

Interpersonal Violence Resource Guide

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

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

For more detailed definitions of these offenses, please refer to North Carolina law (N.C.G.S. §§ 14-27.1, 50B-1; <http://ncleg.net/gascripts/statutes/Statutes.asp>) and University Policy 406, The Code of Student Responsibility (<http://legal.uncc.edu/policies/up-406>). Dating violence, domestic violence, sexual assault, and stalking are all criminal offenses under North Carolina law, even though they may be called by different names. All four offenses are also prohibited by University Policy 406, The Code of Student Responsibility.

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

First, you should go somewhere safe. Then find a trusted friend or family member. The University encourages you to report the incident to the Title IX Coordinator, UNCC PPS, the Dean of Students Office, or Human Resources, because by reporting the incident, you will be safer and you will be connected with important and valuable resources and assistance. Their contact information is:

Jennifer Newell
Title IX Coordinator
titleixcoordinator@uncc.edu
King 119

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

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

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

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Preservation of Evidence

A victim of a sexual assault should not take a shower following the assault. Instead, the victim should seek medical help within 72 hours of the sexual assault so that any physical evidence can be preserved for use at a later date should that be necessary. A friend or family member can drive the victim to the hospital, or the victim can contact UNCC PPS (704-687-2200) for a ride to the hospital. Victims should be aware that their ability to keep certain information confidential (see page 6 below) will be limited if they contact UNCC PPS. The University encourages victims to go to the emergency room of any of the local hospitals, including CMC-University, CMC-Northeast, or Novant Health Presbyterian Medical Center, and request a specially trained Sexual Assault Nurse Examiner (SANE) who will conduct an examination and collect physical evidence.

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.

Resources

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

Safe Alliance

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

Charlotte Domestic Violence Shelter (confidential location)
Administrative contact: 704-944-0169

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

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

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

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with victim compensation, counseling for victims of sexual abuse.

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

The National Domestic Violence Hotline

Phone: 1-800-799-7233

1-800-787-3224 (TTY)

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

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

Counseling Center

University of North Carolina at Charlotte

704-687-0311

Atkins 158 Bldg.

9201 University City Blvd. Charlotte, NC 28223

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

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

Student Health Center

University of North Carolina at Charlotte

Located on the corner of Cameron Boulevard and Mary Alexander Road

Hours: Monday-Thursday 8:00 AM – 6:30 PM; Friday 8:00 AM – 5:00 PM

Phone: 704-687-7400

Website: <https://studenthealth.uncc.edu/>

CMC-University

8800 North Tryon Street, Charlotte, NC 28262

Phone: 704-863-6000

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

CMC-NorthEast

920 Church Street North, Concord, NC 28025

Phone: 704-403-3000

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

Novant Health Presbyterian Medical Center

200 Hawthorne Lane, Charlotte, NC 28204

Phone: 704-384-4000

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

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Center for Wellness Promotion

University of North Carolina at Charlotte

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

Phone: 704-687-7407

Health Educator – Interpersonal Violence Prevention: Nicole Madonna-Rosario, L.C.S.W.

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

Mecklenburg County District Attorney's Office

700 E. Fourth Street, Charlotte, NC 28202

Phone: 704-347-7891

704-686-0700

Specialized teams: Domestic Violence Team or Crimes Against Persons Team

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

Legal Aid of North Carolina

1431 Elizabeth Avenue, Charlotte, NC 28204

Phone: 704-971-2621

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

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

North Carolina Victim Assistance Network (NCVAN)

410 Morrison Street, Raleigh, NC 27601

Phone: 1-800-348-5068

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

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

Contacting Police

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

- (1) You can notify law enforcement authorities, including:
 - a. UNCC PPS (704-687-2200 for emergencies or 704-687-8300 for non-emergencies; <http://police.uncc.edu/>);
 - b. Charlotte-Mecklenburg Police Department (911 for emergencies, 311 for non-emergencies, or 704-336-7600 for non-emergencies outside Mecklenburg County; <http://charmek.org/city/charlotte/CMPD/Pages/default.aspx>); or
 - c. Other law enforcement that has jurisdiction over the incident.

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- (2) You can ask the Title IX Coordinator (704-687-6130 or titleixcoordinator@uncc.edu) or Assistant Dean of Students (704-687-0345) to help you notify appropriate law enforcement authorities.
- (3) You can choose not to notify law enforcement.

Protective Orders

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

Information regarding protective orders that are effective throughout Mecklenburg County, including on the UNC Charlotte campus, is summarized below. Information is also available at <http://charmeck.org/city/charlotte/cmpd/organization/investigative/specialvictims/domesticviolence/documents/dvprotectiveorder.pdf>.

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

Qualifications for a DVPO (Mecklenburg County 50B)

- 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
 - Have a child in common
 - Parent and child or grandparent and grandchild (must be at least 16 years old)
 - Current or former household member
 - Persons of the opposite sex who are in or have been in dating relationship

Qualifications for a CNCO (Mecklenburg County 50C)

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

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

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

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

Accommodations/Interim Measures

Once an incident has been reported, the Title IX Coordinator or Case Manager will arrange for accommodations for the Complainant as needed. The Title IX Coordinator or Case Manager will be responsible for contacting faculty, the Department of Housing and Residence Life, and any other relevant parties to make necessary accommodations, such as changes to academic, University housing, transportation, or University employment arrangements. The Title IX Coordinator or Case Manager can also coordinate arrangements with the Office of Disability Services and/or the Office of International Programs, as necessary.

The Title IX Coordinator or Case Manager will assist the Complainant in connecting with both on-campus and off-campus resources, including counseling, health, mental health, victim advocacy, legal assistance, and other services, if requested. Many of those resources are listed above.

The Title IX Coordinator and/or Case Manager, in consultation with the Director of Student Conduct, will also determine whether any interim measures, including but not limited to interim suspension, are necessary.

Confidentiality

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

- Counseling Center
704-687-0311
Atkins 158 Bldg.
Hours: Monday-Friday 8:00 AM – 5:00 PM
Phone: 704-687-0311

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

- Student Health Center
Located on the corner of Cameron Boulevard and Mary Alexander Road
Hours: Monday-Thursday 8:00 AM – 6:30 PM; Friday 8:00 AM – 5:00 PM
Phone: 704-687-7400
Website: <https://studenthealth.uncc.edu/>
- Center for Wellness Promotion
Located in the Student Health Center
Phone: 704-687-7407
Website: <http://wellness.uncc.edu/>
- Graduate School Ombuds
Cone University Center 268
Phone: 704-687-5269
Website: <http://graduateschool.uncc.edu/current-students/ombuds>
- Department of Athletics psychologists (student-athletes only)
ATAC Building 237
Email: sportspsych@uncc.edu

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

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

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

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- the Respondent's right to receive information about the allegations if the information is maintained by the University as an "education record" under FERPA.

Respecting a Complainant's request for confidentiality will limit the University's ability to respond effectively to the allegations. Even if a Complainant decides not to request confidentiality, the Title IX Coordinator and other involved University officials will only discuss the case with individuals who need to know. Furthermore, information about the incident, including the Complainant's name, is part of the Complainant's "education record" under FERPA. Therefore, documentation about the incident is generally protected from public disclosure (see University Policy 402, Student Education Records (FERPA) at <http://legal.uncc.edu/policies/up-402>).

Student Conduct Process

When a report is received, the University will respond in a prompt manner. All sexual misconduct, dating violence, domestic violence, and stalking cases will be resolved within 60 days of receiving notice, unless there are extenuating circumstances. If the student conduct process is initiated, a trained staff member (called the Title IX Investigator) will talk with the Complainant and the Respondent separately in order to gather facts surrounding the incident in question. The staff member will also interview any witnesses that are identified by the parties and gather other physical and documentary evidence. Throughout the process, both the Complainant and the Respondent are entitled to the same rights and opportunities, including having an advisor present at any related meeting or hearing, providing evidence to support their side, and appealing any decisions.

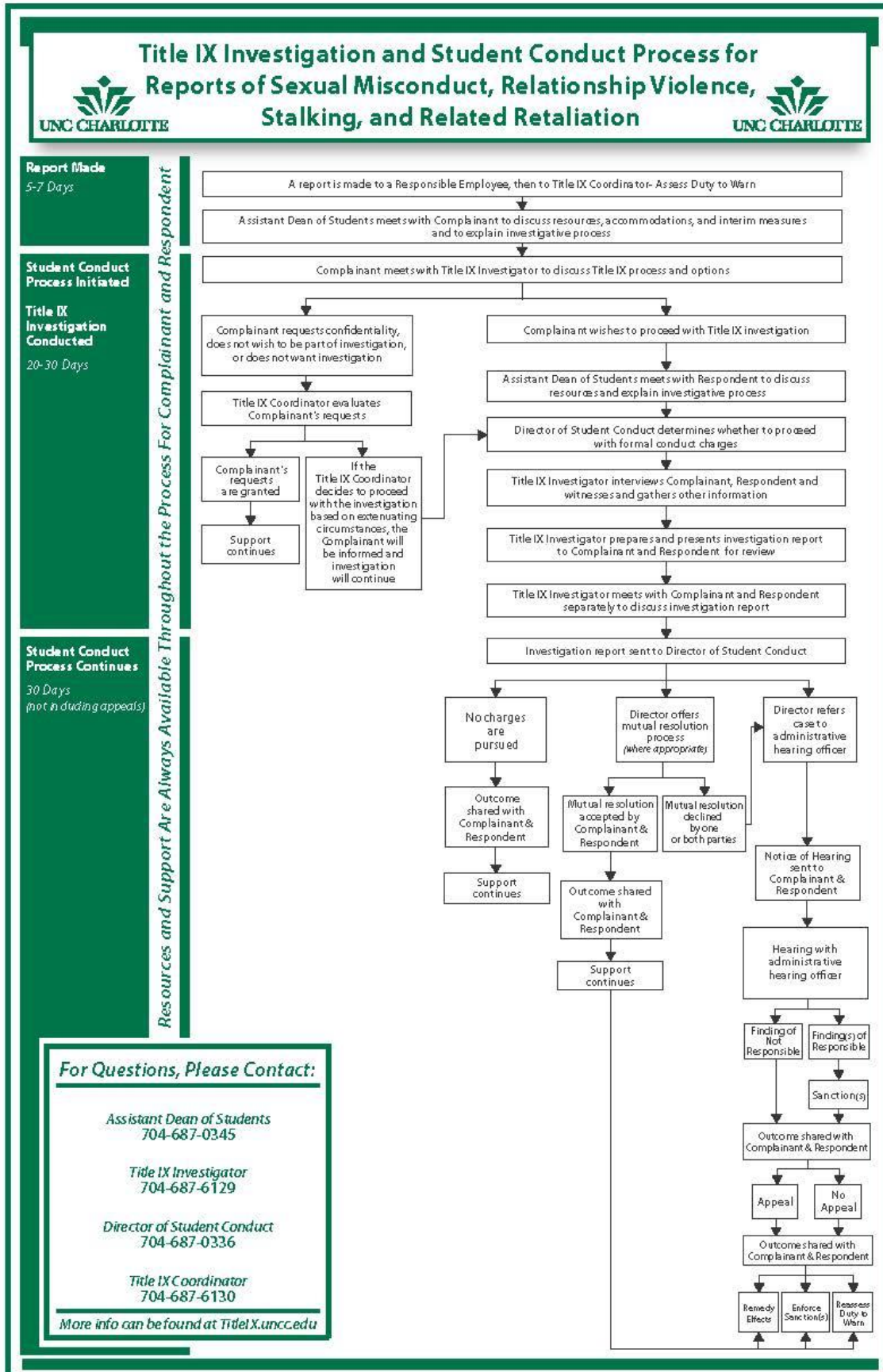
A Respondent is responsible for a violation of the Code if the evidence shows that it is more likely than not that he or she committed the violation (also called "preponderance of the evidence"). If the Director of Student Conduct, Respondent, and Complainant all agree on appropriate findings and sanctions,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

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

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

The flowchart below provides a summary of the student conduct process:

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Sanctions

One or more of the following sanctions may be imposed upon a student after a final determination that he or she violated the Code of Student Responsibility:

1. **Conduct Reprimand:** Formal notice from the Director of Student Conduct or designee indicating that further conduct violations may result in a more severe student conduct action.
2. **Definite Conduct Probation:** A status in which a Respondent is deemed not to be in good conduct standing with the University for a definite period of duration not less than the remainder of the semester.
3. **Removal from University Housing:** Loss of the privilege of living in campus housing. Removal may be for a fixed period of time (but not less than the remainder of the semester), or for an indefinite period.
4. **Definite Suspension:** Separation of the Respondent from the University for a fixed period of not less than the remainder of the semester in which the suspension is imposed. A sanction of definite suspension automatically includes a trespass order from University property, including student housing, for the duration of the suspension.
5. **Expulsion:** Expulsion is a permanent separation of the Respondent from the University. A Respondent who has been expelled from one constituent institution of The University of North Carolina system may not be admitted to another UNC System institution until the sanction of expulsion has been rescinded by the institution that imposed the sanction.
6. **Additional Sanctions:** The following sanctions may be imposed in addition to those listed above:
 - a. Restitution for loss incurred by an individual or the University as a result of the Respondent's student conduct violation;
 - b. Exclusion for a definite or indefinite period from all or a portion of any University premises, property, building(s) or residence area(s), as specified in a sanction;
 - c. Loss of driving and/or parking privileges on University property;
 - d. A fee not to exceed \$100;
 - e. Community service and/or participation in educational programs;
 - f. Restitution for expenses incurred by individuals or the University as a result of providing educational programs or other educational experiences related to the violation(s); or
 - g. Any other appropriate sanction as determined by the Hearing Panel or by the Director of Student Conduct