result in medical attention for the intoxicated subject in accordance with Police & Public Safety Policy Update March 11, 2012.

### Drug Policy

UNC Charlotte does not condone the possession, use, manufacture, or distribution of illegal substances or drug paraphernalia of any kind in any amount. Students in violation of this policy may jeopardize their own well-being as well as the well-being of the University community. Among those violations considered to be most serious are the manufacture, sale, or distribution of illegal drugs; any involvement in illegal drug use or traffic with minors, particularly from the local area; and

possession or use of the more dangerous or highly addictive drugs. Possession of any illegal substance will result in a minimum of a referral to the Office of Student Conduct and Academic Integrity and possibly a state citation and/or arrest. If you seek alcohol or other drug education information and resources, visit Center for Wellness Promotion, [Alcoholic Beverages, \(University Policy 706\)](#) and [Program to Prevent Use of Illegal Drugs and Alcohol Abuse \(University Policy 711\)](#), maintained by the Office of Legal Affairs for more information.

### Program to Prevent Use of Illegal Drugs and Alcohol Abuse

In keeping with efforts to maintain an environment that supports and encourages the pursuit and dissemination of knowledge, it is the policy of UNC Charlotte to consider the use of illegal drugs or alcohol abuse by students, faculty and staff or by others on premises under University control to be unacceptable conduct that adversely affects the educational environment. (For more information see [Program to Prevent Use of Illegal Drugs and Alcohol Abuse \(University Policy 711\)](#) and [The Code of Student Responsibility \(University Policy 406\)](#) maintained by the Office of Legal Affairs.)

To remind students and employees of their responsibilities for maintaining a drug free environment [University Policy 711, Program to Prevent Use of Illegal Drugs and Alcohol Abuse](#), is annually distributed throughout the campus community. The University has a sound awareness, education, and training program which is indispensable in combating illegal use of drugs and alcohol abuse. This program is used both as a preventive measure and as a response for those who need help. The scope of the University program addresses the awareness needs of students, faculty, administrators, and other staff members and includes the following minimum components:

- The health hazards associated with the use of illegal drugs and alcohol abuse;
- The incompatibility of the use of illegal drugs or abuse of alcohol with maximum achievement of personal, social, and educational goals;

- The potential legal consequences (including both criminal law and University discipline) of illegal drug use and alcohol abuse; and
- The effective use of available campus and community resources in dealing with illegal drug use and alcohol abuse problems.



UNC Charlotte alcohol and drug sanctions include the use of “BASICS” or Brief Alcohol Screening and Intervention for College Students.

The Center for Wellness Promotion (CWP) at UNC Charlotte provides assessments and intervention for students who are found in violation of the University’s policies regarding alcohol abuse and/or drug use.

Students who are documented for alcohol and/or drug violations will meet with either Housing and Residence Life staff or Student Conduct & Academic Integrity staff and may be sanctioned to the Center for Wellness Promotion for an alcohol and/or drug assessment.

See below: The UNC Charlotte Help Seeking Protocol.

## **UNC Charlotte Help Seeking Protocol**

A priority of UNC Charlotte is students' health, safety, and welfare. As Students are expected to demonstrate compassion by seeking help in potentially dangerous or life-threatening situations. The University does not want the fear of student conduct repercussions to be a barrier for seeking help. In lieu of Conduct Procedures through the University student conduct process, the Help Seeking Protocol provides students an opportunity to seek help for themselves or others while being connected to campus and community resources.

The Help Seeking Protocol applies to the following circumstances regarding the possession, consumption, or use of alcohol and/or drugs:

- students who seek assistance from emergency personnel or University officials on their own behalf;
- students who seek assistance from emergency personnel or University officials on behalf of another person(s) and who remain present until emergency personnel or University officials arrive;
- students who had assistance from emergency personnel or University officials sought on their behalf;
- organizations in which a representative(s) seeks assistance from emergency personnel or University officials on behalf of another person(s) and who remains present until emergency personnel or University officials arrive; or
- students who are alleged victims of a crime (including, but not limited to, sexual misconduct, relationship violence, stalking, assault, theft, or vandalism) and may have simultaneously violated University policy regarding the possession, consumption, or use of alcohol and/or drugs.

The Help Seeking Protocol does not apply to the following circumstances:

- students who are confronted by emergency personnel or University officials (may be referred to the student conduct process);
- law enforcement agencies within their jurisdictions enforcing federal, state, or local laws (however, state laws related to medical amnesty may apply); or
- students who are engaging in behaviors other than possession, consumption, or use of alcohol and/or drugs (including, but not limited to, driving under the influence, manufacturing/distribution/delivery of drugs, possessing with intent to manufacture/distribute/deliver drugs, sexual misconduct, relationship violence, or stalking).

Initiation of the Help Seeking Protocol is at the sole discretion of the Director of Student Conduct & Academic Integrity. While applicable to all students and organizations, decisions to initiate the Protocol will be made on a case-by-case basis by the Director, who will consider all relevant facts in making the decision. If students or organizational representatives believe the Protocol applies, they are encouraged to contact the Director. Decisions on initiation of the Protocol are final and not appealable.

When the Help Seeking Protocol is initiated, the student or an organizational representative will be required to meet with the Director or designee to discuss the incident and available campus and community resources. In order to receive relief under the Protocol, the student or organization must agree to a recommended action plan. This may include a referral to the University's Center for Wellness Promotion, referrals to other campus or community resources, educational programming, and/or parental notification. A student or organization who fails to meet with the Director or designee or fails to complete any accepted action plan will no longer be eligible for relief under the Protocol and will be referred to the student conduct process as outlined in [University Policy 406, The Code of Student Responsibility](#).

Student Conduct & Academic Integrity will maintain a record of the accepted action plan for eight (8) years in accordance with the University record retention policy. The record, however, is considered internal to the University and will not be disclosed as part of any prior conduct records.

## University Policy Manual

The University has a series of University Policies approved by its Board of Trustees or Chancellor. Several of these University Policies were referenced in this report and are listed below with direct links to the full policy. For a complete list of University Policies please visit the Office of Legal Affairs website for University Policies located at: <http://legal.uncc.edu/policies>.

University Policy 101.17 "[Workplace Violence](#)"

University Policy 406 "[Code of Student Responsibility](#)" (Including Chp. 8: Procedures for Reports of Sexual and Interpersonal Misconduct).

University Policy 502 "[Sexual Harassment and Interpersonal Violence](#)"

University Policy 504 "Title IX Grievance Policy"

University Policy 706 "[Alcoholic Beverages](#)"

University Policy 711 "[Program to Prevent Use of Illegal Drugs and Alcohol Abuse](#)"

University Policy 719 "Access Control"

University Policy 803 "[Reporting and Investigation of Suspected Improper Activities and Whistleblower Protection](#)"

## Off-Campus University Recognized Organizations and Functions

The University does not attempt to monitor the off-campus conduct or behavior of students. However, in certain incidents the University will discipline students for off-campus conduct of which it is made aware. [The Code of Student Responsibility, University Policy 406](#), applies to any incident related to a student's application for admission or financial aid or otherwise related to his or her enrollment at the University, regardless of location. The Code applies only to those instances of student conduct which are harmful to the appropriate interests of the University: (1) the opportunity of all members of the University community to attain educational objectives consistent with the policies and purposes of the University; (2) the protection of the health, safety, welfare, and property of all persons in the University community; and (3) the protection of the University's integrity and its property. These criteria for determining University jurisdiction apply regardless of the location of the incident.

Students not living on the campus will be served by their local law enforcement agency. In both Mecklenburg and the surrounding counties, the proper law enforcement agency may be contacted by dialing 911.

### Resident Students

The [Resident Handbook](#) is provided electronically to residential students. In addition to the Contract for Residential Services with Housing & Residence Life, the Resident Handbook contains valuable information on security and emergency procedures. The Resident Handbook contains both excerpts and the actual University Policy (ies) on many safety and security issues.

### Parking & Transportation Services (PaTS)

The mission of the [Parking & Transportation Services Office \(PaTS\)](#) is to support and promote the academic, research and service objectives of the University community by effectively developing campus parking and transportation facilities and programs. PaTS accomplishes this by providing adequate facilities, reliable transportation services, responsive customer service, and fair, predictable compliance of regulations by a well-trained staff. To be successful, PaTS must support the University's mission, be fiscally responsible as a self-funded University auxiliary service, and plan for a sustainable future.

PaTS provides a transportation service which offers a scheduled shuttle service from 7:00 a.m. until 2:00 a.m., Monday through Sunday featuring fixed point drop off and pick up locations with buses scheduled at each stop

every 20 minutes. More information is available from PaTS at 704-687-3133.

PaTS in conjunction with Disability Services Office provides a point to point shuttle service for disabled members of the University community from 7:30 a.m. until 4:30 p.m. Monday through Friday by appointment only. If you have a disability and wish to register for shuttle services please contact the Office of Disability Services at 704-687-4355. For more information about PaTS, contact Parking and Transportation Services at 704-687-0616.

### How We Compile Crime Statistics

The Police & Public Safety Department reports crime statistics in compliance with the Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 USC 1092(f)). Most criminal incidents are classified in accordance with the FBI Uniform Crime Reporting Guidelines. A copy of the [Handbook for Campus Safety and Security Reporting](#) disclosing these guidelines may be obtained at the US Department of Education's website. Additional regulatory sources include:

- (1) Summary Reporting System (SRS) User Manual from the FBI's UCR Program (for murder and non-negligent manslaughter, manslaughter by negligence, rape, robbery, aggravated assault, burglary, motor vehicle theft, arson, liquor law violations, drug law violations, and illegal weapons possession).
- (2) National Incident-Based Reporting System (NIBRS) User Manual from the FBI's UCR Program (for fondling, incest, and statutory rape).
- (3) Hate Crime Data Collection Guidelines and Training Manual from the FBI's UCR Program (for hate crimes of larceny, theft, simple assault, intimidation, and destruction/damage/vandalism of property).
- (4) 34 C.F.R. § 668.46(a) (for dating violence, domestic violence, and stalking).

This report is prepared in cooperation with local law enforcement agencies surrounding the campus, Dean of Students Office, Title IX Office, and Housing & Residence Life. Campus crime, arrest and referral statistics include those reported to the Police & Public Safety Department,

designated campus officials (including but not limited to directors, deans, department heads, Housing & Residence Life) including CSAs, and local law enforcement agencies. Captain Sarah Smyre is responsible for compiling the crime statistics and documentation is stored electronically and as a hard copy in Suite 152 of the Facilities Management and Police & Public Safety Building. Captain Smyre is the liaison for PPS and outside law enforcement agencies in regard to crime statistics. Captain Smyre contacts all agencies within the jurisdiction as specified by the Clery geography for UNC Charlotte and keeps documentation of all communication efforts and responses and non- responses. The Crime Statistics Policy was last reviewed June 15, 2019.

CSAs are provided with a reporting form used to collect information for reporting to the Police Department. In the event a victim wishes to remain anonymous the CSA will still use the reporting form for the purposes of statistical data only. The Police Department will not have the victim information but will report the crime in the crime reporting statistics for the purposes of this report. UNC Charlotte is committed to compiling accurate statistics and has implemented a CSA training program. This includes an in-person presentation about the roles and responsibilities of CSAs, how to report crimes, and discussion of the importance of being in compliance with the Department of Education.



## Crime Statistics for UNC Charlotte Main Campus 2019: Page 1 of 2

Type of Offense	Year	On-Campus	Residential Facility	Non-Campus Building or Property	Public Property	Unfounded Crimes
<b>Criminal Homicide</b>						
Murder & Non-Negligent Manslaughter	2017	0	0	0	0	0
	2018	0	0	0	0	0
	2019	2*	0	0	0	0
Manslaughter by Negligence	2017	0	0	0	0	0
	2018	0	0	0	0	0
	2019	0	0	0	0	0
<b>Sexual Assault</b>						
Rape	2017	6	5	0	0	1
	2018	13	12	0	1	0
	2019	14	14	0	0	0
Fondling	2017	6	5	0	0	0
	2018	5	4	0	0	0
	2019	3	2	0	0	0
Incest	2017	0	0	0	0	0
	2018	0	0	0	0	0
	2019	0	0	0	0	0
Statutory Rape	2017	0	0	0	0	0
	2018	0	0	0	0	0
	2019	0	0	0	0	0
<b>Other Criminal Offenses</b>						
Robbery	2017	0	0	0	0	0
	2018	2	0	0	0	0
	2019	2	0	0	0	0
Aggravated Assault	2017	3	0	0	0	0
	2018	1	0	0	0	0
	2019	7	0	0	0	0
Burglary	2017	22	11	0	0	2
	2018	6	2	0	0	1
	2019	4	0	0	0	0
Motor Vehicle Theft	2017	1	0	0	0	0
	2018	1	0	0	0	0
	2019	3	0	0	0	0
Arson	2017	1	1	0	0	0
	2018	1	1	0	0	0
	2019	0	0	0	0	0

\*This number represents the two individuals killed in an active shooter incident on April 30, 2019.

Crime Statistics for UNC Charlotte Main Campus 2019: Page 2 of 2

Type of Offense	Year	On-Campus	Residential Facility	Non-Campus Building or Property	Public Property	Unfounded Crimes
<b>Arrest: Type of Offense</b>						
Weapons Violations	2017	11	5	0	1	0
	2018	12	2	0	0	0
	2019	15	5	0	1	0
Drug Violations	2017	120	60	0	2	0
	2018	113	66	0	0	0
	2019	103	48	0	3	0
Alcohol Violations	2017	185	47	0	0	0
	2018	132	53	0	0	0
	2019	256	56	0	0	0
<b>Judicial Referrals: Type of Offense</b>						
Weapons Violations	2017	4	2	0	0	0
	2018	3	3	0	0	0
	2019	11	8	0	0	0
Drug Violations	2017	5	5	0	0	0
	2018	0	0	0	0	0
	2019	0	0	0	0	0
Alcohol Violations	2017	104	98	0	0	0
	2018	149	143	0	0	0
	2019	81	81	0	0	0
<b>VAWA Offenses</b>						
Domestic Violence	2017	1	1	0	0	0
	2018	4	1	0	0	0
	2019	1	1	0	0	0
Dating Violence	2017	5	3	0	0	0
	2018	7	5	0	0	0
	2019	12	7	0	0	0
Stalking	2017	11	4	0	0	0
	2018	18	1	0	0	0
	2019	37	7	0	0	0
<b>Hate Crimes</b>						
Hate Crimes	2017	0	0	0	0	0
	2018	0	0	0	0	0
	2019	0	0	0	0	0

## **The Dubois Center at UNC Charlotte Center City**



### **The Dubois Center at UNC Charlotte Center City**

The Dubois Center at UNC Charlotte Center City functions as a gateway to the entire UNC Charlotte and as such embodies UNC Charlotte's urban identity in the heart of the greater Charlotte region. Architecturally, it reflects its mission as a premier institution of higher education; its context in this vibrant, rapidly urbanizing area; and its commitment to environmental sustainability.

Academically, The Dubois Center facilitates programs having an urban awareness and context, while providing vital learning opportunities for employees and residents of the urban center. Operationally, it incorporates the attributes we wish to instill in the entire University: excellence in programming, responsiveness to stakeholders, entrepreneurship, interdisciplinary productivity, inclusivity, flexibility, and efficiency.

### **The Dubois Center at UNC Charlotte Center City Policies / Procedures & Enforcement**

The Dubois Center at UNC Charlotte Center City is located 8.2 miles from the Main Campus of UNC Charlotte and operates under the same set of policies and procedures for enforcement and student code of conduct as the Main Campus (available in this report). The Dubois Center employs security guards for the location and UNC Charlotte Police Department officers are on-site to take police reports. UNC Charlotte Police Department has a relationship with Charlotte-Mecklenburg Police Department (CMPD).

CMPD may respond in the event of an emergency at The Dubois Center in addition to the UNC Charlotte Police & Public Safety Department. CMPD also cooperates in providing crime statistics for The Dubois Center as well as the three parking locations for UNC Charlotte located around the building. The Title IX Coordinator has jurisdiction over The Dubois Center and responds to reports of sexual misconduct, dating violence, domestic violence, and stalking. The Dubois Center does not have any residential housing facilities and, therefore, the missing students policy and fire safety requirements do not apply.

### **The Dubois Center at UNC Charlotte Center City Emergency Procedures**

The Dubois Center receives emergency notification and timely warnings as all alerts are sent to student, faculty and staff of both campuses. The Dubois Center Emergency Campus Evacuation Plan is available at:

<http://emergency.uncc.edu/evacuation-plans> The Dubois Center Active Shooter Plan is housed in the Police & Public Safety Department and active shooter response training classes are offered at both the Main Campus and the Dubois Center.



Type of Offense	Year	On-Campus	Residential Facility	Non-Campus Building or Property	Public Property	Unfounded Crimes
<b>Criminal Homicide</b>						
Murder & Non-Negligent Manslaughter	2017	0	N/A	0	0	0
	2018	0	N/A	0	0	0
	2019	0	N/A	0	0	0
Manslaughter by Negligence	2017	0	N/A	0	0	0
	2018	0	N/A	0	0	0
	2019	0	N/A	0	0	0
<b>Sexual Assault</b>						
Rape	2017	0	N/A	0	0	0
	2018	0	N/A	0	0	0
	2019	0	N/A	0	0	0
Fondling	2017	0	N/A	0	0	0
	2018	0	N/A	0	1	0
	2019	0	N/A	0	0	0
Incest	2016	0	N/A	0	0	0
	2017	0	N/A	0	0	0
	2018	0	N/A	0	0	0
Statutory Rape	2017	0	N/A	0	0	0
	2018	0	N/A	0	0	0
	2019	0	N/A	0	0	0
<b>Other Criminal Offenses</b>						
Robbery	2017	0	N/A	0	0	0
	2018	0	N/A	0	0	0
	2019	0	N/A	0	0	0
Aggravated Assault	2017	0	N/A	0	0	0
	2018	0	N/A	0	0	0
	2019	0	N/A	0	1	0
Burglary	2017	0	N/A	0	0	0
	2018	0	N/A	0	0	0
	2019	0	N/A	0	0	0
Motor Vehicle Theft	2017	0	N/A	0	0	0
	2018	0	N/A	0	0	0
	2019	0	N/A	0	0	0
Arson	2017	0	N/A	0	0	0
	2018	0	N/A	0	0	0
	2019	0	N/A	0	0	0

Type of Offense	Year	On-Campus	Residential Facility	Non-Campus Building or Property	Public Property	Unfounded Crimes
<b>Arrest: Type of Offense</b>						
Weapons Violations	2017	0	N/A	0	0	0
	2018	0	N/A	0	0	0
	2019	0	N/A	0	0	0
Drug Violations	2017	0	N/A	0	0	0
	2018	0	N/A	0	0	0
	2019	2	N/A	0	0	0
Alcohol Violations	2017	0	N/A	0	0	0
	2018	0	N/A	0	0	0
	2019	0	N/A	0	0	0
<b>Judicial Referrals: Type of Offense</b>						
Weapons Violations	2017	0	N/A	0	0	0
	2018	0	N/A	0	0	0
	2019	0	N/A	0	0	0
Drug Violations	2017	0	N/A	0	0	0
	2018	0	N/A	0	0	0
	2019	0	N/A	0	0	0
Alcohol Violations	2017	0	N/A	0	0	0
	2018	0	N/A	0	0	0
	2019	0	N/A	0	0	0
<b>VAWA Offenses</b>						
Domestic Violence	2017	0	N/A	0	0	0
	2018	0	N/A	0	0	0
	2019	0	N/A	0	0	0
Dating Violence	2017	0	N/A	0	0	0
	2018	0	N/A	0	0	0
	2019	0	N/A	0	0	0
Stalking	2017	0	N/A	0	0	0
	2018	0	N/A	0	0	0
	2019	0	N/A	0	0	0
<b>Hate Crimes</b>						
Hate Crimes	2017	0	N/A	0	0	0
	2018	0	N/A	0	0	0
	2019	0	N/A	0	0	0



## **Surrounding Area Crime Statistics**

UNC Charlotte Police Department collaborates with local law enforcement agencies to collect crime data for Clery reportable offenses occurring within the Clery Geography to include non-campus and public property.

### **Charlotte Mecklenburg Police Department (CMPD)**

Captain Sarah Smyre contacted Charlotte-Mecklenburg Police Department (CMPD), regarding crime statistics for public property located contiguous to the UNC Charlotte campus. CMPD Management Analyst provided four (4) CMPD Incident Reports for the calendar year 2019 for the specified locations. The incidents were as follows: three drug violations and one weapon violation in the roadway in front of UNC Charlotte Main Campus between 8697 and 9501 University City Boulevard. The addresses met the Clery Geography definitions, date and time requirements as reportable, Public Property. The addresses for the areas considered to be reasonably contiguous to the UNC Charlotte campus in accordance with the Department of Education's definition can be found in the Geography section located in Appendix III of this document.

### **City of Concord**

Captain Sarah Smyre contacted Concord Police Department Crime Analyst, regarding crime statistics for Public Property and Non Campus Building located at Rocky River Golf Club. Concord Police Department did not provide any Incident Reports for the calendar year 2019 for the specified locations. Captain Smyre also utilized the Concord Police Department online public records

database and did not locate any reportable offenses. For a detailed description of the property please see the Geography section located in Appendix III of this document.

### **City of Kannapolis**

Captain Sarah Smyre contacted Kannapolis Police Department Records Unit regarding crime statistics for property located on Laureate Way in the City of Kannapolis, North Carolina. Kannapolis Police Department advised there were no Clery reportable offenses at the specified locations during 2019. For a detailed description of the Laureate Way property please see the Geography section located in Appendix III of this document.

## IMPORTANT RESOURCES

### Important Telephone Numbers and E-mail Addresses

The Dispatch/Communications Center and Patrol Division of the Police & Public Safety Department are open 24 hours per day every day of the year. There are several ways to contact the Police & Public Safety Department:

**(from a campus phone)** dial 7-2200 for non-emergencies or 911 for emergencies

**(from a cell or other non-campus phone)** dial 704-687-2200

**(on campus)** for emergencies use the nearest “Blue Light” emergency phone

### Assisting Residents With Special Needs

Physically impaired students need to identify a number of “buddies” in their immediate living area who can provide assistance during an emergency. Five or six “buddies” are recommended with the hope that one or two will be present during an emergency or other special circumstance. These “buddies” could assist the individual in moving to a location of greater safety. Students with special needs may wish to contact the Disability Services Office (704-687-4355 or ds.uncc.edu).

### Other Helpful Campus Resources Include:

Resource	Phone	Hours	Days
LiveSafe Phone Application	Download the App	24 hours	7 Days a Week
Rape Hotline (off-campus)	(704) 375-9900	24 hours	7 Days a Week
Center for Wellness Promotion	(704) 687-7407	8 AM-5 PM	Monday-Friday
Center for Counseling and Psychological Services (CAPS)	(704) 687-0311	8 AM-5 PM	Monday-Friday
Dean of Students Office	(704) 687-0345	8 AM-5 PM	Monday-Friday
Student Health Center	(704) 687-7400	8 AM-5 PM	Monday-Friday
Housing and Residence Life	(704) 687-7501	8 AM-5 PM	Monday-Friday
Human Resources	(704) 687-0669	8 AM-5 PM	Monday-Friday
Employee Relations	(704) 687-0659	8 AM-5 PM	Monday-Friday
Environmental Health & Safety	(704) 687-1111	8 AM-5 PM	Monday-Friday
Facilities Management	(704) 687-0554	8 AM-5 PM	Monday-Friday
Division of Academic Affairs	(704) 687-5717	8 AM-5 PM	Monday-Friday
Public Relations	(704) 687-5825	8 AM-5 PM	Monday-Friday
Title IX Coordinator	(704) 687-6130	8 AM-5 PM	Monday-Friday

## Annual Fire Safety Reports in Student Housing

### Fire Statistics for Calendar Year 2019

Campus Residential Student Housing Fire Statistic for Calendar Year 2019							
Resident Hall	Fires	Cause	Injuries	Deaths	Property Damage	Fully Sprinkled	Fire Detection
Belk Hall	0	NONE	NONE	NONE	NONE	YES	YES
Elm Hall	0	NONE	NONE	NONE	NONE	YES	YES
Greek Village	0	NONE	NONE	NONE	NONE	YES	YES
Hawthorn Hall	0	NONE	NONE	NONE	NONE	YES	YES
Holshouser Hall	0	NONE	NONE	NONE	NONE	YES	YES
Hunt Hall	0	NONE	NONE	NONE	NONE	YES	YES
Laurel Hall	0	NONE	NONE	NONE	NONE	YES	YES
Levine Hall	0	NONE	NONE	NONE	NONE	YES	YES
Lynch Hall	0	NONE	NONE	NONE	NONE	YES	YES
Maple Hall	0	NONE	NONE	NONE	NONE	YES	YES
Martin Hall	0	NONE	NONE	NONE	NONE	YES	YES
Miltimore Hall	0	NONE	NONE	NONE	NONE	YES	YES
Moore Hall	0	NONE	NONE	NONE	NONE	YES	YES
Oak Hall	0	NONE	NONE	NONE	NONE	YES	YES
Pine Hall	0	NONE	NONE	NONE	NONE	YES	YES
Sanford Hall	0	NONE	NONE	NONE	NONE	YES	YES
Scott Hall	0	NONE	NONE	NONE	NONE	YES	YES
Wallis Hall	0	NONE	NONE	NONE	NONE	YES	YES
Witherspoon Hall	0	NONE	NONE	NONE	NONE	YES	YES
TOTAL	0						

\*\*Residential Facilities not specifically listed in each year have either been taken off-line due to construction or new residential facilities. There are no omissions.

## Fire Statistics for Calendar Year 2018

UNC Charlotte reported one fire in student housing for the 2018 calendar year. There have been no injuries or deaths in relation to these incidents. The fire resulted in no damage.

Campus Residential Student Housing Fire Statistic for Calendar Year 2018							
Resident Hall	Fires	Cause	Injuries	Deaths	Property Damage	Fully Sprinkled	Fire Detection
Belk Hall	0	NONE	NONE	NONE	NONE	YES	YES
Elm Hall	0	NONE	NONE	NONE	NONE	YES	YES
Greek Village	0	NONE	NONE	NONE	NONE	YES	YES
Hawthorn Hall	0	NONE	NONE	NONE	NONE	YES	YES
Holshouser Hall	0	NONE	NONE	NONE	NONE	YES	YES
Hunt Hall	0	NONE	NONE	NONE	NONE	YES	YES
Laurel Hall	0	NONE	NONE	NONE	NONE	YES	YES
Levine Hall	0	NONE	NONE	NONE	NONE	YES	YES
Lynch Hall	0	NONE	NONE	NONE	NONE	YES	YES
Maple Hall	0	NONE	NONE	NONE	NONE	YES	YES
Martin Hall	0	NONE	NONE	NONE	NONE	YES	YES
Miltimore Hall	0	NONE	NONE	NONE	NONE	YES	YES
Moore Hall	0	NONE	NONE	NONE	NONE	YES	YES
Oak Hall	0	NONE	NONE	NONE	NONE	YES	YES
Pine Hall	0	NONE	NONE	NONE	NONE	YES	YES
Sanford Hall	1	Arson (debris lit on fire)	NONE	NONE	NONE	YES	YES
Scott Hall	0	NONE	NONE	NONE	NONE	YES	YES
Wallis Hall	0	NONE	NONE	NONE	NONE	YES	YES
Witherspoon Hall	0	NONE	NONE	NONE	NONE	YES	YES
<b>TOTAL</b>	<b>1</b>						

\*\*Residential Facilities not specifically listed in each year have either been taken off-line due to construction or new residential facilities. There are no omissions.

## Fire Statistics for Calendar Year 2017

UNC Charlotte reported one fire in student housing for the 2017 calendar year. There have been no injuries or deaths in relation to these incidents. The fire resulted in damage valued at \$2000.

Campus Residential Student Housing Fire Statistic for Calendar Year 2017							
Resident Hall	Fires	Cause	Injuries	Deaths	Property Damage	Fully Sprinkled	Fire Detection
Belk Hall	0	NONE	NONE	NONE	NONE	YES	YES
Elm Hall	0	NONE	NONE	NONE	NONE	YES	YES
Greek Village	0	NONE	NONE	NONE	NONE	YES	YES
Hawthorn Hall	0	NONE	NONE	NONE	NONE	YES	YES
Holshouser Hall	0	NONE	NONE	NONE	NONE	YES	YES
Hunt Hall	0	NONE	NONE	NONE	NONE	YES	YES
Laurel Hall	0	NONE	NONE	NONE	NONE	YES	YES
Levine Hall	0	NONE	NONE	NONE	NONE	YES	YES
Lynch Hall	0	NONE	NONE	NONE	NONE	YES	YES
Maple Hall	0	NONE	NONE	NONE	NONE	YES	YES
Martin Hall	0	NONE	NONE	NONE	NONE	YES	YES
Miltimore Hall	0	NONE	NONE	NONE	NONE	YES	YES
Moore Hall	0	NONE	NONE	NONE	NONE	YES	YES
Oak Hall	1	Arson (Lit Clothes on Fire)	NONE	NONE	\$2000	YES	YES
Pine Hall	0	NONE	NONE	NONE	NONE	YES	YES
Sanford Hall	0	NONE	NONE	NONE	NONE	YES	YES
Scott Hall	0	NONE	NONE	NONE	NONE	YES	YES
Wallis Hall	0	NONE	NONE	NONE	NONE	YES	YES
Witherspoon Hall	0	NONE	NONE	NONE	NONE	YES	YES
<b>TOTAL</b>	<b>1</b>						

\*\*Residential Facilities not specifically listed in each year have either been taken off-line due to construction or new residential facilities. There are no omissions.



## Fire Safety Log / Fire Safety Statistics

Captain Sarah Smyre with Police & Public Safety Department is responsible for the maintenance of the daily fire log and fire safety statistics. This documentation is kept in Suite 152 of the FM/Police & Public Safety Building. This record includes both electronic and hard copies with information including: the date the fire was reported, the nature of the fire, the date and time of the fire, the general location of the fire, and any fire that occurs in an on-campus student housing facility. Fires are recorded by the date they are reported. Policy last updated June 2019.

Public access is allowed to the fire log upon request by calling the Police & Public Safety Department at 704-687-8300.

## Fire Inspections for On-Campus Student Housing

Rooms are inspected once a semester, at random times, to assure compliance with University regulations. The fire detection and suppression systems are tested once a year. Fire extinguishers are inspected every month.

## Training

Housing and Residence Life conducts training for residence hall staff (Residence Education Coordinators, Graduate Assistants, and Resident Advisors) in the following areas:

- Evacuation and emergency preparedness
- Fire inspection program
- Kitchen fire safety

## Policy on Portable Electronic Appliances

To minimize safety risks, the following standards have been set for the residential facilities on campus. Approved appliances must be used for the purpose for which they were intended. Storage or use of a prohibited device may result in a charge of \$25.00 per

person per day.

## Policy on Candles, Incense, and Oil Burning Lamps

The use of candles, incense, oil lamps, or any device producing an open flame is prohibited in all residential spaces including balconies and porches.

## Fire Safety Policies and Rules

Fire safety regulations are intended to prevent injuries to members of the University community and physical damage to facilities. Because of the seriousness of the regulations that cover fire safety, there are criminal and civil penalties for intentionally setting any fire, for intentionally causing any false fire alarm, and for vandalizing or tampering with any fire alarm or fire protection equipment (including covering smoke/heat detectors). Probable sanctions for these violations are removal from campus housing and/or criminal prosecution. Causing a false fire alarm will result in removal from the residence halls and/or a \$500 charge and/or six months in jail. Additionally, a \$500 reward has been established for information leading to the arrest and conviction of individuals who tamper with the system or cause false fire alarms.

Please report all fires to the Police & Public Safety Department.

## On-Campus Student Housing and Life Safety Systems

UNC Charlotte's residence halls can be categorized into four basic styles of living arrangements: Traditional Hall Living, Suite Style Living, Apartment Style Living, and Greek Style Living. Each facility is equipped with fire detection systems and pull-box stations. Each of the University's residence hall buildings and apartment complexes has its own "home page" which includes information about the accommodations, amenities, and special community choices available to residents.

## Mandatory Supervised Fire Drills

Planned fire drills are held yearly in cooperation with the Police & Public Safety Department, Environmental Health and Safety and the local fire department. In 2019, 193 supervised fire drills were conducted.

## Fire Evacuation Procedures

When a fire alarm sounds, always take the fire alarm seriously and assume there is a fire. All persons are required to immediately evacuate the building. Failure to evacuate will result in a \$50 charge. Some evacuation suggestions are as follow:

1. If there is smoke in your room, keep low to the floor. Crawl to your window and open it a few inches to allow in fresh air.
2. If your room is clear of smoke, touch your door before opening. If it is hot, do not open it! Stay in your room and wait for emergency personnel to reach you. Hang a sheet from your window to identify your location. If smoke is entering your room, stuff all openings with towels, etc.
3. If your door is not hot, exit the room toward the nearest fire exit. If the situation allows, take a coat, wear shoes, and carry a towel to reduce smoke inhalation. Close your windows, turn out the lights, and shut your door. Do not stop for personal belongings. Activate the fire alarm system if it is not already sounding.
4. Once in the corridor, close your door and move quickly, but without panic, to the outside stairwell exit. **Do not use elevators.**

5. Exit down the stairway, making room for the people on lower floors as they enter the stairway.
6. After you have exited, move away from the building to the designated evacuation area and wait for further instructions. If the Police & Public Safety Department is not already on site, call 7-2200 or 911 from a University phone or dial 704-687-2200 from a cell phone after you have reached a safe location.
  - a. Speak slowly and clearly so you can be understood
  - b. Give your name
  - c. Give the exact location of the fire emergency
  - d. Give any other relevant information (if anyone is hurt, etc.)
7. Keep out of the way of emergency personnel. If you believe someone is trapped on your floor, report this immediately to fire fighters or the Police & Public Safety Department.
8. Do not re-enter the building for any reason. If you have any information regarding a fire, you are encouraged to tell the nearest Campus Police Officer or housing staff.
9. Area of Rescue Assistance and Refuge is available in the [UNC Charlotte Building Emergency Evacuation Plan](#) for Housing & Residence Life.

The Police & Public Safety Department will call the Charlotte Fire Department. If a cell phone is unavailable remember there are Blue Light phones throughout campus that connect directly to the Police & Public Safety Department.

## Appendix I: Crime Prevention Committees and Initiatives / Prevention & Awareness Programs

Crime Prevention Committees & Initiatives	Description	Frequency	Type
<b>Pre-Admissions Safety Review Committee</b>	Comprised of representatives from Police & Public Safety (PPS), Student Conduct and Academic Integrity (SCAI), Center for Counseling and Psychological Services (CAPS), Admission and Legal. The committee reviews applications for potential threats to the campus community, property, and/or resources.	Monthly	Prevent
<b>Alcohol Awareness</b>	Alcohol Awareness is a program to educate community members that have been referred for alcohol abuse issues. This is taught as a partnership between Police & Public Safety Department and Center for Wellness Promotion.	Periodically throughout the year	Inform & Prevent
<b>Alcohol Awareness Month</b>	April: Setup with above programs for educational outreach to students, faculty and staff.	Annually	Prevent
<b>ALICE</b>	ALICE is our active assailant training that we provide to faculty/staff and students on campus. The purpose of the program is to empower and prepare for a potential threat on campus. No longer will the traditional lock down method work which is why a more proactive approach was created.	Periodically throughout the year	Inform & Prevent
<b>Coffee with a Cop</b>	This is a nationally recognized Community Policing Program developed to help break down the barriers between Police Officers and the Community that they serve in.	Periodically throughout the year	Inform & Prevent
<b>ASPIRE</b>	Human Resources course (Work Place Violence) taught to those who ASPIRE to be supervisors and future leaders at the University.	Periodically throughout the year	Prevent
<b>Camps on Campus Counselor Training</b>	The Police & Public Safety Department partners with Camps on Campus to conduct training sessions to ensure counselors know the role of the Police & Public Safety Department on campus and how it can assist with safety, educational programs, and proper reporting procedures.	Annually	Inform
<b>Campus Behavioral Intervention Team (CBIT)</b>	Comprised of various University officials. This team evaluates those individuals who could potentially present a risk to the safety and security of the campus community.	Monthly	Prevent
<b>Campus Partners: University City Partners</b>	University City Partners encompasses University City's commercial core as well as the campuses of UNC Charlotte and University Research Park. UCP focuses on developing, sponsoring, and supporting initiatives that sustain University City's economic vitality.	Periodically throughout the year	Inform & Prevent
<b>Campus Safety &amp; Security Committee</b>	This committee was developed by the chancellor. The Police & Public Safety Department partners with the Center for Counseling and Psychological Services (CAPS), Legal Affairs, Student Affairs, Human Resources, the Provost Office and Student Government Association to address campus community security concerns.	Monthly	Prevent
<b>Campus Wellness Promotions</b>	Provide information to students throughout the year including Domestic Violence Awareness and numerous community resource fairs and events.	Periodically throughout the year	Inform & Prevent

<b>Domestic Violence Advocacy Council</b>	This is a group of committee members dedicated to eliminating domestic violence in our community. This group consists of members of UNC Charlotte Police, District Attorney's Office, Charlotte-Mecklenburg Police, various religious and civic groups and other volunteers.	Monthly	Prevent
<b>SCAI/HRL/PPS Check-in Meeting</b>	Weekly meeting between Student Conduct and Academic Integrity (SCAI), Housing and Residence Life (HRL) and PPS in which issues pertaining to campus safety and security are discussed.	Weekly	Prevent
<b>DrunkBusters</b>	Set up with beer goggles and pedal carts to help simulate alcohol impairment for underage students.	Periodically throughout the year	Prevent
<b>Freshman Seminar classes</b>	Although there are a variety of instructors for these classes, the Police & Public Safety Department generally partners with each of them in order to promote safety awareness to students.	Periodically throughout the year	Prevent
<b>Gotcha</b>	The Police & Public Safety Department partners with Housing and Residence Life (HRL) to focus on the importance of securing residence hall rooms and vehicles.	Periodically throughout the year	Inform & Prevent
<b>Governors Highway Safety Program</b>	Set up displays and enforce state traffic laws for such initiatives as Booze it and Lose It, Click It or Ticket, No Need to Speed, Tree of Life.	Numerous times and locations throughout the year	Prevent
<b>Housing Resident Advisor Training</b>	The Police & Public Safety Department partners with Housing & Residence Life to provide training sessions to ensure RAs know the role of the Police & Public Safety Department on campus and how it can assist with safety, educational programs, and proper reporting procedures.	Periodically throughout the year	Inform
<b>Housing Security Personnel Meetings</b>	The Police & Public Safety Department partners with Housing & Residence Life by attending weekly Housing Security Personnel Meetings.	Weekly	Inform & Prevent
<b>IFEST: International Festival</b>	September: Assist with presentations and security.	Annually	Inform
<b>International Coffee Hour/ International Student Orientations-</b>	Attend event and provide new international students with the opportunity to speak with officers regarding on and off campus safety issues and preventive safety tips.	Periodically throughout the year	Inform & Prevent
<b>Interpersonal Violence Resource Committee</b>	The Police & Public Safety Department partners with various University departments to coordinate aid to victims of domestic violence, dating violence, stalking, and sexual assault.	Periodically throughout the year	Prevent
<b>Gold Rush</b>	August: Set up displays and attend events to meet with students to encourage interaction with the UNC Charlotte Police Department.	Annually	Inform & Prevent
<b>LEAD</b>	Human Resources course (Work Place Violence) designed for the individual who is already a manager or department head or higher.	Periodically throughout the year	Prevent

<b>Library Security Meeting</b>	The Police & Public Safety Department routinely meets with staff to discuss issues with safety and security of library patrons.	Monthly	Prevent
<b>National Crime Victims' Rights Week</b>	April: Set up tables and wooden statues with facts and information in recognition of the victims of crimes	Annually	Inform & Prevent
<b>National Police Week</b>	May: Set up tables and displays at different locations throughout campus and in front of UNCC Police HQ to raise awareness regarding officers who have lost their lives in the line of duty.	Annually	Inform & Prevent
<b>NCSAM</b>	September: National Campus Safety Awareness Month- This month accounts for a large portion of programming and outreach efforts between the UNCC Police Department and the faculty, staff, and students. Many of the programs that are listed above are hosted during this month.	Annually	Inform & Prevent
<b>NEO</b>	New Employee Orientation- Taught through Human Resources to introduce new employees to the Police Department and some of the services we offer.	Periodically throughout the year	Inform & Prevent
<b>Octoberfest</b>	October: An event coordinated by Center for Wellness Promotion to provide information and education through a variety of displays and interaction with on and off campus agencies aimed at underage drinking and related issues.	Annually	Prevent
<b>Office of Adult Students and Evening Services</b>	The Police & Public Safety Department partners with OASES to conduct presentations for safety of students on campus late at night, after hours.	Periodically throughout the year	Prevent
<b>Operation ID</b>	The Police & Public Safety Department sponsors this initiative to prevent larcenies and assist law enforcement officials with the identification of property.	Periodically throughout the year	Inform & Prevent
<b>Operation Medicine Drop</b>	Partnership with SBI and Health Center in order to collect and safely dispose of old or unneeded prescription and over-the-counter medications.	Periodically throughout the year	Prevent
<b>Rape Aggression Defense (R.A.D) Classes</b>	This is a self-defense class for women taught by the Police & Public Safety Department.	Periodically throughout the year	Inform & Prevent
<b>Sexual Assault Awareness Month</b>	April: Set up table (s) and provide information on Sexual Assault prevention and awareness.	Annually	Inform & Prevent
<b>SOAR</b>	SOAR is the Student Orientation, Advising and Registration Program. The Police & Public Safety Department provides safety and crime prevention information to students and parents as they transition to UNC Charlotte.	Bi-Annually	Inform & Prevent
<b>Staff Council</b>	The Police & Public Safety Department meets monthly with the Staff Council to share information and provide educational assistance.	Monthly	Prevent



## Primary Prevention & Awareness Programs

### Description / Title

### Dates

### Presenter

<b>Incoming Student Orientation (SOAR)</b>	Three Ways to Stay Out of Trouble: Making Choices for Your Success and Safety at UNC Charlotte	Periodically throughout the year	Center for Wellness Promotion
<b>Niners Know</b>	A 30-minute online training course offered through Canvas to all incoming students and required of all student athletes. This course complies with the university's Campus SaVE obligations.	Summer/Fall and reminders throughout the year	Title IX Office
<b>New Employees Orientation</b>	The Campus SaVE and Title IX: Understanding and Responding to Sexual Harassment and Sexual Violence for New Employee Orientation	Periodically throughout the year	Title IX Office
<b>New Employees (Administrators)</b>	Helping UNC Charlotte Respond to Sexual Harassment & Sexual Violence for New Administrator Orientation	Annually	Office of Legal Affairs
<b>New Employees (Faculty)</b>	Helping UNC Charlotte Respond to Sexual Harassment & Sexual Violence for New Faculty Orientation	Annually	Office of Legal Affairs

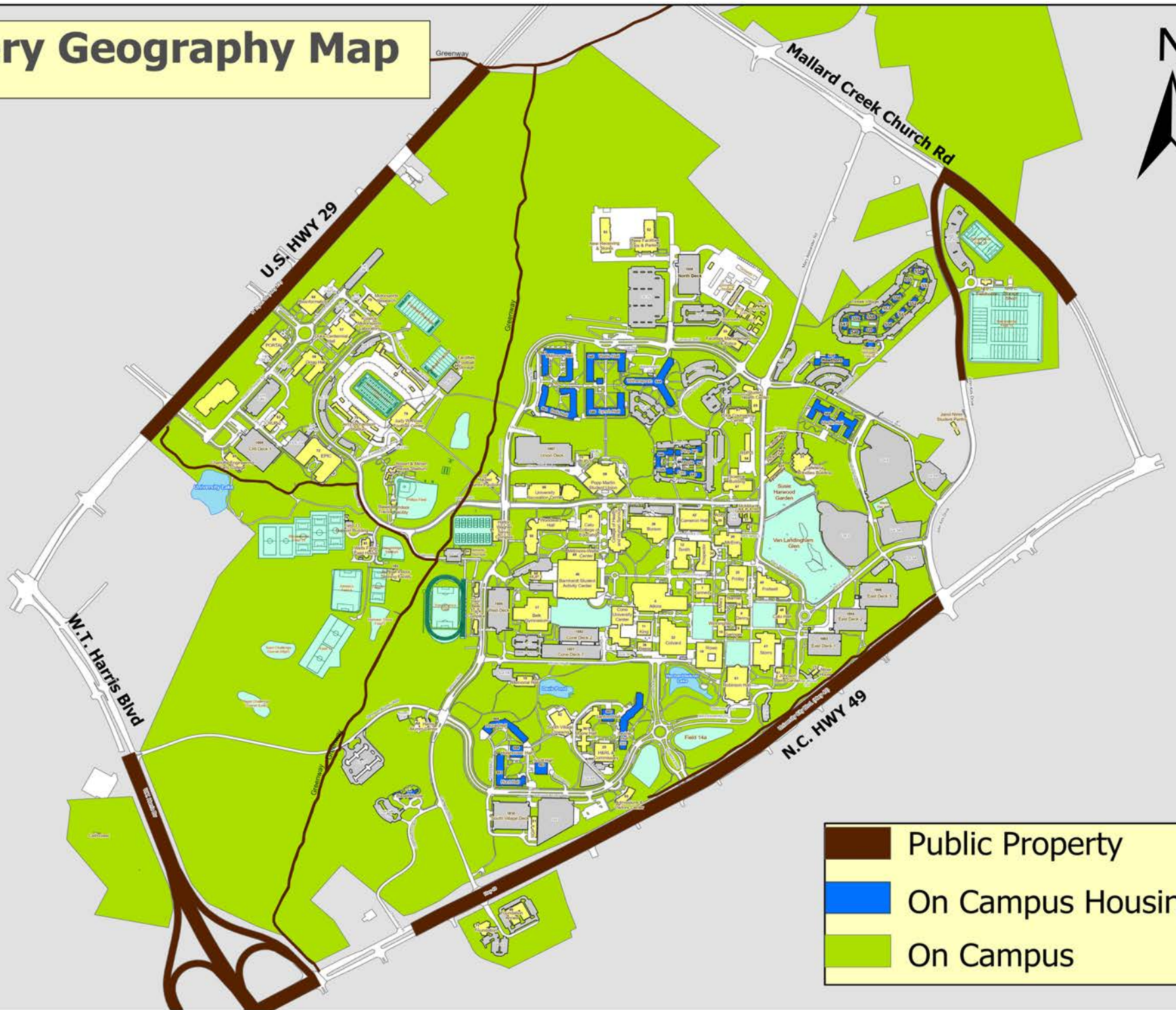
## Ongoing Prevention and Awareness Programs

During the 2019 Academic Year, the Center for Wellness Promotion coordinated a total of 177 health education programs reaching 11,257 students. Major categories of program numbers and attendance are as follows:

Topic Area	Number of Programs	Number of Attendees
Alcohol, Tobacco, & Other Drugs	62	4,047
Sexual and Reproductive Health	19	1,028
Interpersonal Violence	25	1,020
Bystander Intervention	8	316
General Wellness	25	1,797
Other Topics (e.g., mental health, stress management, etc.)	38	3,049

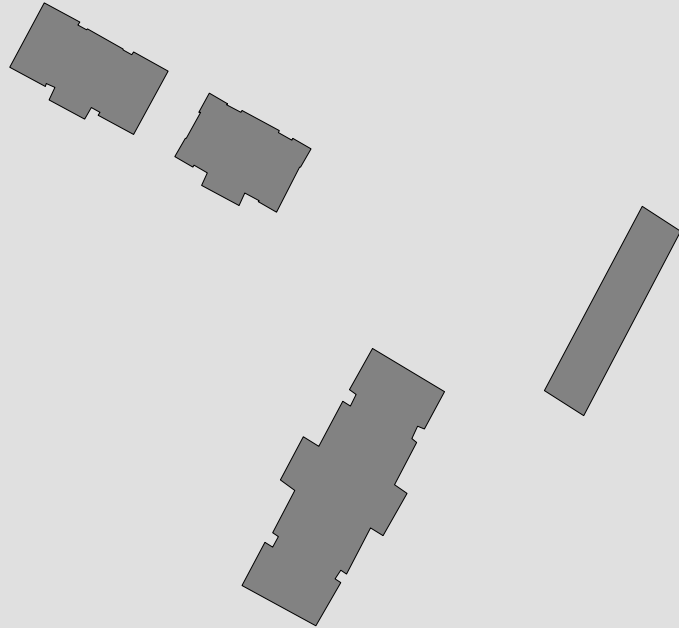
During the 2019 Academic Year, the Title IX Office coordinated over 96 Title IX related programs. Given the availability to educate current students, faculty and staff, in addition to all incoming SOAR attendees and their parents, these programs reached over 10,000 individuals and varied in topic including consent, Responsible Employee training, active bystander education, Title IX processes, accommodations, resources, and the formal investigation process.

# Clery Geography Map



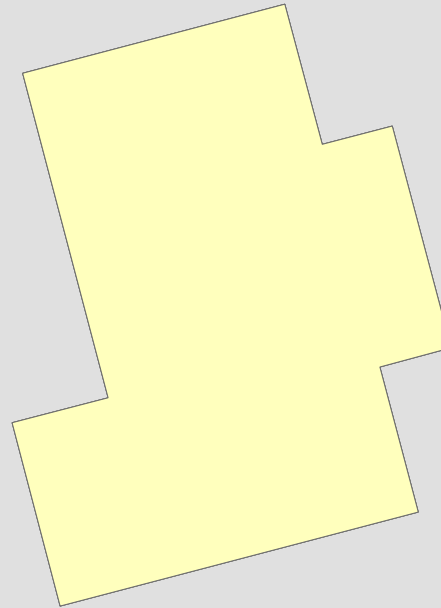
# Clery Non-Campus Property

Kannapolis Campus



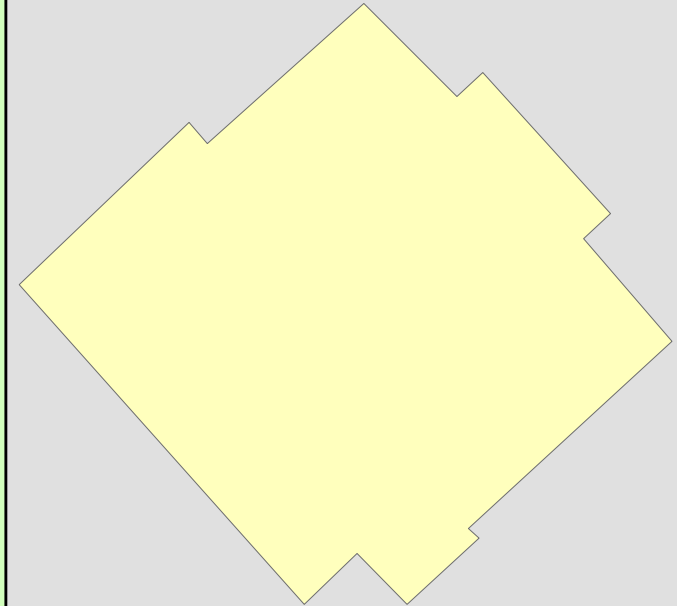
500 and 600 Laureate Way  
150 N Research Campus Drive  
212 N Main Street  
Kannapolis, NC 28081

Kappa Sigma




732 E Mallard Creek Church Rd  
Charlotte, NC 28262

Golf Practice Facility

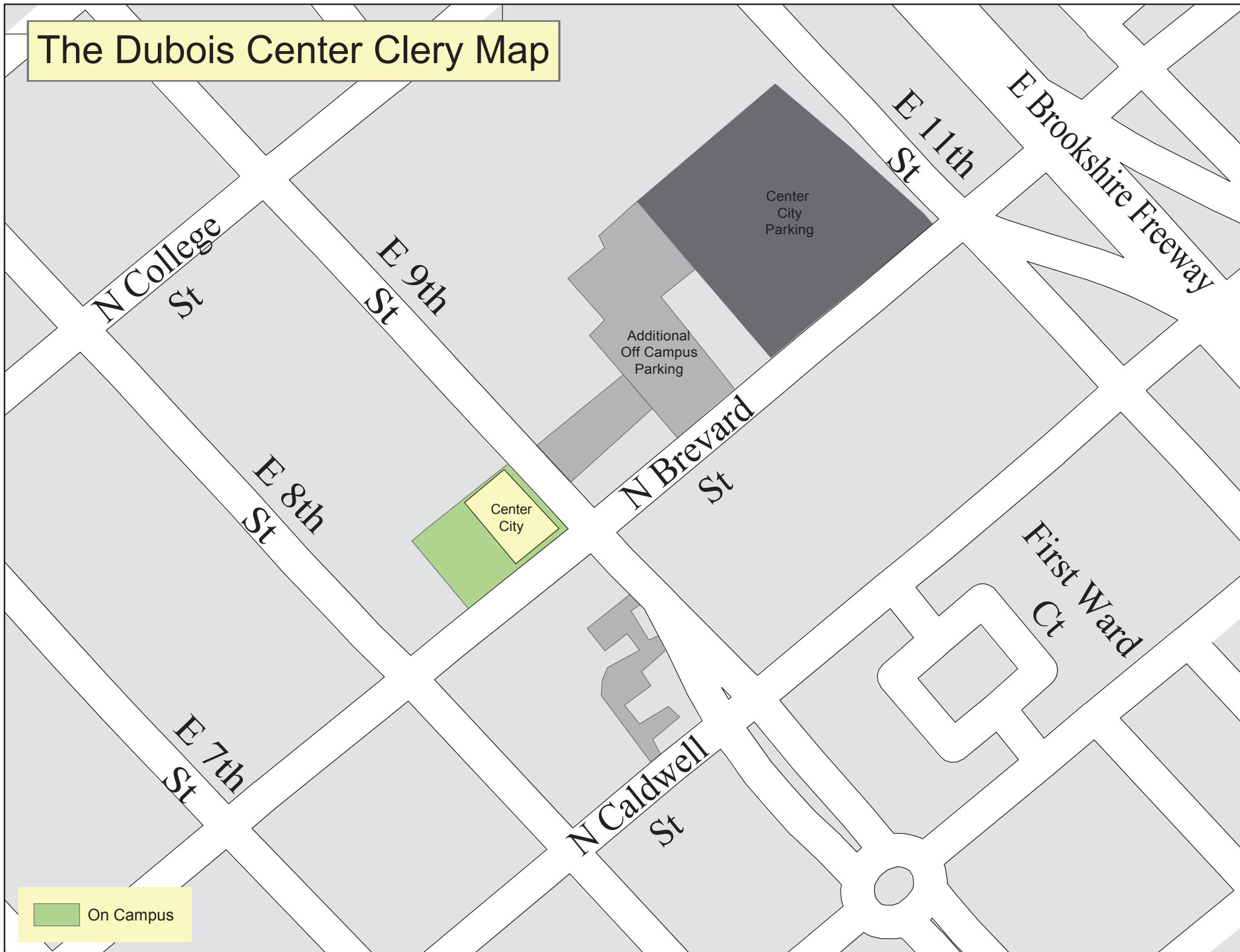


6920 Bruton Smith Blvd.  
Concord, NC 28027

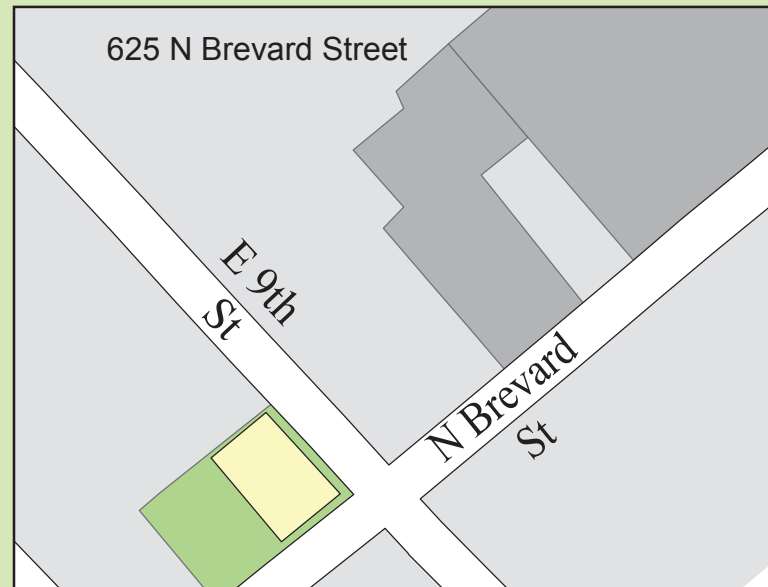
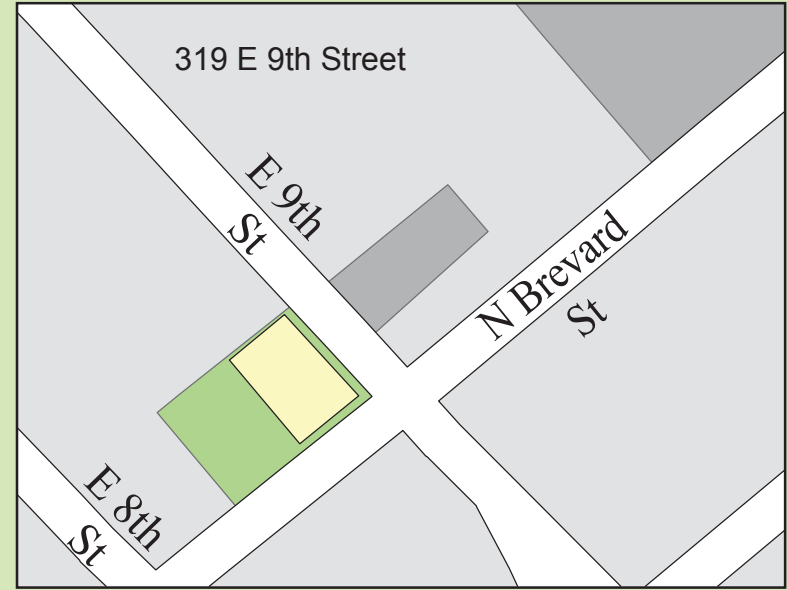
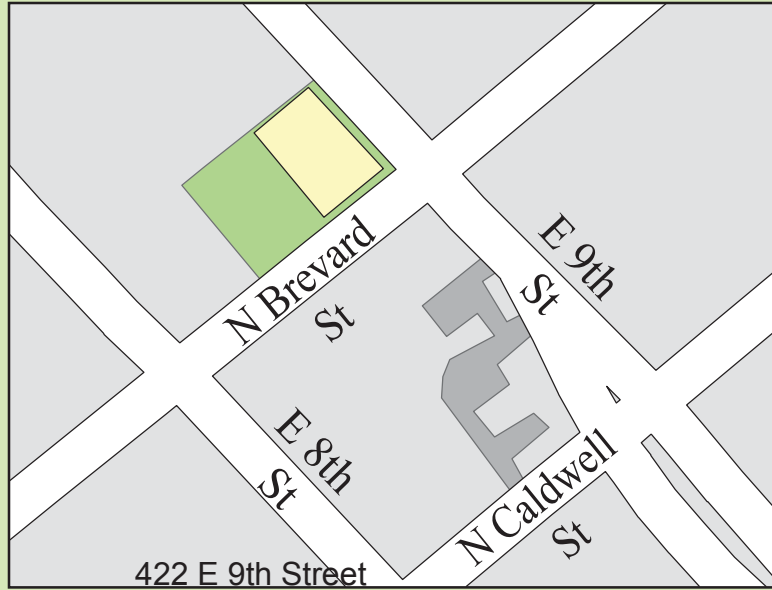
## Legend

 Non-Campus Buildings




# The Dubois Center Clery Map



# The Dubois Center Non-Campus Property



## Legend

-  Campus Buildings
-  On Campus
-  Off Campus Parking



## Appendix III: Clery Geography

### UNC Charlotte Main Campus Geography

<b>OWNED PROPERTY</b>			<b>University Off- Campus Clery Reportable</b>	
<b>Owner</b>	<b>Property Type</b>	<b>Property Address</b>	<b>County Location</b>	<b>Description</b>
	Improved Land	9100 Robert Snyder Rd	Mecklenburg	12.75 acres, JW Clay & Hwy 29
	Improved land	8724, 8730, 8734, 8824 University City Blvd	Mecklenburg	21,000 SF, 2-story office bldg. Development Building, additional office space, vacant land
	Greenway	Campus Greenway Easement	Mecklenburg	County Maintains Greenway
	Improved land	1511-1836 Darryl McCall Circle	Mecklenburg	Leased to FDC; Greek Village
<b>LEASED</b>	<b>PROPERTY</b>		<b>Non-Campus Property</b>	
<b>Lessor</b>	<b>Lessee</b>	<b>Property Address</b>	<b>Location</b>	<b>Description</b>
Research Campus	UNCC	500 & 600 Laureate Way	Kannapolis	Office Space for Research
UNCC Golf Center Rocky River Golf	UNCC	6920 Burton Smith Blvd Concord, NC	Concord	Golf Practice
<b>OWNED</b>	<b>PROPERTY</b>		<b>On-Campus Clery Reportable</b>	
<b>Owner</b>	<b>Property Type</b>	<b>Property Address</b>	<b>County Location</b>	<b>Description</b>
UNCC/ State of NC	Main Campus	9201 University City Blvd.	Mecklenburg	Main Campus, over 900 acres, 74 buildings
<b>CONTROLLED</b>	<b>PROPERTY</b>		<b>Non-Campus Property</b>	
<b>Owner</b>	<b>Property Type</b>	<b>Property Address</b>	<b>County Location</b>	<b>Description</b>
Kappa Sigma Fraternity	House & Land	732 E Mallard Creek Church Road Charlotte, NC	Mecklenburg	Fraternity House

<b>The Dubois Center Geography</b>				
<b>LEASED PROPERTY</b>			<b>Non-Campus Property</b>	
<b>Lessor</b>	<b>Lessee</b>	<b>Purpose</b>	<b>Location</b>	
Preferred Parking	Dubois Center	Parking	Mecklenburg	422 E. Ninth Street
Preferred Parking	Dubois Center	Parking	Mecklenburg	319 E. Ninth Street
Preferred Parking	Dubois Center	Parking	Mecklenburg	625 N. Brevard Street
<b>OWNED PROPERTY</b>			<b>On-Campus Clery Reportable</b>	
<b>Owner</b>	<b>Property Type</b>	<b>Property Address</b>	<b>County Location</b>	<b>Description</b>
<b>UNCC/ State of NC</b>	Dubois Center Campus	320 E. 9th St	Mecklenburg	12-story Center City Building

## DEFINITIONS

**Public Property**—All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

**On Campus-** Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and

Any building or property that is within or reasonably contiguous, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

**Non-Campus** – (i) Any building or property owned or controlled by a student organization that is officially recognized by the institution; or (ii) any building or property owned or controlled by an institution that is used in direct support of, or in relation to the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution. UNC Charlotte works with law enforcement agencies with jurisdiction at these locations to collect crime statistics on Clery Reportable Offenses.

## Appendix IV

# INTERPERSONAL VIOLENCE RESOURCE GUIDE

## AN EXPLANATION OF YOUR RIGHTS AND REPORTING OPTIONS



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## INTRODUCTION TO THIS GUIDE

### WHY MAKE THIS GUIDE?

UNC Charlotte, in compliance with the Clery Act, including amendments by the Violence Against Women Reauthorization Act of 2013, has prepared the information in this guide for victims of dating violence, domestic violence, sexual assault, and stalking.

UNC Charlotte want you to have access to as much information as possible, so that you understand your options and available resources, and can make informed choices.

### WHAT ARE WE TALKING ABOUT?

Interpersonal Violence is a broad term that includes experiences of dating violence, domestic violence, sexual assault, and stalking.

#### Dating violence and domestic violence:

Dating violence and domestic violence are physical or sexual abuse perpetrated by one member of a romantic or intimate partnership against the other partner. Household members or former spouses or intimate partners can also perpetrate dating or domestic violence.

#### Sexual assault:

Sexual assault is sexual intercourse, oral sex, groping, or other sexual contact without the consent of one of the parties.

#### Stalking:

Stalking is two or more acts directed at a specific person that would cause a reasonable person to (a) fear for their safety or the safety of others or (b) suffer substantial emotional distress.

These events can occur regardless of a person's gender identity or expression, sexual identity, race/ethnicity, socioeconomic status, religion, ability, age, or national origin.

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; [ncleg.net/gascripts/statutes/statutelookup.pl?statute=50B-1](https://ncleg.net/gascripts/statutes/statutelookup.pl?statute=50B-1)), University Policy 504, Title IX Grievance Policy ([legal.uncc.edu/policies/up-504](https://legal.uncc.edu/policies/up-504)), and University Policy 406, Code of Student Responsibility ([legal.uncc.edu/policies/up-406](https://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 504, Title IX Grievance Policy and University Policy 406, Code of Student Responsibility.

## Confidentiality and Reporting

**CONFIDENTIAL RESOURCES:** If a student wants to discuss an experience of sexual assault, dating violence, domestic violence, or stalking with someone on campus who does not have a responsibility to report the incident to the Title IX Office, they may access the following services: Center for Counseling and Psychological Services and the Student Health Center (see [pp.2-3](#) for details.)

**REPORTING:** Disclosure of any incident of sexual assault, dating violence, domestic violence, or stalking to many members of the campus community may require the incident to be reported to the Title IX Coordinator. The Title IX Office will work with the reporting student to discuss what resources are available as well as discuss possible investigation options, if applicable.

**REQUESTING CONFIDENTIALITY:** If a student talks to a non-confidential resource (e.g., faculty, staff, resident advisors, academic advisors), yet wishes to have the incident remain private, the student can request privacy from Title IX Office. In many cases, the Title IX Office is able to honor a request

for privacy. However, several factors must be weighed in this decision to ensure the university is meeting its obligation to provide a safe environment for the entire campus community. For more information about factors that influence this decision, see University Policy 406, Chapter 8, Section VI(2) of the Code of Student Responsibility at [legal.uncc.edu/policies/up-406](https://legal.uncc.edu/policies/up-406).

#### PROTECTING CONFIDENTIALITY IN PUBLIC RECORDS:

Identifying information about the incident and the students involved is considered to be part of the student's "education record" under FERPA. Limited information about the Respondent may be publicly disclosable if they are found responsible for certain policy violations. Documentation about these types of incidents is generally protected from public disclosure (see University Policy 402, Student Education Records (FERPA) at [legal.uncc.edu/policies/up-402](https://legal.uncc.edu/policies/up-402)). If sexual assault, dating violence, domestic violence, or stalking is reported to have happened on campus, the university is required to include that statistic in an annual public disclosure called the Annual Security Report.



## On-Campus and Confidential

The following confidential resources are always available for students. However it is important to note that if you elect to only use these resources the University has limited ability to fully respond. At any point, a student can also elect to use the services and resources available through the Title IX Office and/or Police and Public Safety.

**IMPORTANT:** Confidential means that a formal report will not be made to the Title IX Office or Police.

### Center for Counseling and Psychological Services

#### LOCATION:

Price Center  
([Campus Map - 91](#))

#### HOURS:

Monday - Friday  
8:00 AM - 5:00 PM  
(Evening hours by appointment)  
Crisis walk-in services  
available during office hours.

#### CRISIS SERVICES

##### AFTER HOURS:

Call (704) 687-0311 and  
you will be connected to a  
counselor through ProtoCall.

PHONE: (704) 687-0311

WEBSITE: [caps.uncc.edu](https://caps.uncc.edu)

### Department of Athletics psychologist

(student-athletes only)

EMAIL: [tbrandt5@uncc.edu](mailto:tbrandt5@uncc.edu)

### Student Health Center

#### LOCATION:

Corner of Cameron Blvd  
and Mary Alexander Rd  
([Campus Map - 65](#))

#### HOURS: Monday - Thursday

8:00 AM - 6:30 PM; Friday  
8:00 AM - 5:00 PM

PHONE: (704) 687-7400

#### WEBSITE:

[studenthealth.uncc.edu](https://studenthealth.uncc.edu)

## On-Campus and Private

Using the services of the following offices allows students to have access to official university responses and services, including academic or housing accommodations, protective measures, and investigations/adjudication procedures.

**IMPORTANT:** Private means that a formal report will be made to the Title IX Office for outreach, support, and related services. Information will only be shared with relevant campus partners in order to coordinate care.

### Title IX Coordinator

#### LOCATION:

Cato 132  
([Campus Map - 48](#))

PHONE: (704) 687-6130

#### EMAIL:

[titleixcoordinator@uncc.edu](mailto:titleixcoordinator@uncc.edu)

WEBSITE: [titleix.uncc.edu](https://titleix.uncc.edu)

### Police and Public Safety

#### LOCATION:

9151 Cameron Blvd.  
([Campus Map - 55B](#))

EMERGENCY: (704)

687-2200

NON-EMERGENCY:

(704) 687-8300

WEBSITE: [police.uncc.edu](https://police.uncc.edu)

### Dean of Students Office

#### LOCATION:

King Building 217  
([Campus Map - 11](#))

PHONE: (704) 687-0345

WEBSITE: [dso.uncc.edu](https://dso.uncc.edu)

### Human Resources

#### LOCATION:

King Building, 113C  
([Campus Map - 11](#))

PHONE: (704) 687-0659

WEBSITE: [hr.uncc.edu](https://hr.uncc.edu)

## Explanation of On-Campus Confidential Resources

Contact with these offices is completely confidential and available to any enrolled student.

### Counseling and Psychological Services (CAPS)

CAPS is a confidential resource for students seeking support for managing the impact of Interpersonal Violence. Students can meet with counselors to discuss their need for campus resources and accommodations and to process their experiences and reactions. CAPS services include individual and group therapy for survivors of relationship trauma, referrals to campus and community resources, and discussion about options for engaging other campus offices including Police and Public Safety and Title IX Offices.

## Off-Campus

Utilizing these or other off-campus resources does not limit a student's ability to also use on-campus resources. There may be costs associated with utilization of these off-campus resources.

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### Safe Alliance

Safe Alliance provides hope and healing to those impacted by domestic violence and sexual assault through a variety of programs and services and can accompany survivors through hospital procedures.

#### LOCATIONS:

*Charlotte Domestic Violence Shelter (confidential location)*

**ADMINISTRATIVE CONTACT:**  
(704) 944-0169

*Charlotte Children and Family Services Center*  
601 E. Fifth Street, Suite 400,  
Charlotte, NC 28202  
**PHONE:** (704) 943-9400

**24-HOUR HOTLINES:**  
(704) 375-9900 (24-hour  
Sexual Assault Hotline)  
(704) 332-2513 (24-hour  
Domestic Violence Hotline)

**WEBSITE:** [safealliance.org](http://safealliance.org)

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### North Carolina Victim Assistance Network (NCVAN)

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

**PHONE:** (800) 348-5068

**WEBSITE:** [nc-van.org](http://nc-van.org)

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### Atrium Health

#### LOCATIONS:

*Atrium Health University City*  
8800 North Tryon Street,  
Charlotte, NC 28262

**PHONE:** (704) 863-6000

**WEBSITE:** [atriumhealth.org/locations/detail/atrium-health-university-city](http://atriumhealth.org/locations/detail/atrium-health-university-city)

*Atrium Health Cabarrus (formerly NorthEast)*  
920 Church Street North,  
Concord, NC 28025

**PHONE:** (704) 403-3000

**WEBSITE:** [atriumhealth.org/locations/detail/atrium-health-cabarrus](http://atriumhealth.org/locations/detail/atrium-health-cabarrus)

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### Novant Health Presbyterian Medical Center

**LOCATION:** 200 Hawthorne  
Lane, Charlotte, NC 28204

**PHONE:** (704) 384-4000

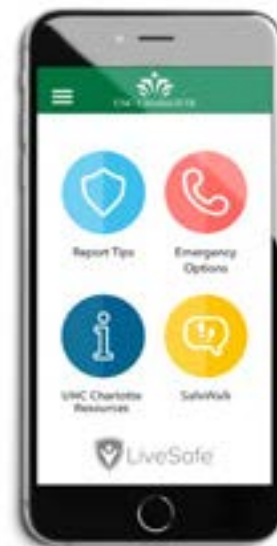
**WEBSITE:** [novanthealth.org/presbyterian-medical-center](http://novanthealth.org/presbyterian-medical-center)



## LiveSafe®

The LiveSafe app is FREE and can be found in the app store for Apple and Android devices.

To use full features of the app, be sure that your phone's settings allow for push notifications, and your GPS location sharing is activated.



### Department of Athletics psychologist

All student-athletes have the option of scheduling one-on-one confidential meetings with one of the sport psychology professionals on staff. The format, content, and length of these appointments are largely based on the student-athlete's presenting concern and/or goals.

### The Student Health Center (SHC)

The SHC seeks to promote healthy students by providing healthcare, education, and outreach services. Students can access this service for STI/HIV testing, laboratory and pharmacy services, and physical health exams.

The University, through the Title IX Office, seeks to provide a safe and efficient environment where every student is comfortable reporting an incident of sexual assault, dating violence, domestic violence, or stalking. We encourage students to report so that we can make the University a safer environment by recognizing problematic behavior and connecting students to the maximum number of resources possible.

The University can assist students by providing a number of various supportive measures. These can include anything from academic accommodations to assistance with referrals to various resources both on and off campus. Any time the University receives a Title IX report, the Title IX Case Manager will initiate outreach via email. Students who elect not to engage with the Title IX Case Manager, or decide they do not wish to receive resources or support upon initial outreach, may always elect to do so at a later time. Meeting with the Title IX Case Manager is not mandatory, and students may always decline services.

There are many reasons why an individual may choose not to engage with the Title IX Office. If that is the case, the University encourages the student to still seek resources and support from either on-campus confidential resources or off-campus resources.

## Supportive Measures

Once an incident has been reported, the Title IX Office will arrange for accommodations for the reporting student as needed. If an investigation is ultimately opened, or an accused student is otherwise notified of the allegations, the accused student may also receive these accommodations. Examples of accommodations could include adjustment of academic schedules, assistance with University employment, and transportation accommodations.

The Title IX Office will be responsible for contacting faculty, Housing and Residence Life, and any other relevant parties to make these necessary accommodations. The Title IX Office can also coordinate arrangements with other University offices (e.g., Office of Disability Services, Office of International Programs, Student Assistance and Support Services) as necessary to address any disclosed disability, visa/immigration concerns, financial aid/tuition concerns, or other related topics.

## ACCOMMODATIONS



**ACADEMICS:**  
Extended Deadlines,  
Extended Test Times,  
Excused Absences,  
Incompletes



**FINANCIAL AID  
AND TUITION**



**HOUSING:**  
Change in room  
assignments



**UNIVERSITY  
EMPLOYMENT  
ASSISTANCE**



**TRANSPORTATION**



**OTHER OFFICES:**  
International Student  
and Scholar Office,  
Office of Disability Services,  
Student Assistance and  
Support Services

The University must comply with a student's reasonable request for a living, academic, transportation, or University employment changes.

At any point, the Title IX Coordinator may implement support or education initiatives, including, but not limited to:

- Targeted or broad-based education
- No Trespass Orders
- No Contact Orders
- Increased monitoring, supervision, or security at necessary locations
- Changes or clarifications to policies or practices

The Title IX Office will separately also assist the reporting student and the accused student in connecting with both on-campus and off-campus resources, including counseling, health, mental health, victim advocacy, legal assistance, and other services, if requested.

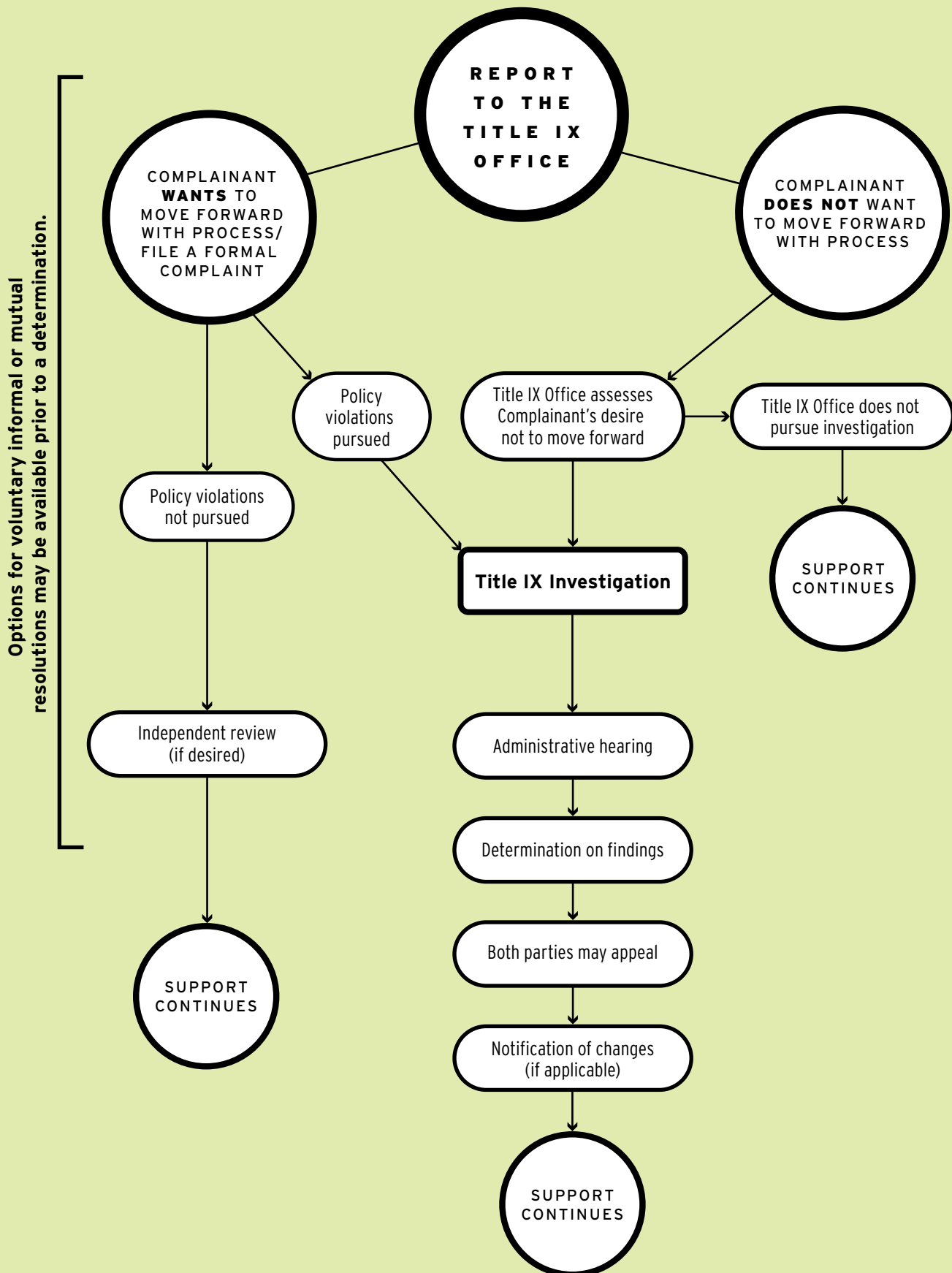
The provision of accommodations, protective measures, and other interim remedies will be kept private except as needed to implement the accommodations or other measures. For example, in order to facilitate an academic accommodation (e.g., an extension on an assignment), the Title IX Office will need to contact instructors. The instructor will know that the student is involved with the Title IX Office, but additional details will not be disclosed about the incident. The Title IX Office decides which information is necessary to share in order to implement interim measures.

Reporting to the Title IX Office grants a student access to accommodations, but does not require that the student moves forward with the conduct process.

A reporting student may receive certain accommodations and other interim remedies regardless of whether they move forward with the student conduct process or report to law enforcement. Access to resources and accommodations are available to all students, even if the reported perpetrator is not affiliated with UNC Charlotte.

## Sexual and Interpersonal Misconduct Process

(Specific steps may vary depending on the relevant University Policy)





All relevant University Policies provide a prompt, fair, and impartial investigation and resolution of complaint(s).

## Sexual and Interpersonal Misconduct Process

Sexual assault, domestic violence, dating violence, and stalking are all prohibited conduct under University Policy 504, Title IX Grievance Policy ([legal.uncc.edu/policies/up-504](https://legal.uncc.edu/policies/up-504)), University Policy 406, Code of Student Responsibility ([legal.uncc.edu/policies/up-406](https://legal.uncc.edu/policies/up-406)), and University Policy 502, Sexual Harassment and Interpersonal Violence ([legal.uncc.edu/policies/up-502](https://legal.uncc.edu/policies/up-502)). Other sexual misconduct, including sexual harassment, gender-based harassment, sexual exploitation, and sexual exhibitionism without consent, is also prohibited by the Code. This means that if a student wishes, they can request a formal investigation into the alleged behavior. The exact process will depend on which policy applies to the alleged behavior, but the information in this section is true for all three policies.

Students or employees who are accused of violating relevant University policies are called “Respondents” and students or employees who allegedly experienced the sexual misconduct, dating violence, domestic violence, or stalking are called “Complainants.”

If a Complainant chooses not to proceed with the investigation process, this decision will be discussed in consultation with the Title IX Coordinator in hopes of honoring this request. The University still has an obligation to respond to the alleged misconduct and to remedy its effects.

### TIMELINE

When a report is received, the University will respond in a prompt manner. The University will determine whether any interim protective measures, including but not limited to campus no-contact orders, are necessary. Depending on certain factors, interim suspension of or administrative leave for the Respondent may also be appropriate.

The University strives to resolve cases within 60 business days, excluding any appeals.

In the University’s experience, however, circumstances including but not limited to, parallel criminal investigations, multiple witnesses, and difficulties with availability and scheduling of parties and witnesses, often exists; therefore, many cases may take longer to be resolved.

If the cases take longer than 120 business days to resolve, the Title IX Office will provide a written explanation to all parties as to the reason(s) for the delay.

### PROCESS

At any time prior to a determination on responsibility, a University official may be able to facilitate a resolution between a Complainant and a Respondent. That resolution process is completely voluntary and does not require face-to-face interaction between parties.

Once the investigation 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. The staff member will also interview any witnesses who are identified by the parties and gather other physical and documentary evidence. Both parties have an opportunity to review the investigator’s draft report, which summarizes all the information gathered, and provide feedback before the report becomes final.

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.

### PROCEDURAL RIGHTS

Throughout the process, both the Complainant and the Respondent are entitled to the same rights and opportunities, including having an advisor, attorney, or non-attorney advocate present at any related meeting or decisions, providing evidence to support their side, reviewing the information on which a decision will be based, and appealing any hearing decisions.

The Complainant and the Respondent will be simultaneously notified, in writing, of:

- the outcome of the process
- the procedures for each party to appeal the results
- any change to the results prior to the finalization of the results
- when the results become final

### HOW A DECISION IS MADE

A Respondent is responsible for a relevant policy violation if the information shows that it is more likely than not that they committed the violation (also called “preponderance of the evidence”). If a case is not resolved prior to a hearing, a trained hearing officer will determine the findings and make a recommendation on sanctions, which can be appealed.

### UNIVERSITY POLICY 502

## Sexual harassment and interpersonal violence policy for and against University employees

The University is committed to providing a respectful environment for all University community members and guests of the University. Unlawful discrimination and discriminatory harassment, including any form of sexual harassment or interpersonal violence, undermine the mission of the University and will not be tolerated.

University Policy 502 describes the University’s processes for investigating and resolving complaints of sexual harassment, interpersonal violence, and retaliation that are outside of the scope of University Policy 504. The full policy is available at [legal.uncc.edu/policies/up-502](https://legal.uncc.edu/policies/up-502).

## POTENTIAL SANCTIONS

One or more of the following sanctions may be imposed on a student found responsible for a violation(s) of the Code or University Policy 504.

1. **CONDUCT WARNING**—Formal written warning indicating that the Respondent's behavior was unacceptable and that if the Respondent is subsequently found responsible for a violation(s) of the Code or University Policy 504, 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 or indefinite period of time.
3. **DEFERRED CONDUCT SUSPENSION**—A progressive sanction status in which the Respondent is deemed not to be in good conduct standing with the University for a definite or indefinite period of time.
4. **CONDUCT SUSPENSION**—Separation of the Respondent from the University for a definite or indefinite period of time. During the Conduct Suspension period, the Respondent is trespasses from the University and may not be present on University Premises; attend or participate in classes; access various University electronic systems, including, but not limited to, email services; or participate in Student Organizations or any University-sponsored program, activity, or related event.
5. **EXPULSION**—Permanent separation of the Respondent from the University. The Respondent is trespasses from the University and may not be present on University Premises; attend or participate in classes; access various University electronic systems, including, but not limited to, email services; or participate in Student Organizations or any University-sponsored program, activity, or related event.
6. **REMOVAL FROM UNIVERSITY HOUSING**—Loss of the privilege of living in University housing.
7. **POST-ENROLLMENT AND POST-GRADUATION SANCTIONS**—A Respondent who is found responsible for a violation(s) of the Code or University Policy 504, 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:
  - restitution for loss incurred by an individual or the University as a result of the Respondent's violation(s);
  - 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;
  - an administrative no contact order with an individual(s);
  - loss of driving and/or parking privileges on University Premises;
  - a student conduct fee not to exceed \$100;
  - community service and/or participation in educational programs;
  - 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);
  - parental/guardian notification, pursuant to Section II.B.11 of University Policy 402, Student Education Records (FERPA); or
  - any other appropriate sanction as determined by the Director of Student Conduct or designee.

For a compressive explanation of the Title IX grievance process, including additional definitions and more detailed procedures, review University Policy 504 ([legal.uncc.edu/policies/up-504](https://legal.uncc.edu/policies/up-504)).

For a comprehensive explanation of the student conduct process, additional definitions, or sanctions, review Chapter 8 of the Code ([legal.uncc.edu/policies/up-406#ch8](https://legal.uncc.edu/policies/up-406#ch8)).

If someone has recently become a victim of sexual assault, dating violence, domestic violence, or stalking, law enforcement recommends that the person take the following steps to preserve evidence.

## 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 UNC Charlotte PPS for a ride to the hospital. Victims should be aware that their ability to keep certain information confidential will be limited if they contact UNC Charlotte PPS. A formal report will also be submitted to the Title IX Office.

The University encourages victims to go to the emergency room of any of the local hospitals, including Atrium Health University City, Atrium Health Cabarrus, or Novant Health Presbyterian Medical Center, and request a specially trained Sexual Assault Nurse Examiner (SANE) who will conduct a forensic examination and collect physical

evidence. Completing an 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.

More details about the components of a sexual assault forensic exam can be found here: [bit.ly/2dPVLtd](https://bit.ly/2dPVLtd)

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 or proving that an incident occurred in a criminal case or conduct process.

Request a specially trained Sexual Assault Nurse Examiner at any hospital emergency room:

### Atrium Health

*Atrium Health University City*

**LOCATION:**

8800 North Tryon Street  
Charlotte, NC 28262

**PHONE:** (704) 863-6000

**WEBSITE:**

[atriumhealth.org/locations/detail/atrium-health-university-city](https://atriumhealth.org/locations/detail/atrium-health-university-city)

*Atrium Health Cabarrus (formerly NorthEast)*

**LOCATION:**

920 Church Street North  
Concord, NC 28025

**PHONE:** (704) 403-3000

**WEBSITE:**

[atriumhealth.org/locations/detail/atrium-health-cabarrus](https://atriumhealth.org/locations/detail/atrium-health-cabarrus)

### Novant Health

*Presbyterian Medical Center*

**LOCATION:**

200 Hawthorne Lane  
Charlotte, NC 28204

**PHONE:** (704) 384-4000

**WEBSITE:**

[novanthealth.org/presbyterian-medical-center](https://novanthealth.org/presbyterian-medical-center)

## Contacting Police

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

- ① You can choose not to notify law enforcement
- ② You can notify law enforcement authorities including:

**Charlotte-Mecklenburg  
Police Department**  
**EMERGENCY:** 911  
**NON-EMERGENCY:** 311  
**NON-EMERGENCIES  
OUTSIDE MECKLENBURG  
COUNTY:** 704-336-7600  
**WEBSITE:**  
[charlottenc.gov/cmpd](http://charlottenc.gov/cmpd)

**UNC Charlotte Police  
and Public Safety**  
**EMERGENCY:**  
(704) 687-2200  
**NON-EMERGENCY:**  
(704) 687-8300  
**WEBSITE:** [police.uncc.edu](http://police.uncc.edu)

**Other law enforcement  
that has jurisdiction  
over the incident**

- ③ You can get assistance in notifying the appropriate law enforcement authorities by contacting any of the resources listed on [pages 2 and 3](#).

### UNC CHARLOTTE POLICE AND PUBLIC SAFETY

UNC Charlotte Police and Public Safety includes multiple officers who have been trained to conduct trauma-informed interviews regarding incidents of sexual assault or domestic violence. 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. A formal report will also be submitted to the Title IX Office.



## Orders of Protection

### UNC CHARLOTTE NO CONTACT ORDERS

The Title IX Office (for students) or Human Resources (for faculty or staff) can help facilitate an on-campus no-contact order for members of the University community if both parties are affiliated with the University. A No Contact Order is a University order that encompasses all forms of contact and communication, including but not limited to, direct (face-to-face), telephone, written, and electronic forms of communication and social media.

### PROTECTIVE ORDERS

Information regarding protective orders that are effective throughout Mecklenburg County, including on the UNC Charlotte campus, is summarized below. Information is

also available at [charlottenc.gov/CMPD/Organization/Documents/InvestSvcs/DV\\_RsrcGuide2015.pdf](http://charlottenc.gov/CMPD/Organization/Documents/InvestSvcs/DV_RsrcGuide2015.pdf). If a victim is a resident of a different county, information on protective orders should be available on that county's website.

The UNC Charlotte Police and Public Safety 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 UNC Charlotte Police and Public Safety to be kept on file, and the victim should keep a valid copy of the order to be presented upon request.

### Qualifications for a Civil No Contact Order (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)

Anyone who is seeking an Order of Protection due to an incident of Interpersonal Violence that occurred within a same sex relationship should likely seek a Civil No Contact Order (CNCO-50C). The current qualifications for a Domestic Violence Protective Order (DVPO-50B) do not offer protection for individuals within a same sex relationship unless they live in the same household.



### **Qualifications for a Domestic Violence Protective Order (DVPO) (50B)**

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- ☒ Plaintiff or defendant must be a resident of Mecklenburg County, NC.
- ☒ Must have a valid address for the person you are seeking the order against.
- ☒ Must have one of the following relationships with the defendant:
  - Married or Divorced
  - Persons of the opposite sex who are not married but live together or have lived together in the past
  - Parent and child or grandparent and grandchild (must be at least 16 years old)
  - Have a child in common
  - Current or former household members
  - Persons of the opposite sex who are in or have been in a dating relationship
- ☒ 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:
  - Caused or attempted to cause bodily injury
  - Placed you or a member of your household in fear of immediate physical danger
  - Continued to harass you to the point where you are suffering from emotional distress
  - Committed one or more sexual offenses against you

## MY PLAN

This plan is a tool to help you identify members of your support network who can assist you as you navigate the difficulties that are often present following an incident of Interpersonal Violence. While not required, it is recommended you complete this guide with a trusted resource on or off campus to ensure your plan is as complete as possible.

### IMPORTANT PHONE NUMBERS:

#### UNC Charlotte Police and Public Safety:

(704) 687-2200 (emergency)

#### UNC Charlotte Title IX Office:

(704) 687-6130

#### Center for Counseling and Psychological Services:\*

(704) 687-0311

#### Safe Alliance (Crisis Line):

(704) 332-2513

\*Indicates the resource is a confidential, on-campus resource

#### Other Numbers:

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### PEOPLE I WILL NOTIFY ABOUT THE INCIDENT:

#### Family Member(s):

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#### Roommate(s):

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#### Residence Education Coordinator:

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#### Apartment Complex Manager:

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(Title IX Case Manager will assist student in finding numbers/contact information for any identified individual)

### WHERE I CAN STAY IF I DO NOT FEEL SAFE IN MY CURRENT LIVING SITUATION:

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### IF I AM ENGAGED IN A CRIMINAL PROCESS:

#### Police/Detective contact information:

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#### Legal Advocacy options:

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#### Safe Alliance:

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#### Give PPS copy of Protection Order:

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### SAFETY AT WORK

Let supervisor know, security, change/accommodation in working environment?

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# LiveSafe®

#### LIVESAFE

The LiveSafe app is FREE and can be found in the app store for Apple and Android devices.

To use full features of the app, be sure that your phone's settings allow for push notifications, and your GPS location sharing is activated.

## Appendix V

### Article 7B.

#### Rape and Other Sex Offenses.

##### **§ 14-27.20. Definitions.**

The following definitions apply in this Article:

- (1) Repealed by Session Laws 2018-47, s. 4(a), effective December 1, 2018.
- (2) Mentally incapacitated. – A victim who due to (i) any act committed upon the victim or (ii) a poisonous or controlled substance provided to the victim without the knowledge or consent of the victim is rendered substantially incapable of either appraising the nature of his or her conduct, or resisting the act of vaginal intercourse or a sexual act.
- (2a) Person who has a mental disability. – A victim who has an intellectual disability or a mental disorder that temporarily or permanently renders the victim substantially incapable of appraising the nature of his or her conduct, or of resisting the act of vaginal intercourse or a sexual act, or of communicating unwillingness to submit to the act of vaginal intercourse or a sexual act.
- (3) Physically helpless. – Any of the following:
  - a. A victim who is unconscious.
  - b. A victim who is physically unable to resist an act of vaginal intercourse or a sexual act or communicate unwillingness to submit to an act of vaginal intercourse or a sexual act.
- (4) Sexual act. – Cunnilingus, fellatio, analingus, or anal intercourse, but does not include vaginal intercourse. Sexual act also means the penetration, however slight, by any object into the genital or anal opening of another person's body. It is an affirmative defense that the penetration was for accepted medical purposes.
- (5) Sexual contact. – Any of the following:
  - a. Touching the sexual organ, anus, breast, groin, or buttocks of any person.
  - b. A person touching another person with their own sexual organ, anus, breast, groin, or buttocks.
  - c. A person ejaculating, emitting, or placing semen, urine, or feces upon any part of another person.
- (6) Touching. – As used in subdivision (5) of this section, means physical contact with another person, whether accomplished directly, through the clothing of the person committing the offense, or through the clothing of the victim. (1979, c. 682, s. 1; 2002-159, s. 2(a); 2003-252, s. 1; 2006-247, s. 12(a); 2015-181, s. 2; 2018-47, s. 4(a).)

##### **§ 14-27.21. First-degree forcible rape.**

(a) A person is guilty of first-degree forcible rape if the person engages in vaginal intercourse with another person by force and against the will of the other person, and does any of the following:

- (1) Uses, threatens to use, or displays a dangerous or deadly weapon or an article which the other person reasonably believes to be a dangerous or deadly weapon.
- (2) Inflicts serious personal injury upon the victim or another person.

- (3) The person commits the offense aided and abetted by one or more other persons.
- (b) Any person who commits an offense defined in this section is guilty of a Class B1 felony.
- (c) Upon conviction, a person convicted under this section has no rights to custody of or rights of inheritance from any child born as a result of the commission of the rape, nor shall the person have any rights related to the child under Chapter 48 or Subchapter 1 of Chapter 7B of the General Statutes. (1979, c. 682, s. 1; 1979, 2nd Sess., c. 1316, s. 4; 1981, c. 63; c. 106, ss. 1, 2; c. 179, s. 14; 1983, c. 175, ss. 4, 10; c. 720, s. 4; 1994, Ex. Sess., c. 22, s. 2; 2004-128, s. 7; 2015-181, ss. 3(a), (b); 2017-30, s. 1.)

**§ 14-27.22. Second-degree forcible rape.**

- (a) A person is guilty of second-degree forcible rape if the person engages in vaginal intercourse with another person:
- (1) By force and against the will of the other person; or
- (2) Who has a mental disability or who is mentally incapacitated or physically helpless, and the person performing the act knows or should reasonably know the other person has a mental disability or is mentally incapacitated or physically helpless.
- (b) Any person who commits the offense defined in this section is guilty of a Class C felony.
- (c) Upon conviction, a person convicted under this section has no rights to custody of or rights of inheritance from any child conceived during the commission of the rape, nor does the person have any rights related to the child under Chapter 48 of the General Statutes or Subchapter I of Chapter 7B of the General Statutes. (1979, c. 682, s. 1; 1979, 2nd Sess., c. 1316, s. 5; 1981, cc. 63, 179; 1993, c. 539, s. 1130; 1994, Ex. Sess., c. 24, s. 14(c); 2002-159, s. 2(b); 2004-128, s. 8; 2015-181, ss. 4(a), (b); 2018-47, s. 4(b).)

**§ 14-27.23. Statutory rape of a child by an adult.**

- (a) A person is guilty of statutory rape of a child by an adult if the person is at least 18 years of age and engages in vaginal intercourse with a victim who is a child under the age of 13 years.
- (b) A person convicted of violating this section is guilty of a Class B1 felony and shall be sentenced pursuant to Article 81B of Chapter 15A of the General Statutes, except that in no case shall the person receive an active punishment of less than 300 months, and except as provided in subsection (c) of this section. Following the termination of active punishment, the person shall be enrolled in satellite-based monitoring for life pursuant to Part 5 of Article 27A of Chapter 14 of the General Statutes.
- (c) Notwithstanding the provisions of Article 81B of Chapter 15A of the General Statutes, the court may sentence the defendant to active punishment for a term of months greater than that authorized pursuant to G.S. 15A-1340.17, up to and including life imprisonment without parole, if the court finds that the nature of the offense and the harm inflicted are of such brutality, duration, severity, degree, or scope beyond that normally committed in such crimes, or considered in basic aggravation of these crimes, so as to require a sentence to active punishment in excess of that authorized pursuant to G.S. 15A-1340.17. If the court sentences the defendant pursuant to this subsection, it shall make findings of fact supporting its decision, to include matters it considered



as egregious aggravation. Egregious aggravation can include further consideration of existing aggravating factors where the conduct of the defendant falls outside the heartland of cases even the aggravating factors were designed to cover. Egregious aggravation may also be considered based on the extraordinarily young age of the victim, or the depraved torture or mutilation of the victim, or extraordinary physical pain inflicted on the victim.

(d) Upon conviction, a person convicted under this section has no rights to custody of or rights of inheritance from any child born as a result of the commission of the rape, nor shall the person have any rights related to the child under Chapter 48 or Subchapter 1 of Chapter 7B of the General Statutes.

(e) The offense under G.S. 14-27.24 is a lesser included offense of the offense in this section. (2008-117, s. 1; 2015-181, s. 5(a), 5(b).)

#### **§ 14-27.24. First-degree statutory rape.**

(a) A person is guilty of first-degree statutory rape if the person engages in vaginal intercourse with a victim who is a child under the age of 13 years and the defendant is at least 12 years old and is at least four years older than the victim.

(b) Any person who commits an offense defined in this section is guilty of a Class B1 felony.

(c) Upon conviction, a person convicted under this section has no rights to custody of or rights of inheritance from any child born as a result of the commission of the rape, nor shall the person have any rights related to the child under Chapter 48 or Subchapter 1 of Chapter 7B of the General Statutes. (1979, c. 682, s. 1; 1979, 2nd Sess., c. 1316, s. 4; 1981, c. 63; c. 106, ss. 1, 2; c. 179, s. 14; 1983, c. 175, ss. 4, 10; c. 720, s. 4; 1994, Ex. Sess., c. 22, s. 2; 2004-128, s. 7; 2015-181, s. 6.)

#### **§ 14-27.25. Statutory rape of person who is 15 years of age or younger.**

(a) A defendant is guilty of a Class B1 felony if the defendant engages in vaginal intercourse with another person who is 15 years of age or younger and the defendant is at least 12 years old and at least six years older than the person, except when the defendant is lawfully married to the person.

(b) Unless the conduct is covered under some other provision of law providing greater punishment, a defendant is guilty of a Class C felony if the defendant engages in vaginal intercourse with another person who is 15 years of age or younger and the defendant is at least 12 years old and more than four but less than six years older than the person, except when the defendant is lawfully married to the person. (1995, c. 281, s. 1; 2015-62, s. 1(a); 2015-181, s. 7(a), (b).)

#### **§ 14-27.26. First-degree forcible sexual offense.**

(a) A person is guilty of a first degree forcible sexual offense if the person engages in a sexual act with another person by force and against the will of the other person, and does any of the following:

- (1) Uses, threatens to use, or displays a dangerous or deadly weapon or an article which the other person reasonably believes to be a dangerous or deadly weapon.
- (2) Inflicts serious personal injury upon the victim or another person.
- (3) The person commits the offense aided and abetted by one or more other persons.

(b) Any person who commits an offense defined in this section is guilty of a Class B1 felony. (1979, c. 682, s. 1; 1979, 2nd Sess., c. 1316, s. 6; 1981, c. 63; c. 106, ss. 3, 4; c. 179, s. 14; 1983, c. 175, ss. 5, 10; c. 720, s. 4; 1994, Ex. Sess., c. 22, s. 3; 2015-181, ss. 8(a), (b); 2017-30, s. 2.)

**§ 14-27.27. Second-degree forcible sexual offense.**

(a) A person is guilty of second degree forcible sexual offense if the person engages in a sexual act with another person:

- (1) By force and against the will of the other person; or
- (2) Who has a mental disability or who is mentally incapacitated or physically helpless, and the person performing the act knows or should reasonably know that the other person has a mental disability or is mentally incapacitated or physically helpless.

(b) Any person who commits the offense defined in this section is guilty of a Class C felony. (1979, c. 682, s. 1; 1979, 2nd Sess., c. 1316, s. 7; 1981, c. 63; c. 179, s. 14; 1993, c. 539, s. 1131; 1994, Ex. Sess., c. 24, s. 14(c); 2002-159, s. 2(c); 2015-181, ss. 9(a), (b); 2018-47, s. 4(c).)

**§ 14-27.28. Statutory sexual offense with a child by an adult.**

(a) A person is guilty of statutory sexual offense with a child by an adult if the person is at least 18 years of age and engages in a sexual act with a victim who is a child under the age of 13 years.

(b) A person convicted of violating this section is guilty of a Class B1 felony and shall be sentenced pursuant to Article 81B of Chapter 15A of the General Statutes, except that in no case shall the person receive an active punishment of less than 300 months, and except as provided in subsection (c) of this section. Following the termination of active punishment, the person shall be enrolled in satellite-based monitoring for life pursuant to Part 5 of Article 27A of Chapter 14 of the General Statutes.

(c) Notwithstanding the provisions of Article 81B of Chapter 15A of the General Statutes, the court may sentence the defendant to active punishment for a term of months greater than that authorized pursuant to G.S. 15A-1340.17, up to and including life imprisonment without parole, if the court finds that the nature of the offense and the harm inflicted are of such brutality, duration, severity, degree, or scope beyond that normally committed in such crimes, or considered in basic aggravation of these crimes, so as to require a sentence to active punishment in excess of that authorized pursuant to G.S. 15A-1340.17. If the court sentences the defendant pursuant to this subsection, it shall make findings of fact supporting its decision, to include matters it considered as egregious aggravation. Egregious aggravation can include further consideration of existing aggravating factors where the conduct of the defendant falls outside the heartland of cases even the aggravating factors were designed to cover. Egregious aggravation may also be considered based on the extraordinarily young age of the victim, or the depraved torture or mutilation of the victim, or extraordinary physical pain inflicted on the victim.

(d) The offense under G.S. 14-27.29 is a lesser included offense of the offense in this section. (2008-117, s. 2; 2015-181, s. 10(a), (b).)

**§ 14-27.29. First-degree statutory sexual offense.**

(a) A person is guilty of first-degree statutory sexual offense if the person engages in a sexual act with a victim who is a child under the age of 13 years and the defendant is at least 12 years old and is at least four years older than the victim.

(b) Any person who commits an offense defined in this section is guilty of a Class B1 felony. (1979, c. 682, s. 1; 1979, 2nd Sess., c. 1316, s. 6; 1981, c. 63; c. 106, ss. 3, 4; c. 179, s. 14; 1983, c. 175, ss. 5, 10; c. 720, s. 4; 1994, Ex. Sess., c. 22, s. 3; 2015-181, s. 11.)

**§ 14-27.30. Statutory sexual offense with a person who is 15 years of age or younger.**

(a) A defendant is guilty of a Class B1 felony if the defendant engages in a sexual act with another person who is 15 years of age or younger and the defendant is at least 12 years old and at least six years older than the person, except when the defendant is lawfully married to the person.

(b) Unless the conduct is covered under some other provision of law providing greater punishment, a defendant is guilty of a Class C felony if the defendant engages in a sexual act with another person who is 15 years of age or younger and the defendant is at least 12 years old and more than four but less than six years older than the person, except when the defendant is lawfully married to the person. (1995, c. 281, s. 1; 2015-181, s. 12.)

**§ 14-27.31. Sexual activity by a substitute parent or custodian.**

(a) If a defendant who has assumed the position of a parent in the home of a minor victim engages in vaginal intercourse or a sexual act with a victim who is a minor residing in the home, the defendant is guilty of a Class E felony.

(b) If a person having custody of a victim of any age or a person who is an agent or employee of any person, or institution, whether such institution is private, charitable, or governmental, having custody of a victim of any age engages in vaginal intercourse or a sexual act with such victim, the defendant is guilty of a Class E felony.

(c) Consent is not a defense to a charge under this section. (1979, c. 682, s. 1; 1979, 2nd Sess., c. 1316, s. 9; 1981, c. 63; c. 179, s. 14; 1993, c. 539, s. 1132; 1994, Ex. Sess., c. 24, s. 14(c); 1999-300, s. 2; 2003-98, s. 1; 2015-181, ss. 13(a), (b).)

**§ 14-27.32. Sexual activity with a student.**

(a) If a defendant, who is a teacher, school administrator, student teacher, school safety officer, or coach, at any age, or who is other school personnel, and who is at least four years older than the victim engages in vaginal intercourse or a sexual act with a victim who is a student, at any time during or after the time the defendant and victim were present together in the same school, but before the victim ceases to be a student, the defendant is guilty of a Class G felony, except when the defendant is lawfully married to the student. The term "same school" means a school at which the student is enrolled and the defendant is employed, assigned, or volunteers.

(b) A defendant who is school personnel, other than a teacher, school administrator, student teacher, school safety officer, or coach, and is less than four years older than the victim and engages in vaginal intercourse or a sexual act with a victim who is a student, is guilty of a Class I felony.

(c) This section shall apply unless the conduct is covered under some other provision of law providing for greater punishment.

(d) Consent is not a defense to a charge under this section.

(e) For purposes of this section, the terms "school", "school personnel", and "student" shall have the same meaning as in G.S. 14-202.4(d). For purposes of this section, the term "school safety

officer" shall include a school resource officer or any other person who is regularly present in a school for the purpose of promoting and maintaining safe and orderly schools. (1979, c. 682, s. 1; 1979, 2nd Sess., c. 1316, s. 9; 1981, c. 63; c. 179, s. 14; 1993, c. 539, s. 1132; 1994, Ex. Sess., c. 24, s. 14(c); 1999-300, s. 2; 2003-98, s. 1; 2015-44, s. 2; 2015-181, s. 14(a), (b).)

**§ 14-27.33. Sexual battery.**

(a) A person is guilty of sexual battery if the person, for the purpose of sexual arousal, sexual gratification, or sexual abuse, engages in sexual contact with another person:

- (1) By force and against the will of the other person; or
- (2) Who has a mental disability or who is mentally incapacitated or physically helpless, and the person performing the act knows or should reasonably know that the other person has a mental disability or is mentally incapacitated or physically helpless.

(b) Any person who commits the offense defined in this section is guilty of a Class A1 misdemeanor. (2003-252, s. 2; 2015-181, s. 15; 2018-47, s. 4(d).)

**§ 14-27.33A. Sexual contact or penetration under pretext of medical treatment.**

(a) Definitions. – The following definitions apply in this section:

- (1) Incapacitated. – A patient's incapability of appraising the nature of a medical treatment, either because the patient is unconscious or under the influence of an impairing substance, including, but not limited to, alcohol, anesthetics, controlled substances listed under Chapter 90 of the General Statutes, or any other drug or psychoactive substance capable of impairing a person's physical or mental faculties.
- (2) Medical treatment. – Includes an examination or a procedure.
- (3) Patient. – A person who has undergone or is seeking to undergo medical treatment.
- (4) Sexual contact. – The intentional touching of a person's intimate parts or the intentional touching of the clothing covering the immediate area of the person's intimate parts, if that intentional touching can reasonably be construed as being for the purpose of sexual arousal or gratification, done for a sexual purpose, or done in a sexual manner.
- (5) Sexual penetration. – Sexual intercourse, cunnilingus, fellatio, anal intercourse, or any other intrusion, however slight, of any part of a person's body or of any object into the genital or anal openings of another person's body, regardless of whether semen is emitted, if that intrusion can reasonably be construed as being for the purpose of sexual arousal or gratification, done for a sexual purpose, or done in a sexual manner.

(b) Offense; Penalty. – Unless the conduct is covered under some other provision of law providing greater punishment, a person who undertakes medical treatment of a patient is guilty of a Class C felony if the person does any of the following in the course of that medical treatment:

- (1) Represents to the patient that sexual contact between the person and the patient is necessary or will be beneficial to the patient's health and induces the patient to engage in sexual contact with the person by means of the representation.

- (2) Represents to the patient that sexual penetration between the person and the patient is necessary or will be beneficial to the patient's health and induces the patient to engage in sexual penetration with the person by means of the representation.
  - (3) Engages in sexual contact with the patient while the patient is incapacitated.
  - (4) Engages in sexual penetration with the patient while the patient is incapacitated.
- (c) This section does not prohibit a person from being charged with, convicted of, or punished for any other violation of law that is committed by that person while violating this section.
- (d) The court may order a term of imprisonment imposed for a violation of this section to be served consecutively to a term of imprisonment imposed for any other crime, including any other violation of law arising out of the same transaction as the violation of this section. (2019-191, s. 43(a).)

**§ 14-27.34. No defense that victim is spouse of person committing act.**

A person may be prosecuted under this Article whether or not the victim is the person's legal spouse at the time of the commission of the alleged rape or sexual offense. (1979, c. 682, s. 1; 1987, c. 742; 1993, c. 274, s. 1; 2015-181, s. 15.)

**§ 14-27.35. No presumption as to incapacity.**

In prosecutions under this Article, there shall be no presumption that any person under the age of 14 years is physically incapable of committing a sex offense of any degree or physically incapable of committing rape, or that a male child under the age of 14 years is incapable of engaging in sexual intercourse. (1979, c. 682, s. 1; 2015-181, s. 15.)

**§ 14-27.36. Evidence required in prosecutions under this Article.**

It shall not be necessary upon the trial of any indictment for an offense under this Article where the sex act alleged is vaginal intercourse or anal intercourse to prove the actual emission of semen in order to constitute the offense; but the offense shall be completed upon proof of penetration only. Penetration, however slight, is vaginal intercourse or anal intercourse. (1979, c. 682, s. 1; 2015-181, s. 15.)



## **Chapter 50B.**

### **Domestic Violence.**

#### **§ 50B-1. Domestic violence; definition.**

(a) Domestic violence means the commission of one or more of the following acts upon an aggrieved party or upon a minor child residing with or in the custody of the aggrieved party by a person with whom the aggrieved party has or has had a personal relationship, but does not include acts of self-defense:

- (1) Attempting to cause bodily injury, or intentionally causing bodily injury; or
- (2) Placing the aggrieved party or a member of the aggrieved party's family or household in fear of imminent serious bodily injury or continued harassment, as defined in G.S. 14-277.3A, that rises to such a level as to inflict substantial emotional distress; or
- (3) Committing any act defined in G.S. 14-27.21 through G.S. 14-27.33.

(b) For purposes of this section, the term "personal relationship" means a relationship wherein the parties involved:

- (1) Are current or former spouses;
- (2) Are persons of opposite sex who live together or have lived together;
- (3) Are related as parents and children, including others acting in loco parentis to a minor child, or as grandparents and grandchildren. For purposes of this subdivision, an aggrieved party may not obtain an order of protection against a child or grandchild under the age of 16;
- (4) Have a child in common;
- (5) Are current or former household members;
- (6) Are persons of the opposite sex who are in a dating relationship or have been in a dating relationship. For purposes of this subdivision, a dating relationship is one wherein the parties are romantically involved over time and on a continuous basis during the course of the relationship. A casual acquaintance or ordinary fraternization between persons in a business or social context is not a dating relationship.

(c) As used in this Chapter, the term "protective order" includes any order entered pursuant to this Chapter upon hearing by the court or consent of the parties. (1979, c. 561, s. 1; 1985, c. 113, s. 1; 1987, c. 828; 1987 (Reg. Sess., 1988), c. 893, ss. 1, 3; 1995 (Reg. Sess., 1996), c. 591, s. 1; 1997-471, s. 1; 2001-518, s. 3; 2003-107, s. 1; 2009-58, s. 5; 2015-181, s. 36.)

### **University Policy 504, Title IX Grievance Policy**

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- Effective for violations occurring on or after August 14, 2020
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#### **I. Statement of Policy**

Sexual Harassment, including sexual violence and other Covered Conduct, is a violation of both law and University policy and will not be tolerated in the University community. The University is committed to fostering an environment that encourages prompt reporting of all types of Sexual Harassment; a timely response to reports; the provision of equitable support services and resources; and a fair, impartial, and equitable investigation and resolution process. Retaliation for reporting a violation of this Policy or for cooperating in the University's investigation of any such report is also prohibited by law and University policy and will not be tolerated.

The University treats Complainants and Respondents equitably throughout the proceedings outlined in this Policy. University officials charged with implementing this Policy will objectively evaluate all relevant evidence, both inculpatory and exculpatory, and will not make credibility determinations that are based on a person's status as a Complainant, Respondent, or witness. Respondents are presumed not responsible for any alleged conduct until a determination regarding responsibility is made at the conclusion of the proceedings outlined in this Policy.

This Policy sets forth the rights of University community members and the obligations of the University pursuant to Title IX of the Education Amendments of 1972 and its [implementing regulations](#) (“Title IX”). The University’s Title IX Coordinator (“the Coordinator”) is charged with ensuring the University’s compliance with this Policy and applicable laws. Throughout this Policy, any references to the Coordinator include the Coordinator’s designee(s).

## II. Scope

The expectations and procedures outlined in this Policy apply to all members of the University community, including faculty, staff, and students.

Only alleged Covered Conduct, as that term is defined in [Section IV](#) below, will be processed under this Policy. Alleged sexual harassment or interpersonal misconduct that is not Covered Conduct is addressed under the following University Policies:

- a. If by a University student, [University Policy 406, Code of Student Responsibility](#);
- b. If by a faculty or staff member, [University Policy 502, Sexual Harassment and Interpersonal Violence](#);
- c. or other applicable policies.

## III. Timeframes and Parallel Proceedings

The University strives to complete the proceedings outlined in this Policy within sixty (60) Days, excluding any appeals, of a Formal Complaint. In the University’s experience, however, circumstances including, but not limited to, parallel criminal investigations, multiple witnesses, and difficulties with availability and scheduling of parties and witnesses, often exist; therefore, many cases may take longer to be resolved. If the proceedings outlined in this Policy take longer than one hundred twenty (120) Days, the Title IX Office will provide a written explanation to all Parties as to the reason(s) for the delay.

The procedures in this Policy differ from the criminal justice system in scope, purpose, procedure, and outcome, and are not designed to replace state or federal criminal laws or procedures. Faculty, staff, and students may be accountable to both civil authorities and to the University for acts that constitute violations of law and this Policy. The procedures in this Policy will normally proceed during the pendency of criminal proceedings and will not be subject to challenge on the ground that criminal charges involving the same incident(s) have not been filed or have been dismissed or reduced.

## IV. Definitions

- a. **Complainant** means an individual who is alleged to be the victim of conduct that could constitute Sexual Harassment.
- b. **Coordinator** means the University’s Title IX Coordinator or designee(s).

- c. **Covered Conduct** means Sexual Harassment that occurs within the University's Education Program or Activity and that occurs against a person in the United States.
- d. **Dating Violence** means violence committed against an individual with whom the Respondent is or has been in a social relationship of a romantic or intimate nature. The existence of such a relationship shall be determined based on a consideration of the following factors: (a) the length of the relationship; (b) the type of relationship; and (c) the frequency of interaction between the individuals involved in the relationship. Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating Violence does not include conduct that meets the definition of Domestic Violence under this Policy.
- e. **Day** (unless otherwise specified) means a business day on which the University is open.
- f. **Domestic Violence** means violence that may constitute a felony or misdemeanor crime of violence against an individual (a) who is a current or former spouse or intimate partner; (b) with whom the Respondent shares a child in common; (c) with whom the Respondent cohabitates or has cohabitated as a spouse or intimate partner; (d) who is similarly situated as a spouse under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or (e) who is a youth or adult and is protected from that Respondent's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
- g. **Education Program or Activity** includes locations, events, or circumstances over which the University exercised substantial control over both the Respondent and the context in which the alleged Sexual Harassment occurred, and also includes any building owned or controlled by a student organization that is officially recognized by the University.
- h. **Formal Complaint** means a document submitted by a Complainant or signed by the Coordinator alleging Sexual Harassment against a Respondent and requesting that the University investigate the allegation of Sexual Harassment. A Formal Complaint includes a document or electronic submission (such as by electronic mail or through an online portal verified by the user's NinerNet credentials) that contains the Complainant's physical or digital signature, or otherwise indicates that the Complainant is the person filing the Formal Complaint.
- i. **Investigator** means an official(s) appointed by the Coordinator to conduct the investigation of an alleged violation(s) of this Policy and who testifies in the event of a hearing.
- j. **Party or Parties** means the Complainant(s) or Respondent(s) either separately or collectively.
- k. **Respondent** means an individual who has been reported to be the perpetrator of conduct that could constitute Sexual Harassment.
- l. **Sexual Assault** means any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent. Sexual Assault includes:

1. the penetration of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without consent;
  2. the touching of the private body parts of another person for the purpose of sexual gratification without consent;
  3. sexual intercourse with a person who is under the statutory age of consent; and
  4. sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- m. **Sexual Harassment** means:
1. A University employee conditioning the provision of an aid, benefit, or service of the University on an individual's participation in unwelcome sexual conduct;
  2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University's Education Program or Activity; or
  3. Sexual Assault, Dating Violence, Domestic Violence, or Stalking.
- n. **Stalking** is engaging in a course of conduct (two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties [by any action, method, device, or means] follows, monitors, observes, surveils, threatens, or communicates to or about an individual, or interferes with an individual's property) directed at a specific individual that would cause a reasonable individual (under similar circumstances and with similar identities to the victim) to (a) fear for their safety or the safety of others or (b) suffer substantial emotional distress. Allegations of Stalking are only processed under this Policy if the alleged Stalking behavior is based on sex. Non-sex-based Stalking is addressed by other University Policies, as described in [Section II](#) above.
- o. **Supportive Measures** means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent.
- p. **Title IX Advisor** means a person who accompanies a Party and who may be, but is not required to be, an attorney.

## V. Reports

Any person may report sex discrimination, including Sexual Harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or Sexual Harassment), in person, by mail, by telephone, or by electronic mail, to the Coordinator, or by any other means that results in the Coordinator receiving the person's verbal or written report. Such a report may be made at any time (including during non-business hours) by using the Coordinator's telephone number or electronic mail address, by completing the appropriate report on [incidentreport.uncc.edu](http://incidentreport.uncc.edu), or by mailing a report to the office address. The Coordinator's contact information is available at [titleix.uncc.edu](http://titleix.uncc.edu). It is expected that every University employee will report incidents that implicate this Policy to the Coordinator.

University officials who have the authority to institute corrective measures on the University's behalf are required to provide to the Coordinator any and all information they receive concerning alleged Sexual Harassment. University officials who have the authority to institute corrective measures on the University's behalf include, but are not limited to, all University officials at the Vice Chancellor level or above, all staff members in the Title IX Office, Associate Vice Chancellor for Human Resources, all staff members in the Human Resources Employee Relations Office, the Associate Vice Chancellor for Housing & Residence Life, and the Associate Vice Chancellor and Dean of Students.

## **VI. Supportive Measures**

### **a. Generally**

Supportive Measures are available to the Complainant and to the Respondent before or after the filing of a Formal Complaint or where no Formal Complaint has been submitted. Such measures are designed to restore or preserve equal access to the University's Education Program or Activity without unreasonably burdening the other Party, including measures designed to protect the safety of all parties or the University's educational environment, or deter Sexual Harassment. Supportive Measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual no-contact orders between the Parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures.

The University will maintain as confidential any Supportive Measures provided to the Complainant or Respondent, to the extent that maintaining such confidentiality would not impair the ability of the University to provide the Supportive Measures. The Coordinator is responsible for coordinating the effective implementation of Supportive Measures.

### **b. Offering Supportive Measures**

When the Coordinator receives a report of alleged Sexual Harassment, the Coordinator will promptly contact the Complainant to:

1. Discuss the availability of Supportive Measures and consider the Complainant's wishes with respect to Supportive Measures;
2. Provide the Complainant with written information regarding the Complainant's rights and options under this Policy and the Supportive Measures available to the Complainant;
3. Inform the Complainant of the availability of Supportive Measures with or without the filing of a Formal Complaint;
4. Explain the process for filing a Formal Complaint;



5. Explain this Policy in general terms, including the resolution options available following the filing of a Formal Complaint;
6. Seek to determine if the Complainant wishes to notify law enforcement authorities, wishes to be assisted in notifying law enforcement authorities, or does not wish to notify law enforcement authorities of the allegation(s); and
7. Inform the Complainant that the University will share information only on a need-to-know basis and will strive to protect the Complainant's privacy, including the omission of the Complainant's identifying information in publicly available records, to the extent permissible by law.

If the Complainant submits a Formal Complaint, as discussed in [Section VIII](#) below, the Coordinator will promptly contact the Respondent to:

1. Discuss the availability of Supportive Measures and consider the Respondent's wishes with respect to Supportive Measures;
2. Provide the Respondent with written information regarding the Respondent's rights and options under this Policy and the Supportive Measures available to Respondent;
3. Inform the Respondent of the availability of Supportive Measures;
4. Explain this Policy in general terms, including the resolution options available following the filing of a Formal Complaint; and
5. Inform the Respondent that the University will share information only on a need-to-know basis and will strive to protect the Respondent's privacy, including the omission of the Respondent's identifying information in publicly available records, to the extent permissible by law.

## **VII. Emergency Removal/Administrative Leave**

### **a. Emergency Removal**

The University may remove a Respondent from the University's Education Program or Activity on an emergency basis, so long as the University undertakes an individualized safety and risk analysis and determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of Sexual Harassment justifies removal. The University will provide the Respondent with written notice of the emergency removal and the reasons therefor.

Within five (5) Days of the effective date of the emergency removal, the Respondent may submit a written request for termination or modification of the emergency removal to the Coordinator, who will consult with the appropriate University official. In reviewing the request, the Coordinator shall consider the following issues only:

1. the reliability of the information concerning the Respondent's conduct, including an assertion of mistaken identity; and
2. whether the conduct in the surrounding circumstances reasonably indicates that the continued presence of the Respondent in the University's Education Program or Activity presents an immediate threat to the physical health or safety of any student or other individual.

The Coordinator may, in their discretion, meet with the Respondent and utilize information gathered in that meeting to make a decision whether to terminate or modify the emergency removal.

**b. Administrative Leave**

Nothing in this Policy or in Title IX precludes the University from placing a non-student employee Respondent on administrative leave during the pendency of the proceedings outlined in this Policy.

**VIII. Formal Complaints**

**a. Initiating a Formal Complaint**

A Complainant may submit a Formal Complaint by submitting to the Coordinator or the Coordinator's office staff a document that alleges Sexual Harassment against a Respondent and requests that the University investigate the allegation of Sexual Harassment. The Formal Complaint may be submitted from the Complainant's official University email account, through an online submission if it is verified by the Complainant's NinerNet credentials, or in hard copy if it is signed by the Complainant. The Coordinator's contact information is available at [titleix.uncc.edu](http://titleix.uncc.edu).

At the time of submitting a Formal Complaint, a Complainant must be participating in or attempting to participate in the University's Education Program or Activity.

The Coordinator, at their sole discretion, may submit a Formal Complaint even when a Complainant declines to do so. Where the Coordinator signs a Formal Complaint, the Coordinator is not a Complainant or otherwise a Party under this Policy.

**b. Mandatory Dismissal of Formal Complaint**

The Coordinator must dismiss a Formal Complaint if the conduct alleged in the Formal Complaint:

1. Would not constitute Sexual Harassment as defined in this Policy even if proved;
2. Did not occur in the University's Education Program or Activity; or

3. Did not occur against a person in the United States.

Allegations within a Formal Complaint that has been dismissed by the Coordinator may still be addressed by other University Policies as outlined in [Section II](#) above.

**c. Notice of Formal Complaint**

Upon receipt of a Formal Complaint, the Coordinator will provide the following written notice to the Parties who are known:

1. Notice of this Policy, including the informal resolution process described in [Section X](#).
2. Notice of the allegations that potentially constitute Sexual Harassment under this Policy, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the Parties involved in the incident, if known; the conduct allegedly constituting Sexual Harassment under this Policy; and the date and location of the alleged incident, if known.
3. A statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the proceedings outlined in this Policy.
4. Notice that all Parties may have a Title IX Advisor of their choice, who may be, but is not required to be, an attorney, and who may inspect and review evidence under [Section XI\(a\)\(9\) and XI\(b\)\(2\)](#) of this Policy.
5. Notice of the specific provision of University policy that prohibits knowingly making false statements or knowingly submitting false information during the proceedings outlined in this Policy.

If, in the course of an investigation, the University decides to investigate allegations about the Complainant or Respondent that are not included in the original notice, the University will issue notice of the additional allegations to the Parties.

**d. Permissive Dismissal of Formal Complaint**

The Coordinator may dismiss a Formal Complaint or any allegations therein, if at any time during the informal resolution, investigation, or hearing:

1. a Complainant notifies the Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations therein;
2. the Respondent is no longer enrolled or employed by the University; or
3. specific circumstances prevent the University from gathering evidence sufficient to reach a determination as to the Formal Complaint or allegations therein.

**e. Notice of Dismissal**

Upon a dismissal of a Formal Complaint, the Coordinator will promptly send written notice of the dismissal and reason(s) therefor simultaneously to the Parties. Any Party may appeal the Coordinator's dismissal of the Formal Complaint or any allegations therein as provided in [Section XII](#) below.

**f. Consolidation of Formal Complaints**

The Coordinator may consolidate Formal Complaints as to allegations of Sexual Harassment against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one Party against the other Party, where the allegations of Sexual Harassment arise out of the same facts or circumstances.

**IX. Title IX Advisors**

All Parties are permitted to have a Title IX Advisor of their choice, at their own expense, accompany them to any meeting or proceeding outlined in this Policy. The Title IX Advisor may be, but is not required to be, an attorney.

Unless otherwise required by law, the Title IX Advisor's role under this Policy is limited to conferring directly with the Party whom they advise and to conducting cross-examination of Parties or witnesses at a hearing pursuant to [Section XI\(b\)](#) below. A Title IX Advisor may be required to complete specific paperwork regarding this Policy and the parameters of student or employee confidentiality prior to serving as a Title IX Advisor. A Title IX Advisor may be present in the meetings and interviews outlined in this Policy only when the Party they advise is present. A Title IX Advisor may not unreasonably delay, disrupt, or otherwise interfere with the meetings or other proceedings outlined in this Policy.

If a Party does not have a Title IX Advisor present at the hearing described in [Section XI\(b\)](#) below, the University will provide a Title IX Advisor of the University's choice without fee or charge for the limited purpose of conducting cross-examination on behalf of the Party.

**X. Informal Resolution**

**a. Voluntary Process**

At any time prior to reaching a determination regarding responsibility, with the voluntary written consent of both Parties, the University may, at the discretion of the Coordinator, facilitate an informal resolution process that does not involve a full investigation and hearing. The Parties' option to pursue an informal resolution process is completely voluntary. At any time prior to agreeing to a final resolution, all Parties have the right to withdraw from the informal resolution process and resume the investigation and hearing of the Formal Complaint pursuant to [Section XI](#) below.

The informal resolution process is not available to resolve allegations that a faculty or staff member committed Sexual Harassment against a student.

**b. Notice**

Prior to agreeing to participate in a voluntary informal resolution process, the Respondent and the Complainant will receive written notice setting forth:

1. the allegations,
2. the requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a Formal Complaint arising from the same allegations, and
3. any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.

**c. Agreement to Participate**

Parties will have three (3) Days after receiving written notice to consider whether they wish to participate in the informal resolution process. If all Parties provide their voluntary consent to the University in writing by the end of the three (3) Days, then the informal resolution process will move forward.

**d. Facilitator**

The Coordinator will appoint a trained facilitator, who does not have a conflict of interest or bias for or against Complainants or Respondents generally or for or against an individual Complainant or Respondent, to facilitate the Parties' informal resolution. Any Party may notify the Coordinator if they believe that the appointed facilitator has a conflict of interest or bias.

**e. Final Resolution**

The appointed facilitator will meet separately with the Parties to discuss possible resolutions to the Formal Complaint and to ascertain each Party's perspective regarding responsibility and sanctions. In most cases, the Parties will not interact directly with each other during the informal resolution process unless agreed upon by all Parties and deemed necessary by the appointed facilitator.

If, after consultation with the Coordinator, the appointed facilitator identifies a potential resolution, the appointed facilitator will offer the resolution in writing to all Parties. In cases involving an employee Respondent, the Chancellor or Chancellor's designee must approve the resolution before it is offered. The Parties will have three (3) Days to consider the offered resolution. If all Parties sign the offered resolution of the Formal Complaint, the resolution becomes final. The signed informal resolution may not be appealed.

## **XI. Formal Resolution**

### **a. Investigation**

Formal Complaints that are not dismissed by the Coordinator or resolved through the Informal Resolution process will be investigated. The Coordinator will appoint a trained Investigator, who does not have a conflict of interest or bias for or against Complainants or Respondents generally or for or against an individual Complainant or Respondent, to investigate. Any Party may notify the Coordinator if they believe that the appointed Investigator has a conflict of interest or bias.

The Coordinator, in consultation with the appropriate University official overseeing the implementation of other relevant policies, may, but is not required to, request that the Investigator also investigate violations of other University policies.

Throughout the investigation process, the Investigator will:

1. Maintain the burden of gathering evidence sufficient to reach a determination regarding responsibility;
2. Not access, consider, disclose, or otherwise use a Party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional, unless given voluntary, written consent to do so by the affected Party;
3. Not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege;
4. Provide an equal opportunity for the Parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence;
5. Not restrict the ability of either Party to discuss the allegations under investigation or to gather and present relevant evidence;
6. Provide the Parties with equal opportunities to have other individuals present during any investigative interview or other meeting, including the opportunity to be accompanied by the Title IX Advisor of their choice, who may be, but is not required to be, an attorney to any related meeting or proceeding;
7. Provide, to a Party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings, with sufficient time for the Party to prepare to participate;
8. Audio record all investigative interviews of the Parties and witnesses (investigative interviews may not be recorded by the Parties, Title IX Advisors, or witnesses);
9. Provide all Parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a Formal Complaint, including the evidence upon which the



University does not intend to rely in reaching a determination regarding responsibility and all inculpatory or exculpatory evidence.

Prior to completion of the investigative report, the Investigator will send to all Parties and the Parties' Title IX Advisors, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and give the Parties ten (10) Days to submit a written response, which the Investigator will consider prior to completing the investigative report. The Investigator will then finalize the investigative report that fairly summarizes relevant evidence. The investigative report will be sent to all Parties and the Parties' Title IX Advisors, if any, at least ten (10) Days prior to a hearing for their review and written response.

## **b. Hearing**

### **1. Generally**

Upon conclusion of the investigation, a trained hearing officer, or panel of trained hearing officers, will oversee a hearing in order to make a determination regarding the Formal Complaint. Hearing officers will be appointed by the Coordinator and must not have a conflict of interest or bias for or against Complainants or Respondents generally or for or against an individual Complainant or Respondent. Any Party may notify the Coordinator if they believe that the appointed hearing officer(s) has a conflict of interest or bias.

Hearings pursuant to this Policy may be conducted with all Parties physically present in the same geographic location or, at the University's discretion, any or all Parties, witnesses, and other participants may appear at the hearing virtually, with technology enabling participants simultaneously to see and hear each other.

The University will create an audio or audiovisual recording, or transcript, of any hearing and make it available to the Parties for inspection and review. Such recording or transcript will be maintained in accordance with [Section XVI](#) of this Policy. No Party, Title IX Advisor, witness, or other individual may record the hearing.

### **2. Available Evidence**

Any evidence obtained as part of the investigation that is directly related to the allegations raised in a Formal Complaint, including the evidence upon which the University does not intend to rely in reaching a determination regarding responsibility and all inculpatory or exculpatory evidence, will be available to all Parties and their Title IX Advisors at the hearing. All Parties will have an equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination.

Absent extraordinary circumstances, no witnesses who were not brought to the attention of the Investigator may participate in the hearing, and no information that was not brought to the attention of the Investigator may be presented.

### **3. Testimony and Cross-Examination**

The hearing officer(s) may not rely on any statement of a Party or witness in reaching a determination regarding responsibility if that Party or witness does not submit to cross-examination at the hearing. The hearing officer(s) may not draw an inference about the determination regarding responsibility based solely on a Party's or witness's absence from the hearing or refusal to answer cross-examination or other questions.

The hearing officer(s) will permit each Party's Title IX Advisor to ask the other Party and any witnesses all relevant questions and follow-up questions, including those challenging credibility. Such cross-examination at the hearing will be conducted directly, orally, and in real time by the Party's Title IX Advisor and never by a Party personally.

At the request of either Party, the University will permit the Parties to be located in separate rooms for the hearing with technology enabling the hearing officer(s) and Parties to simultaneously see and hear the Party or the witness answering questions. Only relevant cross-examination and other questions may be asked of a Party or witness. Before a Complainant, Respondent, or witness answers a cross-examination or other question, the hearing officer(s) will first determine whether the question is relevant and explain any decision to exclude a question as not relevant.

If a Party does not have a Title IX Advisor present at the hearing, the University will provide a Title IX Advisor of the University's choice without fee or charge for the limited purpose of conducting cross-examination on behalf of the Party. The University-appointed Title IX Advisor will relay the Party's desired questions to be asked of other Parties and witnesses.

Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

### **4. Determination**

The hearing officer(s) will issue a written determination to the Coordinator regarding responsibility. To reach this determination, the hearing officer(s) will

apply the preponderance of the evidence standard. The written determination will include:

- A. Identification of the allegations potentially constituting Sexual Harassment as defined in this Policy;
- B. A description of the procedural steps taken from the receipt of the Formal Complaint through the determination, including any notifications to the Parties, interviews with Parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
- C. Findings of fact supporting the determination;
- D. Conclusions regarding the application of this Policy or related University policies to the facts;
- E. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, proposed sanctions for the appropriate University official's consideration if the Respondent is found responsible, and whether remedies designed to restore or preserve equal access to the University's Education Program or Activity for the Complainant will be recommended to the Coordinator; and
- F. The University's procedures and permissible bases for the Complainant and Respondent to appeal.

## **5. Notice of Determination**

The Coordinator will provide the hearing officer's written determination to the Parties simultaneously. Any Party may appeal the determination regarding responsibility pursuant to [Section XII](#) below. The determination regarding responsibility becomes final either on the date that the Coordinator provides the Parties with the written determination of the result of the appeal, if an appeal is submitted, or on the day the appeal period outlined in Section XII expires, if an appeal is not timely submitted. When the final determination includes a finding of responsibility against the Respondent, the Coordinator will share that determination and the hearing officer's proposed sanctions with the appropriate University official to impose sanctions pursuant to [Section XIII](#) below.

## **XII. Appeals**

### **A. Timeframes and Bases for Appeal**

Any Party may appeal a determination regarding responsibility or the Coordinator's dismissal of a Formal Complaint or any allegations therein on the following bases:

1. Procedural irregularity that affected the outcome of the matter (including, but not limited to, a material deviation from Substantive and Procedural Standards adopted by the Board of Governors, described in [The University of North Carolina Board of Governors Policy 700.4.1](#) for cases involving student Respondents);

2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
3. The Coordinator, Investigator(s), or hearing officer(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter.

A Party must submit a written notice of appeal to the Coordinator within five (5) Days of issuance of the written determination.

## **B. Process for Appeal**

The appellate officer is dependent on the status and classification of the Respondent.

- In cases involving student Respondents, appeals will proceed according to [Chapter 11 of University Policy 406, Code of Student Responsibility](#).
- In cases involving faculty Respondents, the Provost will act as the appellate officer.
- In cases involving SHRA staff or EHRA non-faculty Respondents, the Associate Vice Chancellor for Human Resources will act as the appellate officer.

The Coordinator will notify all Parties in writing when an appeal is submitted. All Parties will have five (5) Days to submit a written statement in support of, or challenging, the determination. The appellate officer will issue a written decision describing the result of the appeal and the rationale for the result. The written decision will be provided simultaneously to all Parties.

## **XIII. Sanctions and Remedies**

### **A. Sanctions**

The hearing officer(s) may recommend to the appropriate University official any sanctions against a student Respondent that are permitted by Chapter 10 of [University Policy 406, Code of Student Responsibility](#). The hearing officer(s) may recommend any sanctions, including but not limited to required training, written reprimands, and suspension or termination of employment, against an employee Respondent.

After considering any recommendation by the hearing officer(s), and in consultation with the Coordinator, a University official will impose appropriate sanctions.

- In cases involving student Respondents, the University official will be in accordance with Chapter 9, Section III of [University Policy 406, Code of Student Responsibility](#).
- In cases involving faculty Respondents, the Provost is the University official.
- In cases involving SHRA staff or EHRA non-faculty Respondents, the Associate Vice Chancellor for Human Resources is the University official.

For employee Respondents, the University official may issue sanctions simultaneously with a written appellate decision described in [Section XII\(b\)](#).

## **B. Remedies**

After considering any recommendation by the hearing officer(s), the Coordinator may conclude that certain remedies are necessary to restore or preserve the Complainant's equal access to the University's Education Program or Activity. Remedies may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, no-contact orders, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. Unlike Supportive Measures, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the Respondent. The Coordinator is responsible for effective implementation of any remedies.

## **XIV. Retaliation Prohibited**

No University community member may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or this Policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this Policy.

Except as may be permitted to be disclosed pursuant to the Family Educational Rights and Privacy Act and its implementing regulations (FERPA) or as otherwise required by law or to carry out the purposes of Title IX and this Policy, the University must keep confidential the identity of:

- any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or submitted a Formal Complaint of Sexual Harassment,
- any Complainant,
- any individual who has been reported to be the perpetrator of sex discrimination,
- any Respondent, and
- any witness.

Complaints alleging retaliation may be submitted to the Coordinator.

## **XV. Training**

The Coordinator, Investigators, hearing officers, appellate officers, and informal resolution facilitators receive regular training on, in addition to other topics:

- a. the definition of Sexual Harassment,
- b. the scope of the University's Education Program or Activity,

- c. how to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable, and
- d. how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.

Hearing officers also receive training on any technology to be used at a live hearing and on issues of relevance of questions and evidence, including when questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant. Investigators also receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence.

## **XVI. Recordkeeping**

The University will maintain the following records in accordance with the [UNC System Records Retention Schedule](#) and in no event for less than seven (7) years:

- a. Records of any Supportive Measures or other response taken to a report or Formal Complaint of Sexual Harassment;
- b. Records of each investigation under this Policy, including any determination regarding responsibility and any audio or audiovisual recording or transcript;
- c. Records of any disciplinary sanctions imposed on the Respondent, and records of any remedies provided to the Complainant designed to restore or preserve equal access to the University's Education Program or Activity;
- d. Records of any appeal and the result therefrom;
- e. Records of any informal resolution and the result therefrom; and
- f. Records of all materials used to train the Coordinator, Investigators, hearing officer(s), appellate officers, and any person who facilitates an informal resolution process.

## **XVII. Other Rights and Obligations**

Nothing in this Policy shall be interpreted to infringe on rights protected by other laws and policies, including but not limited to the First, Fifth, and Fourteenth Amendments to the U.S. Constitution; academic freedom; and the Americans with Disabilities Act.

Nothing in this Policy shall be interpreted to prevent the University from complying with other federal laws, including but not limited to Title VII of the Civil Rights Act.

### **Revision History:**

- Initially approved July 13, 2020; [effective August 14, 2020](#)
- [Revised November 9, 2020](#)

**Authority:** Chancellor

**Responsible Office:** Division of Institutional Integrity



## Related References:

- [University Policy 406, Code of Student Responsibility](#)
- [University Policy 502, Sexual Harassment and Interpersonal Violence](#)
- [Title IX Office](#)
- [PIM 35, Grievance and Appeal Procedures for SHRA Employees](#)
- [PIM 36, EHRA Non-Faculty Grievance Procedures](#)
- [Procedures for Resolving Faculty Grievances Arising from Section 607\(3\) of The Code of The University of North Carolina](#)
- [University Policy 411, Student Grievance Procedure](#)
- [UNC System Policy 1300.11, Title IX Sexual Harassment](#)
- [UNC System Regulation 1300.11\[R\], Regulation Applicable to Policy on Title IX Sexual Harassment](#)



ANNUAL SECURITY AND FIRE SAFETY REPORT