“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 Counseling Center

For questions regarding this report please contact the Clery Compliance / Crime Analysis Officer: Lieutenant Sarah Smyre at 704-687-8300 or sasmyre@uncc.edu
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From the Chancellor

To the University Community –

It is up to each one of us to help foster a secure and supportive environment at UNC Charlotte — an environment where individuals can feel safe to visit, learn, work, and live. Primary to this goal are the principles of responsibility and respect. These values are essential to any community, and they serve as the foundation for the success and productivity of our students, faculty, and staff.

As Chancellor, safety on campus is one of my highest priorities. A truly safe campus can be achieved only through the cooperation of everyone. 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.

Philip L. Dubois, 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 because it contains valuable information for our campus community. We also publish the report to comply with the important provisions of the Clery Act. Campus safety, security, and compliance with the Clery Act should be a part of everyone’s responsibility at UNC Charlotte. We encourage you to review the information we have made available to you in this brochure. You will find information about our organization including descriptions of certain services that we provide. 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. We join Chancellor Dubois 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. We partner with the many departments at the University that have a critical role in fostering campus safety, including Legal Affairs, Title IX, Dean of Students, Housing & Residence Life, Environmental Health & Safety, and the Counseling Center. 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, 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.


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, complete and timely information about safety on campus so that they can make informed decisions.

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 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 Lieutenant Sarah Smyre, Police and Public Safety Department. This information is updated on a continual basis with the most recent update provided on June 14, 2018. 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 Counseling Center, 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. For a hardcopy, contact the Police & Public Safety Department at UNC Charlotte at 704-687-8300 or email at police@uncc.edu. The report is also emailed to all students, faculty, and staff on October 1st. In addition, the report is available for prospective employees and students on the UNC Charlotte website and in orientation packets.

**Definitions of Reportable Crimes**

**Primary 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.

  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 his/her age or because of his/her 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. Attempted larcenies are included.

**Simple Assault**—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—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)—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 Center City Campus 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 Center City Campus located at 320 E. 9th 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 not to be a victim. 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 discusses the [Code of Student Responsibility (University Policy 406)](https://example.com) 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 Week of Welcome (WOW!). The 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 victim profile:

In Your Residence

1. List only your initials and last name on your mailbox or in directories.
2. Immediately report to your resident advisor or to Housing & Residence Life 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 co-worker 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 (available at: [http://facilities.uncc.edu/sites/facilities.uncc.edu/files/media/Maps/Emergency-Phones-Map.pdf](http://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.
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 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. Pay phones are provided by an outside contractor. It is important to note that a 911 call made from a cell or pay 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 telecommunicator at 911 determines the call is coming from the campus, he/she usually tries 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 Dispatch Center.

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 Campus Safety Advisory 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

Four offices on campus have been designated as Title IX Confidential Resources: the Counseling Center, the Student Health Center, the Center for Wellness Promotion, and the Athletics Department psychologist.

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.
The Counseling Center and the Athletics psychologist are both exempt from being considered a Campus Security Authority (CSA). However, the first three offices have adopted 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. Lt. 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 CSA’s 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 14, 2018.

### CSAs Include:

<table>
<thead>
<tr>
<th>CSAs</th>
<th>Location</th>
<th>Phone</th>
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<tbody>
<tr>
<td>Chancellor</td>
<td>Cato Hall</td>
<td>704-687-5700</td>
</tr>
<tr>
<td>• Chief of Staff</td>
<td>Cato Hall</td>
<td>704-687-5700</td>
</tr>
<tr>
<td>• All staff in the Chancellor's Office</td>
<td>Cato Hall</td>
<td>704-687-5700</td>
</tr>
<tr>
<td>Division of Institutional Integrity</td>
<td>Cato Hall</td>
<td>704-687-5732</td>
</tr>
<tr>
<td>• The Title IX Office</td>
<td>Cone Building</td>
<td>704-687-6130</td>
</tr>
<tr>
<td>Division of Business Affairs</td>
<td>Reese Building</td>
<td>704-687-5750</td>
</tr>
<tr>
<td>• Vice Chancellor for Business Affairs</td>
<td>Reese Building</td>
<td>704-687-5750</td>
</tr>
<tr>
<td>• Associate Vice Chancellor for Safety &amp; Security</td>
<td>Police / FM Building</td>
<td>704-687-8454</td>
</tr>
<tr>
<td>• Police &amp; Public Safety Department</td>
<td>Police / FM Building</td>
<td>704-687-8300</td>
</tr>
<tr>
<td>• Office of Safety &amp; Security</td>
<td>Police / FM Building</td>
<td>704-687-8454</td>
</tr>
<tr>
<td>• Parking and Transportation Services shuttle drivers</td>
<td>Parking Services</td>
<td>704-687-0161</td>
</tr>
<tr>
<td>• Risk Management and Insurance (RMI)</td>
<td>Police / FM Building</td>
<td>704-687-8448</td>
</tr>
<tr>
<td>• Associate Vice Chancellor for Human Resources and University Affirmative Action Officer</td>
<td>King Building</td>
<td>704-687-0644</td>
</tr>
<tr>
<td>• Title IX Deputy Coordinator and Executive Director of Human Resources for EPA Non-faculty</td>
<td>King Building</td>
<td>704-687-0659</td>
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<tr>
<td>Administration, Employee Relations, and Compliance</td>
<td>King Building</td>
<td>704-687-0350</td>
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<tr>
<td><strong>Division of Student Affairs</strong></td>
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<tr>
<td>• Vice Chancellor for Student Affairs</td>
<td>King Building</td>
<td>704-687-0350</td>
</tr>
<tr>
<td>• Dean of Students Office</td>
<td>King Building</td>
<td>704-687-0345</td>
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<tr>
<td>• Associate Vice Chancellor of Student Affairs and Director of Housing and Residence Life</td>
<td>Scott Hall</td>
<td>704-687-7501</td>
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<tr>
<td>• Senior Associate Director – Housing and Residence Life</td>
<td>Scott Hall</td>
<td>704-687-7501</td>
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<tr>
<td>• Residence Education Coordinators (RECs)</td>
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<td>704-687-7501</td>
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<tr>
<td>• Resident Advisors (RAs)</td>
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<tr>
<td>• HRL Graduate Assistants (GAs)</td>
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<tr>
<td>• Housing &amp; Residence Life Security Guards</td>
<td>Scott Hall</td>
<td>704-687-7501</td>
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<tr>
<td><strong>Student Union, Activities, and Recreation</strong></td>
<td>Student Union</td>
<td>704-687-7128</td>
</tr>
<tr>
<td>• Associate Vice Chancellor for Student Union, Activities, and Recreation</td>
<td>Student Union</td>
<td>704-687-7128</td>
</tr>
<tr>
<td>• Assistant Vice Chancellor and Director of Student Activities</td>
<td>Student Union</td>
<td>704-687-7128</td>
</tr>
<tr>
<td>• All professional members of Student Activities office</td>
<td>Student Union</td>
<td>704-687-7128</td>
</tr>
<tr>
<td>• Director of Recreational Services</td>
<td>Cone Building</td>
<td>704-687-0430</td>
</tr>
<tr>
<td>• All professional members of Recreational Services office</td>
<td>Cone Building</td>
<td>704-687-0430</td>
</tr>
<tr>
<td>• Director, Student Activity Center &amp; Venue Management</td>
<td>Student Activity Center</td>
<td>704-687-1099</td>
</tr>
<tr>
<td>• All professional members of SAC &amp; Venue Management (including Supervisor-level staff and student building manager, but excluding Technician-level staff)</td>
<td>Student Activity Center</td>
<td>704-687-1054</td>
</tr>
<tr>
<td>• Security Personnel</td>
<td>Student Activity Center</td>
<td>704-687-1100</td>
</tr>
<tr>
<td>• Executive Director, Student Union and Cone University Center</td>
<td>Student Union</td>
<td>704-687-7111</td>
</tr>
<tr>
<td>• All professional members of the Student Union and Cone Center (including Supervisor-level staff and student building managers, but excluding Technician-level staff)</td>
<td>Student Union / Cone Center</td>
<td>704-687-7128</td>
</tr>
<tr>
<td><strong>Associate Vice Chancellor for Health Programs and Services and Director of Counseling Center</strong></td>
<td>Counseling Center</td>
<td>704-687-0311</td>
</tr>
<tr>
<td><strong>Director of Student Health Center</strong></td>
<td>Student Health Center</td>
<td>704-687-7418</td>
</tr>
<tr>
<td><strong>Director, Center for Wellness Promotion and Collegiate Recovery Community</strong></td>
<td>Student Health Center</td>
<td>704-687-7414</td>
</tr>
<tr>
<td><strong>Division of Academic Affairs</strong></td>
<td>Reese Building</td>
<td>704-687-5740</td>
</tr>
<tr>
<td>• Provost and Vice Chancellor for Academic Affairs</td>
<td>Reese Building</td>
<td>704-687-5962</td>
</tr>
<tr>
<td>• Title IX Deputy Coordinator and Associate Dean of</td>
<td>Cone Center</td>
<td>704-687-7251</td>
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</table>
For additional information regarding CSAs contact Lt. Sarah Smyre at 704-687-8300.

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](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 student conduct process for handling sexual and interpersonal misconduct is available in Chapter 8 of University Policy 406, available as Appendix VI.
Interpersonal Violence Prevention & Education Committee

An interpersonal violence prevention specialist is located in the Center for Wellness Promotion. An Interpersonal Violence Resource Committee has been formed and meets monthly. Alliances have been created with related local agencies and nearby universities. The UNC Charlotte Department of Police & Public Safety has a detective that is specially trained in sexual assault response and is a member of the Interpersonal Violence Resource Committee. The Title IX Coordinator is also a committee member. More information on the Interpersonal Violence Resource Committee can be obtained by contacting Beau Dooley at 704-687-7414 or bdooley1@uncc.edu.

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 supports and encourages survivors and that provides appropriate procedural protections for accused 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 all forms of harassment, exploitation, or intimidation. Every member of the campus community should be aware that the University does not tolerate sexual assault and harassment and that such behavior 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 assault and all attempts to commit

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### 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 no corresponding criminal process. All Responsible Employees (under Title IX), which includes all CSAs, are required to report sexual and interpersonal misconduct to the Title IX Office. The Title IX Office will then connect survivors with available resources (counseling, medical, etc.) and accommodations (changing classes, residence hall rooms, etc.) and help the survivor determine his/her preferred next steps.

<table>
<thead>
<tr>
<th><strong>Title IX Coordinator</strong></th>
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<tbody>
<tr>
<td>Dr. Michelle Reinken</td>
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<tr>
<td><a href="mailto:michelle.reinken@uncc.edu">michelle.reinken@uncc.edu</a></td>
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<tr>
<th><strong>Title IX Investigators</strong></th>
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<tbody>
<tr>
<td>Christine Weigel</td>
</tr>
<tr>
<td><a href="mailto:christine.weigel@uncc.edu">christine.weigel@uncc.edu</a></td>
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<tr>
<th><strong>Title IX Case Manager</strong></th>
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<tbody>
<tr>
<td>Alex Tompkins</td>
</tr>
<tr>
<td><a href="mailto:atompki5@uncc.edu">atompki5@uncc.edu</a></td>
</tr>
</tbody>
</table>

### Title IX Investigators

#### Christine Weigel
- Phone: 704-687-6129
- Email: christine.weigel@uncc.edu

### Title IX Case Manager

#### Alex Tompkins
- Phone: 704-687-6037
- Email: atompki5@uncc.edu

### Deputy Title IX Coordinators

<table>
<thead>
<tr>
<th>Name</th>
<th>Phone</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>Christine Reed Davis</td>
<td>704-687-0343</td>
<td><a href="mailto:crdavis@uncc.edu">crdavis@uncc.edu</a></td>
</tr>
<tr>
<td>Katherine Hall-Hertel</td>
<td>704-687-7251</td>
<td><a href="mailto:khall-hertel@uncc.edu">khall-hertel@uncc.edu</a></td>
</tr>
<tr>
<td>Jeanne Madorin</td>
<td>704-687-0659</td>
<td><a href="mailto:jmadorin@uncc.edu">jmadorin@uncc.edu</a></td>
</tr>
<tr>
<td>Kim Whitestone</td>
<td>704-687-4955</td>
<td><a href="mailto:kgwhites@uncc.edu">kgwhites@uncc.edu</a></td>
</tr>
</tbody>
</table>
such acts are regarded as serious University offenses. A full list of possible sanctions 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 his or her 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 by a student should be reported to the Title IX Coordinator at 704-687-6130 or email titleixcoordinator@uncc.edu

2. Title IX staff will meet with the victim/survivor to provide information about resources available to support him/her, accommodations for changing classes or residence hall rooms, the investigation and student conduct process, and any other appropriate assistance as needed. Victims are given several options on how and whether to proceed with an investigation and hearing process under the Code of Student Responsibility. Those options include:
   a. The victim 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 the Code of Student Responsibility. A student or employee victim participates as a complainant throughout the conduct process.
   b. The victim files a report and requests that no investigation occur and / or the victim 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 victim 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 student, and any relevant witnesses to gather testimony and evidence and then drafts an investigation report that summarizes all the information. A case may be resolved by the Director of Student Conduct if both the complainant and the accused student agree that a certain level of responsibility and certain sanctions are appropriate. However, if the Director and the two parties disagree about those issues, the case will go to a hearing before an Administrative Hearing Officer.

4. Victims of sexual assault, as well as accused students, 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 student conduct process.
   b. The ability to remain present throughout all portions of the hearing.
   c. The representation of an attorney or non-attorney advocate as well as a support person throughout any or all of the steps of the student conduct 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.

5. In addition, the victim is assured exclusion of previous, unrelated sexual behavior from the hearing, freedom from harassment and intimidation on campus, and accommodations within the hearing process to meet the needs of the victim without infringing upon the rights of the accused student. The accused student is provided information describing the student conduct process and receives basic due
process rights guaranteed to all accused students.

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 of victims 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.

An Interpersonal Violence Resource Guide is provided to survivors 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 Counseling Center, the Dean of Students Office, Title IX Office, and the Center for Wellness Promotion.

All incoming students are required to complete online awareness and prevention training module - Campus Clarity’s *Think About It* - 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 are also trained during New Employee Orientation and New Faculty Orientation on these important topics. In addition, the Title IX Office and the Office of Legal Affairs have conducted numerous in-person training sessions with targeted groups around campus. 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](http://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 his/her options regarding the process, confidentiality, available resources and accommodations, etc. and will strive to maintain the victim’s privacy.
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:

1. 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 Counseling Center, Center for Wellness Promotion, 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 Counseling Center 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 needed. The Title IX Office will be responsible for contacting faculty, the Department of Housing and Residence Life, and any other relevant parties to make necessary accommodations, such as changes to academic, University housing, transportation, or University...
employment arrangements. The Title IX Office can also coordinate arrangements with the Office of Disability Services, the Office of International Programs, and/or other University offices as necessary to address disability, visa/immigration, financial aid/tuition, or other concerns. The University must comply with a Complainant’s reasonable request for a living and/or academic situation change.

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 Counseling Center, 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. 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 Counseling Center (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 involving students should be made to the Title IX Coordinator.

If a victim also wants to report to law enforcement, he/she 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.

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. A list of Prevention and Awareness Programs are available in Appendix I.

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 on August 14, 2017. 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 June 13, 2018.
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.
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
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.
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.
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/gs_143b-499.7.html

a. The child is 17 years of age or younger
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/](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
The supervisor shall determine if the unusual circumstance meets the requirements for issuance of a Silver Alert as set forth in NC G.S. 143B-499.8, those requirements being:

- 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:
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
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:
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.
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<td>initiate additional action as deemed appropriate under the circumstances.</td>
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**Missing Persons**

All reports of missing residential students should be directed to Police and Public Safety which will investigate each report. (If you believe a student may be missing, please also notify your RC or the RC/GA on duty.) The University’s response is aimed at locating and assisting residential students who are reported missing. For more information about the University’s response, please visit housing.uncc.edu/safetyzone.

**Text for HomePass Missing Person Contact Information Collection Screen**

In addition to registering a general emergency contact, you have the option to identify an individual to be notified by the University if you are determined to be missing. If you are determined to be missing, the University will also notify the appropriate law enforcement agency not later than 24 hours after the time you are determined to be missing. In addition, if you are under 18 years of age and not an emancipated individual, the University is also required to notify your custodial parent or legal guardian. This contact information may be accessed only by authorized campus officials who will disclose the information only to law enforcement officials and only for the purpose of a missing student investigation.

**Confidentiality of Missing Person Contact Information**

The following groups of University officials have access to Missing Person Contact Information may disclose the contact information only to law enforcement officials and only for the purpose of a missing student investigation.

- Live-in Residence Life Staff / Housing and Residence Life Senior Staff
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 Campus Safety Advisory 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. The University has developed an Access Control Committee that is working toward the implementation of a comprehensive Access Control Policy to ensure the appropriate level of safety and restriction.

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 is 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.

Timely Warning Notices (Crime Alerts, Campus Safety Advisories, and their Distribution)

In the event of a serious crime 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, 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 & 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 flyers. Documentation will be kept at the UNC Charlotte Police Department. See UNC Charlotte Police Department Emergency Notifications and Timely Warnings Policy 600-007 last updated August 24, 2011 and reviewed July 2018.

**Niner Notice**

In the 2017-18 academic year, the University launched a new NinerNotice initiative. 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 on emergency.uncc.edu/ninernotice
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
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
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 his/her designee will inform the Vice Chancellor for Business Affairs or his/her designee of any situation that may warrant the issuance of a Timely Warning or Emergency Notification. The Vice Chancellor or his/her 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 his/her designee believes that a Timely Warning or Emergency Notification must be issued immediately in order to ensure the safety of the campus community, he/she 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
• 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 his/her designee to discuss the appropriate method of dissemination and to allow for any media distribution. The Director of Public Relations or his/her 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, 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.)
Daily Crime Log

UNC Charlotte Police & Public Safety Department publishes a daily summary, or crime log, each business day. 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. Lieutenant 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 updated June 14, 2018.

Emergency Management & Preparedness

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 UNC Charlotte Center City Campus 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 Department (CMPD), and state law enforcement instructors, the Office of Emergency Management, in coordination with the Police & Public Safety Department and other University departments, continue to build a community that is ready and willing to support and protect the institution and its community members. Through the National Incident Management System (NIMS), including the use of the Incident Command System (ICS) and Emergency Support Functions (ESFs), the University has developed organizational structures and techniques that support its requirements in emergency operations. Through UNC Charlotte emergency alert system, NinerAlerts, warnings and action directives can be simultaneously sent to individuals through e-mail, SMS text messaging, phones, social media, campus computers, digital screen takeover LiveSafe mobile application. This information can also be accessed at http://emergency.uncc.edu/nineralerts.

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

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.
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 July 2018.

**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 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, intoxication 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 through a Campus Appearance Ticket (CAT) 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 through a Campus Appearance Ticket (CAT) and possibly a state citation and/or arrest. 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.

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 abuse 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 receive a Campus Appearance Ticket (CAT) for alcohol and/or drug violations will be required to meet with either the Housing Office or the Office of Student Conduct. These students 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 Noble Niners, 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. 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.

The Office of Student Conduct 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.
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 “The Code of Student Responsibility” (Including Chapter 8, Conduct Procedures Applicable to Reports of Sexual and Interpersonal Misconduct).
University Policy 502 “Sexual Harassment Policy and Grievance Procedures”
University Policy 706 “Alcoholic Beverages”
University Policy 711 “Program to Prevent Use of Illegal Drugs and Alcohol Abuse”
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 admission to 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 whether or not the incident at issue occurs on the University’s campus or on other property controlled by the University. Policies on hazing and illegal drugs are enforced through The Code of Student Responsibility, regardless of the location of the violation. 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.
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. Lieutenant 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. Lt. Smyre is the liaison for PPS and outside law enforcement agencies in regard to crime statistics. Lt. 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 14, 2018.

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 a letter to CSAs advising the importance of being in compliance with the Department of Education.

In order to complete these statistics, the Police & Public Safety Department obtained additional information that was reported to CSAs in another University department/organization.
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UNC Charlotte Center City Campus

Center City

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, UNC Charlotte Center City 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.

Center City Policies / Procedures & Enforcement

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

Center City Emergency Procedures

Center City Emergency Campus Evacuation Plan is available at: http://emergency.uncc.edu/evacuation-plans and the Center City Active Shooter Plan is available at http://police.uncc.edu/sites/police.uncc.edu/files/media/docs/Center%20City%20Active%20Shooter%20Plan.pdf Center City receives emergency notification and timely warnings as all alerts are sent to student, faculty and staff of both campuses.
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</table>
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):

Lt. Sarah Smyre contacted Charlotte-Mecklenburg Police Department (CMPD), regarding crime statistics for property located on public property located contiguous to the UNC Charlotte campus. CMPD Management Analyst provided three (3) CMPD Incident Reports for the calendar year 2017 for the specified locations. The incidents were as follows: Drug arrest at 1000 John kirk Drive, Drug arrest 8700 University City Blvd., Weapon arrest at 10000 N. Tryon Street. All three 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

Lt. 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 2017 for the specified locations. Lt. 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

Lt. 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 2017. 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:**

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

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<tr>
<th>Resident Hall</th>
<th>Fires</th>
<th>Cause</th>
<th>Injuries</th>
<th>Deaths</th>
<th>Property Damage</th>
<th>Fully Sprinkled</th>
<th>Fire Detection</th>
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**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.**
UNC Charlotte reported one fire in student housing for the 2016 calendar year. There have been no injuries or deaths in relation to these incidents. The fire resulted in damage valued at under $400.

<table>
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<th>Resident Hall</th>
<th>Fires</th>
<th>Cause</th>
<th>Injuries</th>
<th>Deaths</th>
<th>Property Damage</th>
<th>Fully Sprinkled</th>
<th>Fire Detection</th>
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<tr>
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<tr>
<td>Moore Hall</td>
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<td>Scott Hall</td>
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<td>Witherspoon Hall</td>
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<td>NONE</td>
<td>NONE</td>
<td>YES</td>
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</table>

**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 2015

UNC Charlotte reported no fires in student housing for the 2015 calendar year.

<table>
<thead>
<tr>
<th>Resident Hall</th>
<th>Fires</th>
<th>Cause</th>
<th>Injuries</th>
<th>Deaths</th>
<th>Property Damage</th>
<th>Fully Sprinkled</th>
<th>Fire Detection</th>
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<tr>
<td><strong>High Rises</strong></td>
<td></td>
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<td><strong>Suites &amp; Apartments</strong></td>
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<td><strong>TOTAL</strong></td>
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</table>
Fire Safety Log / Fire Safety Statistics

Lt. 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 2018.

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 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 2017 twenty-eight (28) 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

<table>
<thead>
<tr>
<th>Crime Prevention Committees &amp; Initiatives</th>
<th>Description</th>
<th>Frequency</th>
<th>Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pre-Admissions Safety Review Committee</td>
<td>Comprised of representatives from Police &amp; Public Safety (PPS), Office of Student Conduct (OSC), Counseling Center, Admission and Legal. The committee reviews applications for potential threats to the campus community, property, and/or resources.</td>
<td>Weekly</td>
<td>Prevention</td>
</tr>
<tr>
<td>Alcohol Awareness</td>
<td>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 &amp; Public Safety Department and Center for Wellness Promotion.</td>
<td>Periodically throughout the year</td>
<td>Inform &amp; Prevention</td>
</tr>
<tr>
<td>Alcohol Awareness Month</td>
<td>April: Setup with above programs for educational outreach to students, faculty and staff.</td>
<td>Annually</td>
<td>Prevention</td>
</tr>
<tr>
<td>ASPIRE</td>
<td>Human Resources course (Work Place Violence) taught to those who ASPIRE to be supervisors and future leaders at the University.</td>
<td>Periodically throughout the year</td>
<td>Prevention</td>
</tr>
<tr>
<td>Camps on Campus Counselor Training</td>
<td>The Police &amp; Public Safety Department partners with Camps on Campus to conduct training sessions to ensure counselors know the role of the Police &amp; Public Safety Department on campus and how it can assist with safety, educational programs, and proper reporting procedures.</td>
<td>Annually</td>
<td>Inform</td>
</tr>
<tr>
<td>Campus Behavioral Intervention Team</td>
<td>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.</td>
<td>Weekly</td>
<td>Prevention</td>
</tr>
<tr>
<td>Campus Car Show</td>
<td>September: UNC Charlotte Police Department hosts a car show involving numerous on and off campus partners including CMPD, NCSHP, MEDIC, Charlotte Fire, Wellness Promotions and Motorsports Engineering to try and promote a relaxed atmosphere for students to speak with officers and other partners about the dangers of underage alcohol consumption, drug use, texting while driving, speeding, etc.</td>
<td>Annually</td>
<td>Inform &amp; Prevention</td>
</tr>
<tr>
<td>Campus Safety &amp; Security Committee</td>
<td>This committee was developed by the chancellor. The Police &amp; Public Safety Department partners with the Counseling Center, Legal Affairs, Student Affairs, Human Resources, the Provost Office and Student Government Association to address campus community security concerns.</td>
<td>Monthly</td>
<td>Prevention</td>
</tr>
<tr>
<td>Distracted Driving Awareness Month Initiatives</td>
<td>April: Set up table(s) and sign petitions to encourage individuals to avoid distracted driving and texting while driving specifically. 1000 Pledges signed in 2013. Original pledges maintained by C.O.P. Coordinator.</td>
<td>Annually</td>
<td>Inform &amp; Prevention</td>
</tr>
<tr>
<td>Event/Program</td>
<td>Description</td>
<td>Frequency</td>
<td>Category</td>
</tr>
<tr>
<td>---------------------------------------------------</td>
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</tr>
<tr>
<td>Domestic Violence Advocacy Council</td>
<td>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.</td>
<td>Monthly</td>
<td>Prevention</td>
</tr>
<tr>
<td>OSC/HRL/PPS Check-in Meeting</td>
<td>Weekly meeting between Office of Student Conduct (OSC), Housing and Residence Life (HRL) and PPS in which issues pertaining to campus safety and security are discussed.</td>
<td>Weekly</td>
<td>Prevention</td>
</tr>
<tr>
<td>DrunkBusters</td>
<td>Set up with beer goggles and pedal carts to help simulate alcohol impairment for underage students.</td>
<td>Periodically throughout the year</td>
<td>Prevention</td>
</tr>
<tr>
<td>Freshman Seminar classes</td>
<td>Although there are a variety of instructors for these classes, the Police &amp; Public Safety Department generally partners with each of them in order to promote safety awareness to students.</td>
<td>Periodically throughout the year</td>
<td>Prevention</td>
</tr>
<tr>
<td>Gotcha</td>
<td>The Police &amp; Public Safety Department partners with Housing and Residence Life (HRL) to focus on the importance of securing residence hall rooms and vehicles.</td>
<td>Periodically throughout the year</td>
<td>Inform &amp; Prevention</td>
</tr>
<tr>
<td>Governors Highway Safety Program</td>
<td>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.</td>
<td>Numerous times and locations throughout the year</td>
<td>Prevention</td>
</tr>
<tr>
<td>Housing Resident Advisor Training</td>
<td>The Police &amp; Public Safety Department partners with Housing &amp; Residence Life to provide training sessions to ensure RA’s know the role of the Police &amp; Public Safety Department on campus and how it can assist with safety, educational programs, and proper reporting procedures.</td>
<td>Periodically throughout the year</td>
<td>Inform</td>
</tr>
<tr>
<td>Housing Security Personnel Meetings</td>
<td>The Police &amp; Public Safety Department partners with Housing &amp; Residence Life by attending weekly Housing Security Personnel Meetings.</td>
<td>Weekly</td>
<td>Inform &amp; Prevention</td>
</tr>
<tr>
<td>IFEST</td>
<td>September: Assist with efforts for International Programs department with talks and presentations.</td>
<td>Annually</td>
<td>Inform</td>
</tr>
<tr>
<td>International Coffee Hour/International Student Orientations-</td>
<td>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.</td>
<td>Periodically throughout the year</td>
<td>Inform &amp; Prevention</td>
</tr>
<tr>
<td>Interpersonal Violence Resource Committee</td>
<td>The Police &amp; Public Safety Department partners with various University departments to coordinate aid to victims of domestic violence, dating violence, stalking, and sexual assault.</td>
<td>Periodically throughout the year</td>
<td>Prevention</td>
</tr>
<tr>
<td>Jail Or Bail</td>
<td>October: PPS works with athletics and other highly recognized members of the campus community to promote Community Oriented Policing (COP).</td>
<td>Annually</td>
<td>Inform &amp; Prevention</td>
</tr>
<tr>
<td>LEAD</td>
<td>Human Resources course (Work Place Violence) designed for the individual who is already a manager or department head or higher.</td>
<td>Periodically throughout the year</td>
<td>Prevention</td>
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<tr>
<td>Event</td>
<td>Description</td>
<td>Frequency</td>
<td>Category</td>
</tr>
<tr>
<td>--------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
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<tr>
<td>Library Security Meeting</td>
<td>The Police &amp; Public Safety Department routinely meets with staff to discuss issues with safety and security of library patrons.</td>
<td>Monthly</td>
<td>Prevention</td>
</tr>
<tr>
<td>National Crime Victims’ Rights Week</td>
<td>April: Set up tables and wooden statues with facts and information in recognition of the victims of crimes</td>
<td>Annually</td>
<td>Inform &amp; Prevention</td>
</tr>
<tr>
<td>National Police Week</td>
<td>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.</td>
<td>Annually</td>
<td>Inform &amp; Prevention</td>
</tr>
<tr>
<td>NCSAM</td>
<td>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.</td>
<td>Annually</td>
<td>Inform &amp; Prevention</td>
</tr>
<tr>
<td>NEO</td>
<td>New Employee Orientation- Taught through Human Resources to introduce new employees to the Police Department and some of the services we offer.</td>
<td>Periodically throughout the year</td>
<td>Inform &amp; Prevention</td>
</tr>
<tr>
<td>Octoberfest</td>
<td>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.</td>
<td>Annually</td>
<td>Prevention</td>
</tr>
<tr>
<td>Office of Adult Students and Evening Services</td>
<td>The Police &amp; Public Safety Department partners with O.A.S.E.S to conduct presentations for safety of students on campus late at night, after hours.</td>
<td>Periodically throughout the year</td>
<td>Prevention</td>
</tr>
<tr>
<td>Operation ID</td>
<td>The Police &amp; Public Safety Department sponsors this initiative to prevent larcenies and assist law enforcement officials with the identification of property.</td>
<td>Periodically throughout the year</td>
<td>Inform &amp; Prevention</td>
</tr>
<tr>
<td>Operation Medicine Drop</td>
<td>Partnership with SBI and Health Center in order to collect and safely dispose of old or unneeded prescription and over-the-counter medications.</td>
<td>Periodically throughout the year</td>
<td>Prevention</td>
</tr>
<tr>
<td>Rape Aggression Defense (R.A.D) Classes</td>
<td>This is a self-defense class for women taught by the Police &amp; Public Safety Department.</td>
<td>Periodically throughout the year</td>
<td>Inform &amp; Prevention</td>
</tr>
<tr>
<td>Sexual Assault Awareness Month</td>
<td>April: Set up table(s) and provide information on Sexual Assault prevention and awareness.</td>
<td>Annually</td>
<td>Inform &amp; Prevention</td>
</tr>
<tr>
<td>SOAR</td>
<td>SOAR is the Student Orientation, Advising and Registration Program. The Police &amp; Public Safety Department provides safety and crime prevention information to students and parents as they transition to UNC Charlotte.</td>
<td>BiAnnually</td>
<td>Inform &amp; Prevention</td>
</tr>
<tr>
<td>Staff Council</td>
<td>The Police &amp; Public Safety Department meets monthly with the Staff Council to share information and provide educational assistance.</td>
<td>Monthly</td>
<td>Prevention</td>
</tr>
</tbody>
</table>
### “Stop Thief” Hangtags
The Police & Public Safety Department, Dean of Students, Parking & Transportation Services, Housing & Residence Life and The Office of the Vice Chancellor for Student Affairs have partnered to produce "Stop Thief" hangtags. These hangtags are available at the Police & Public Safety Department.

| Periodically throughout the year | Prevention |

### Take Back The Night
April: Attend the event and provide information on sexual assault and relationship violence.

| Annually | Inform & Prevention |

### Take Charge Learn Self Defense
Program designed to provide general information and tips to participants about safe travel, home and vehicle safety. Some self-defense moves shown in case of attack.

| Periodically throughout the year | Inform & Prevention |

### University City Partners
University City Partners is Charlotte’s first suburban Municipal Service District (MSD) encompassing 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 & Prevention |

### Week Of Welcome
August: Set up displays and attend events like Student Union Block Party, D.O.S. Resource Fair and Student Organizations Showcase designed to meet with students to encourage participation with the UNCC Police Department.

| Annually | Inform & Prevention |

### Wellness Passport Program
Set up informational classes and programs for students to attend to receive credit by having a “passport” stamped when they attend. Programs focus on Alcohol Awareness, Stalking, and Property engraving.

| Periodically throughout the year | Inform & Prevention |

### Wellness Promotions
Provide information to students throughout the year including: Domestic Violence Awareness, Movie Screenings & discussions, Stalking Awareness, Community Resource Fair and Take Back the Night.

| Periodically throughout the year | Inform & Prevention |

### Wrecked Vehicle Display
Wrecked Vehicle set up at Belk Tower to encourage students to drive safely and not drink and drive.

<p>| Annually | Inform &amp; Prevention |</p>
<table>
<thead>
<tr>
<th><strong>Primary Prevention &amp; Awareness Programs</strong></th>
<th><strong>Description / Title</strong></th>
<th><strong>Dates</strong></th>
<th><strong>Presenter</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Incoming Student Orientation (SOAR)</strong></td>
<td>Three Ways to Stay Out of Trouble: Making Choices for Your Success and Safety at UNC Charlotte</td>
<td>Periodically throughout the year</td>
<td>Center for Wellness Promotion</td>
</tr>
<tr>
<td><strong>Think About It</strong></td>
<td>I-hour online training that complies with Campus SaVE requirements and is offered to all incoming students (new and transfer)</td>
<td>Summer/Fall and reminders throughout the year</td>
<td>Campus Clarity / EverFi (outside company)</td>
</tr>
<tr>
<td><strong>New Employees Orientation</strong></td>
<td>The Campus SaVE and Title IX: Understanding and Responding to Sexual Harassment and Sexual Violence for New Employee Orientation</td>
<td>Periodically throughout the year</td>
<td>Title IX Office</td>
</tr>
<tr>
<td><strong>New Employees (Administrators)</strong></td>
<td>Helping UNC Charlotte Respond to Sexual Harassment &amp; Sexual Violence for New Administrator Orientation</td>
<td>August, 2017</td>
<td>Office of Legal Affairs</td>
</tr>
<tr>
<td><strong>New Employees (Faculty)</strong></td>
<td>Helping UNC Charlotte Respond to Sexual Harassment &amp; Sexual Violence for New Faculty Orientation</td>
<td>August, 2017</td>
<td>Office of Legal Affairs</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Ongoing Prevention &amp; Awareness Programs</strong></th>
<th><strong>Description / Title</strong></th>
<th><strong>Dates</strong></th>
<th><strong>Presenter</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Stalking Awareness</strong></td>
<td>Campus-wide Stalking Awareness Event</td>
<td>January, 2017</td>
<td>Police &amp; Public Safety</td>
</tr>
<tr>
<td><strong>Healthy Relationships</strong></td>
<td>Healthy vs. Unhealthy, red flags of abuse and resources for help. General student body, sororities, and specific classroom sessions</td>
<td>Periodically throughout the year</td>
<td>Center for Wellness Promotion</td>
</tr>
<tr>
<td><strong>Interpersonal Violence 101</strong></td>
<td>General Student body, specific classroom sessions, and specific athletics teams</td>
<td>Sept. - Dec., 2017</td>
<td>Center for Wellness Promotion</td>
</tr>
<tr>
<td><strong>Title IX / Campus SaVE Training</strong></td>
<td>New Faculty Transitions</td>
<td>Periodically throughout the year</td>
<td>Title IX Office</td>
</tr>
<tr>
<td><strong>Interpersonal Violence: What YOU Can Do</strong></td>
<td>Awareness programming for human resources staff</td>
<td>March 2017</td>
<td>Center for Wellness Promotion</td>
</tr>
<tr>
<td><strong>Vagina Monologues</strong></td>
<td>Performances for campus community of various issues women face, including sexual assault</td>
<td>March 2017</td>
<td>Center for Wellness Promotion</td>
</tr>
<tr>
<td><strong>I Took An Oath</strong></td>
<td>Video project aimed at Greek community and understanding of sexual assault, consent, and related issues (over 700 participants)</td>
<td>April 2017</td>
<td>Outside project</td>
</tr>
<tr>
<td><strong>Take Back the Night</strong></td>
<td>Campus-wide sexual assault awareness event</td>
<td>April 2017</td>
<td>Center for Wellness Promotion</td>
</tr>
<tr>
<td><strong>Consent workshop</strong></td>
<td>In-depth education for a learning community and its upperclassmen mentors</td>
<td>July 2017</td>
<td>Office of Legal Affairs &amp; Center for Wellness</td>
</tr>
<tr>
<td><strong>Responding to Title IX Questions</strong></td>
<td>In-depth education for student tour guides</td>
<td>July 2017</td>
<td>Office of Legal Affairs</td>
</tr>
<tr>
<td>Event Title</td>
<td>Description</td>
<td>Date</td>
<td>Responsible Party</td>
</tr>
<tr>
<td>---------------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>--------------</td>
<td>--------------------------------------------------------</td>
</tr>
<tr>
<td><strong>A Call to Men: Breaking Out of the Man Box</strong></td>
<td>Facilitated discussion with student-athletes on healthy masculinity and interpersonal violence prevention</td>
<td>August 2017</td>
<td>Tony Porter (outside speaker)</td>
</tr>
<tr>
<td><strong>Retaking Our Story: Reframing the Sexual Assault Conversation</strong></td>
<td>Helped students understand the background information needed to facilitate healthy conversations on sexual assault, resources to assist in the survivor recovery process, and how the power of our personal and community stories can be utilized in prevention</td>
<td>September 2017</td>
<td>Tim Mousseau (outside speaker)</td>
</tr>
<tr>
<td><strong>Technology and Title IX: Stalking, Harassment, and Intimate Partner Violence in the Social Media Age</strong></td>
<td>Helped faculty/staff audience understand how technology’s use/misuse can intersect with supporting victims, holding offenders accountable, and helping maintain a safe university community</td>
<td>September 2017</td>
<td>Title IX Office &amp; Center for Wellness Promotion</td>
</tr>
<tr>
<td><strong>Kombat for Consent</strong></td>
<td>In-depth education for two sorority chapters</td>
<td>October 2017</td>
<td>Title IX Office</td>
</tr>
<tr>
<td><strong>Know Your IX</strong></td>
<td>Awareness programming for students, advisers to student organizations, etc.</td>
<td>periodically throughout fall 2017</td>
<td>Title IX Office &amp; Center for Wellness Promotion</td>
</tr>
<tr>
<td><strong>&quot;Girl Rising&quot; Screening &amp; Discussion</strong></td>
<td>Film screening for student body and post-film discussion with professionals</td>
<td>November 2017</td>
<td>Center for Wellness Promotion</td>
</tr>
<tr>
<td><strong>&quot;The Mask You Live In&quot; Screening &amp; Discussion</strong></td>
<td>Film screening for student body and post-film discussion with professionals</td>
<td>November 2017</td>
<td>Center for Wellness Promotion</td>
</tr>
<tr>
<td><strong>&quot;Audrie &amp; Daisy&quot; Screening &amp; Discussion</strong></td>
<td>Film screening for student body and post-film discussion with professionals</td>
<td>December 2017</td>
<td>Center for Wellness Promotion</td>
</tr>
</tbody>
</table>

During the 2017-2018 Academic Year, the Center for Wellness Promotion coordinated a total of 175 health education programs reaching 9,021 students. Major categories of program numbers and attendance are as follow:

- Interpersonal Violence Prevention and Education: 23 programs, 564 attendees
- Alcohol, Tobacco, and Other Drug Prevention and Education: 8 programs, 620 attendees
- Substance Use Disorders and Recovery: 23 programs, 1,170 attendees
- Sexual and Reproductive Health: 26 programs, 1,348 attendees
- Mental Health Promotion: 5 programs, 355 attendees
- Financial Wellness Education: 31 programs, 481 attendees
- General Wellness Education: 26 programs, 2,344 attendees
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
## Appendix III: Clery Geography

### UNC Charlotte Main Campus Geography

<table>
<thead>
<tr>
<th>OWNED PROPERTY</th>
<th>UNIVERSITY OFF-CAMPUS CLERY REPORTABLE</th>
<th>OWNER</th>
<th>PROPERTY TYPE</th>
<th>PROPERTY ADDRESS</th>
<th>COUNTY LOCATION</th>
<th>DESCRIPTION</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>9100 Robert Snyder Rd</td>
<td>Mecklenburg</td>
<td>12.75 acres, JW Clay &amp; Hwy 29</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Improved Land</td>
<td>8724 University City Blvd</td>
<td>Mecklenburg</td>
<td>21,000SF, 2-story office bldg. Development Building</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Greenway</td>
<td>Campus Greenway Easement</td>
<td>Mecklenburg</td>
<td>County Maintains Greenway</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Improved Land</td>
<td>1511-1836 Darryl McCall Circle</td>
<td>Mecklenburg</td>
<td>Leased to FDC; Greek Village</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>LEASED PROPERTY</th>
<th>NON-CAMPUS PROPERTY</th>
<th>LESSOR</th>
<th>LESSEE</th>
<th>PROPERTY ADDRESS</th>
<th>LOCATION</th>
<th>DESCRIPTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Research Campus</td>
<td>UNCC Main Campus</td>
<td>UNCC</td>
<td></td>
<td>500 &amp; 600 Laureate Way</td>
<td>Kannapolis</td>
<td>Office Space for Research</td>
</tr>
<tr>
<td>UNCC Golf Center Rocky River Golf</td>
<td>UNCC</td>
<td></td>
<td></td>
<td>6920 Burton Smith Blvd Concord, NC</td>
<td>Concord</td>
<td>Golf Practice</td>
</tr>
</tbody>
</table>

### CONTROLLED PROPERTY

<table>
<thead>
<tr>
<th>OWNER</th>
<th>PROPERTY TYPE</th>
<th>PROPERTY ADDRESS</th>
<th>COUNTY LOCATION</th>
<th>DESCRIPTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kappa Sigma Fraternity</td>
<td>House &amp; Land</td>
<td>732 E Mallard Creek Church Road Charlotte, NC</td>
<td>Mecklenburg</td>
<td>Fraternity House</td>
</tr>
</tbody>
</table>
| UNC Charlotte  
| Center City  
| Geography  |
| LEASED PROPERTY | Non-Campus Property |
| Lessor | Lessee | Purpose | Location |
| Preferred Parking | UNCC Center City | Parking | Mecklenburg | 422 E. Ninth Street |
| Preferred Parking | UNCC Center City | Parking | Mecklenburg | 319 E. Ninth Street |
| Preferred Parking | UNCC Center City | Parking | Mecklenburg | 625 N. Brevard Street |

| OWNED PROPERTY | On-Campus Clery Reportable |
| Owner | Property Type | Property Address | County Location | Description |
| UNCC/ State of NC | Center City Campus | 930 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.
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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, 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) and University Policy 406, Code of Student Responsibility (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, 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 any of the following services: Center for Counseling and Psychological Services, Student Health Center, Center for Wellness Promotion (see above 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 B, Section VI(2) of the Code of Student Responsibility at 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 violations through the student conduct process. Documentation about the 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). 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 Clery 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 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 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

**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

---

**Title IX Coordinator**

**LOCATION:** Cone 349  
(Campus Map – 5)

**PHONE:** (704) 687-6130  
**EMAIL:** titleixcoordinator@uncc.edu  
**WEBSITE:** titleix.uncc.edu

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**Police and Public Safety**

**LOCATION:** 9151 Cameron Blvd.  
(Campus Map – 55B)

**EMERGENCY:** (704) 687-2200  
**NON-EMERGENCY:** (704) 687-8300  
**WEBSITE:** police.uncc.edu

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**Dean of Students Office**

**LOCATION:** King Building 217  
(Campus Map – 11)

**PHONE:** (704) 687-0345  
**WEBSITE:** dso.uncc.edu

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**Human Resources**

**LOCATION:** King Building, 113C  
(Campus Map – 11)

**PHONE:** (704) 687-0659  
**WEBSITE:** hr.uncc.edu

---

**Center for Wellness Promotion**

**LOCATION:** In Student Health Center  
(Corner of Cameron Blvd and Mary Alexander Rd)  
(Campus Map – 65)

**Interpersonal Violence Prevention Specialist**  
**PHONE:** (704) 687-7407  
**WEBSITE:** wellness.uncc.edu

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**Department of Athletics psychologist**

(student-athletes only)

**EMAIL:** jperry67@uncc.edu

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**Explanation of On-Campus Confidential Resources**

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

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**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.

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

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

Atrium Health
LOCATIONS:
Carolina's HealthCare System University
8800 North Tryon Street,
Charlotte, NC 28262
PHONE: (704) 863-6000
WEBSITE: carolinashealthcare.org/carolinas-healthcare-system-university
Carolina's HealthCare System NorthEast
920 Church Street North,
Concord, NC 28025
PHONE: (704) 403-3000
WEBSITE: carolinashealthcare.org/carolinas-healthcare-system-northeast

Novant Health Presbyterian Medical Center
LOCATION: 200 Hawthorne Lane, Charlotte, NC 28204
PHONE: (704) 384-4000
WEBSITE: novanthealth.org/presbyterian-medical-center

The Center for Wellness Promotion (CWP)
The CWP, through the Interpersonal Violence Prevention (IPV) Specialist, seeks to empower the UNC Charlotte community to prevent sexual and interpersonal violence through campus-wide proactive education initiatives. Students can utilize this resource to request educational presentations and trainings. Additionally, the IPV Specialist is available for consultation after disclosing incidents of interpersonal violence for referrals to appropriate campus and community resources.

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 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.
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 to connect students to the maximum number of resources possible.

The University can assist students by providing a number of various accommodations. 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.

Accommodations

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.
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 a UNC Charlotte student.
The student conduct process provides a prompt, fair, and impartial investigation and resolution to complaint(s).

**Sexual and Interpersonal Misconduct Process**

Sexual assault, domestic violence, dating violence, and stalking are all prohibited conduct under University Policy 406, Code of Student Responsibility (“Code”), available at 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. This means that if a student wishes, they can request a formal investigation into the alleged behavior.

Once this happens, students who are accused of violating the Code are called “Respondents” and students or employees who allegedly experienced the sexual misconduct, dating violence, domestic violence, or stalking are called “Complainants.”

If a student chooses not to proceed with the conduct 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 Title IX Office, in consultation with the Director of Student Conduct, will determine whether any interim protective measures, including but not limited to campus no-contact orders, are necessary. The Director of Student Conduct decides whether to impose interim suspension pursuant to the Code.

The University strives to resolve sexual misconduct, dating violence, domestic violence, and stalking cases within 60 days (as defined by the Code) of the report, excluding appeals.

In the University’s experience, circumstances (including but not limited to parallel criminal investigations, multiple witnesses with scheduling difficulties, and availability of parties and/or advocates) almost always exist that generally make this timeline take longer. Therefore, the typical process will likely take approximately 120 days.

Both the Respondent and the Complainant will be notified in writing if the process will take more than 120 days and of the reason for the delay.

**PROCESS**

Once 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. The staff member will also interview any witnesses who are identified by the parties and gather other physical and documentary evidence.

Throughout the process, the parties will never be required to face or interact with each other directly. 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 student conduct 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 violation of the Code if the information shows that it is more likely than not that they 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 (also called a Mutual Resolution). In other cases, a trained hearing officer will determine the findings and make a recommendation on sanctions, which can be appealed.

UNIVERSITY POLICY 502
Sexual harassment policy and grievance procedures for and against University employees

The University is committed to ensuring an environment for all employees and students that is fair, humane, and respectful. Behaviors that inappropriately assert sexuality as relevant to employee or student performance will not be tolerated, as they are violations of both law and University policy. University Policy 502 provides the definition of sexual harassment and sets forth employee and student responsibilities for creating and maintaining an environment free of sexual harassment. University Policy 502 also includes detailed grievance procedures for filing complaints of sexual harassment. The full policy is available at 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.

1. CONDUCT REPRIMAND—Formal written reprimand indicating that the Respondent’s behavior was unacceptable and that if the Respondent is subsequently found responsible for a violation(s) of the Code, more severe sanctions could result.

2. CONDUCT PROBATION—A status in which the Respondent is deemed not to be in good conduct standing with the University for a definite 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 trespassed 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 trespassed 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, 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 comprehensive explanation of the student conduct process, additional definitions, or sanctions, review Chapter B of the Code (legal.uncc.edu/policies/up-406#ch8).
If a student 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 Carolinas HealthCare System University, Carolinas HealthCare System NorthEast, 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: [https://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.

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

**Atrium Health**

*Carolinas HealthCare System University*

**LOCATION:**

8800 North Tryon Street

Charlotte, NC 28262

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

**WEBSITE:**

[carolinash新征程care.org/carolinas-healthcare-system-university](http://carolinash新征程care.org/carolinas-healthcare-system-university)

**Novant Health**

*Presbyterian Medical Center*

**LOCATION:**

200 Hawthorne Lane

Charlotte, NC 28204

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

**WEBSITE:**

[novanhealth.org/presbyterian-medical-center](http://novanhealth.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
     - **Outside Mecklenburg County:** 704-336-7600
     - **Website:** charlottenc.gov/cmpd

   - **UNC Charlotte Police and Public Safety**
     - **Emergency:** (704) 687-2200
     - **Non-Emergency:** (704) 687-8300
     - **Website:** 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.
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.

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.

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

☑ 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

INTERPERSONAL VIOLENCE RESOURCE GUIDE | 13
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

Center for Wellness Promotion:*
(704) 687-7407

Safe Alliance (Crisis Line):
(704) 332-2513

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

Other Numbers:


**PEOPLE I WILL NOTIFY ABOUT THE INCIDENT:**
Family Member(s):


Roommate(s):


Residence Education Coordinator:


Apartment Complex Manager:


(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:**


**IF I AM ENGAGED IN A CRIMINAL PROCESS:**
Police/Detective contact information:


Legal Advocacy options:


Safe Alliance:


Give PPS copy of Protection Order:


**SAFETY AT WORK**
Let supervisor know, security, change/accommodation in working environment?


**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

North Carolina General Statutes

Sexual Assault

   (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) Employs 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.

§ 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 is mentally disabled, mentally incapacitated, or physically helpless, and the
           person performing the act knows or should reasonably know the other person is
           mentally disabled, 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 shall the person have
       any rights related to the child under Chapter 48 or Subchapter 1 of Chapter 7B of the General Statutes.

   (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.

(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.

§ 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.

(a) A person is guilty of 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) Employs 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.

§ 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 is mentally disabled, mentally incapacitated, or physically helpless, and the person performing the act knows or should reasonably know that the other person is mentally disabled, mentally incapacitated, or physically helpless.

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

§ 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.

§ 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.

§ 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.
§ 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 is mentally disabled, mentally incapacitated, or physically helpless, and the person performing the act knows or should reasonably know that the other person is mentally disabled, mentally incapacitated, or physically helpless.
   (b) Any person who commits the offense defined in this section is guilty of a Class A1 misdemeanor.

Stalking

§ 14-277.3A. Stalking.

   (b) Definitions. - The following definitions apply in this section:
       (1) 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, is in the presence of, or follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
       (2) Harasses or harassment. - Knowing conduct, including written or printed communication or transmission, telephone, cellular, or other wireless telephonic communication, facsimile transmission, pager messages or transmissions, answering machine or voice mail messages or transmissions, and electronic mail messages or other computerized or electronic transmissions directed at a specific person that torments, terrorizes, or terrifies that person and that serves no legitimate purpose.
       (3) Reasonable person. - A reasonable person in the victim's circumstances.
       (4) Substantial emotional distress. - Significant mental suffering or distress that may, but does not necessarily, require medical or other professional treatment or counseling.
   (c) Offense. - A defendant is guilty of stalking if the defendant willfully on more than one occasion harasses another person without legal purpose or willfully engages in a course of conduct directed at a specific person without legal purpose and the defendant knows or should know that the harassment or the course of conduct would cause a reasonable person to do any of the following:
       (1) Fear for the person's safety or the safety of the person's immediate family or close personal associates.
       (2) Suffer substantial emotional distress by placing that person in fear of death, bodily injury, or continued harassment.
   (d) Classification. - A violation of this section is a Class A1 misdemeanor. A defendant convicted of a Class A1 misdemeanor under this section, who is sentenced to a community punishment, shall be placed on supervised probation in addition to any other punishment imposed by the court. A defendant who commits the offense of stalking after having been previously convicted of a stalking offense is guilty of a Class F felony. A defendant who commits the offense of stalking when there is a court order in effect prohibiting the conduct described under this section by the defendant against the victim is guilty of a Class H felony.
§ 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.
UNC Charlotte

University Policy 406, Code of Student Responsibility

As amended, effective for violations occurring on or after August 17, 2018

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Preface

University Policy 406, Code of Student Responsibility (“the Code”) fulfills the duty of the Chancellor to regulate matters of student conduct in the University community. University Policy 407, Code of Student Academic Integrity governs student behavior relating to academic work. All UNC Charlotte Students are expected to be familiar with both codes and to conduct themselves in accordance with these requirements. Any individual may report an alleged violation(s) of the Code online at https://incidentreport.uncc.edu/. Individuals may report crimes or incidents involving imminent threat of harm to Police and Public Safety at 704-687-2200.

All Student inquiries concerning these Policies should be directed initially to the Associate Dean of Students and Director of Student Conduct & Academic Integrity (“Director”) in the Office of Student Conduct & Academic Integrity.

The current version of either policy, which may be revised from time to time, is available from the Office of Student Conduct & Academic Integrity or online at https://legal.uncc.edu/policies/up-406 (Code of Student Responsibility) and https://legal.uncc.edu/policies/up-407 (Code of Student Academic Integrity).

Special Note: Any Student needing assistance because of a disability may contact the Office of Disability Services at 704-687-0040.
Chapter 1. Philosophy and Purpose

The University of North Carolina at Charlotte strives to assist students in their development by creating a community that embraces, respects, and practices the values of the Noble Niner: scholarship, integrity, respect, accountability, dignity, honor, compassion, character, and nobility.

The mission of the University student conduct process is to support the goals and objectives of the University and the values of the Noble Niner by (a) encouraging appropriate standards of individual and community responsibility; (b) fostering an environment of personal accountability for decisions; (c) promoting personal, social, and ethical development; and (d) striving to care for the well-being, health, safety, and property of all members of the University community.

In accordance with The University of North Carolina Board of Governors Policy 700.4.2:

1. The University embraces and strives to uphold the freedoms of expression and speech guaranteed by the First Amendment of the U.S. Constitution and the North Carolina Constitution. The University has the right under appropriate circumstances to regulate the time, place, and manner of exercising these and other constitutionally protected rights.

2. All students are responsible for conducting themselves in a manner that helps enhance an environment of learning in which the rights, dignity, worth, and freedom of each member of the academic community are respected.

3. Violations of University policies, rules or regulations, or federal, state, or local law may result in initiation of the Conduct Procedures and a violation(s) of the Code.

4. In determining whether a Student or Student Organization has violated the Code, all relevant facts and circumstances shall be considered. Care must be exercised in order to preserve freedoms of speech and expression, as articulated in current legal standards. Advice should be sought from the Office of Legal Affairs, as appropriate.
Chapter 2. Definitions

When used in the Code, the following terms have the meanings provided below, though not every term in the Code is formally defined:

1. **Accused of a Violation** occurs when the Director or designee brings a Formal Charge(s) against a Student or Student Organization to initiate the Conduct Procedures.

2. **Administrative Hearing Officer** means a trained University staff or faculty member, or a trained third party, appointed by the Director or designee, who addresses a Formal Charge(s) against a Respondent.

3. **Administrative Hearing Panel** means a body of three voting members appointed by the Director or designee, consisting of either (a) trained University staff and/or faculty members or (b) one or more trained University staff and/or faculty members and one or more Student Government Association (SGA) Judicial Branch member(s), that addresses a Formal Charge(s) against a Student or Student Organization.

4. **Advisor** means an individual invited to the Conduct Procedures by a Respondent, Complainant, or witness pursuant to Chapter 6, Section II of the Code.

5. **Affirm** means to approve and uphold the determination or recommendation of a lower level decision-maker.

6. **Appellate Officer** means the Provost for cases with sanctions including Expulsion or Registration Revocation, and the Vice Chancellor for Student Affairs for all other cases.


8. **Complainant** means an individual who allegedly experienced Sexual and Interpersonal Misconduct while they were a Student or University employee.

9. **Conduct Rules** means the prohibited conduct set forth in Chapter 5 of the Code.

10. **Conduct Procedures** means procedures addressing alleged conduct of a Student or Student Organization, during which a designated University official or Hearing Panel considers information and/or documentation in order to address whether a Student or Student Organization has violated the Code.

11. **Consent** means an affirmative decision by all participants to engage in mutually acceptable sexual activity. Consent means unambiguous, clear, knowing, and voluntary approval given by words or demonstrated actions to engage in sexual activity. This decision must be made freely and actively by all participants. If any confusion or ambiguity on the issue of Consent arises at any time during the sexual activity, each participant must stop and confirm with the other participant(s) a willingness to continue. Silence, passivity, or lack of resistance does not imply Consent. A previous relationship or prior participation in a sexual activity between the participants does not indicate current Consent. Consent to one form of sexual activity does not imply Consent to other forms of sexual activities. Consent to engage in sexual activity with one individual does not imply Consent to engage in sexual activity with another individual. Being under the influence of drugs or alcohol does not relieve one’s responsibility to obtain Consent.

Consent cannot and has not been obtained in situations where someone:

a. is forced, threatened, unreasonably pressured, intimidated, manipulated, involuntarily physically restrained or confined, coerced, isolated, or beaten or has reasonable fear that they or another will be injured if they do not submit to or engage in the sexual activity;

b. is unable to give Consent or is prevented from resisting sexual activity because they are asleep, unconscious, unaware that sexual activity is occurring, or incapacitated (physical
and/or mental inability to make informed, rational judgments and/or decisions) due to drugs or alcohol, or some other medical condition;

c. is exposed to a sexually transmitted infection (STI) or sexually transmitted disease (STD) by an individual who knowingly exposes them to the STI or STD without first disclosing the STI or STD;

d. has a mental or physical disability that inhibits their ability to give Consent to sexual activity; or

e. would qualify as the victim of a statutory offense under N.C.G.S. Chapter 14, Article 7B.

12. **Day** (unless otherwise specified) means a business day on which the University is open.

13. **Dean of Students** means the Associate Vice Chancellor for Student Affairs and Dean of Students, who acts as a Deputy Title IX Coordinator for the purposes of the additional Conduct Procedures applicable to reports of Sexual and Interpersonal Misconduct, as set forth in Chapter 8 of the Code.

14. **Director** means the Associate Dean of Students and Director of Student Conduct & Academic Integrity.

15. **Distribute** or **distributing** means sale or exchange of any controlled substance for personal benefit for oneself or another.

16. **FERPA** means the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g; 34 C.F.R. Part 99), a federal law that protects the privacy of student education records. Additional information can be found in University Policy 402, Student Education Records (FERPA).

17. **Formal Charge** occurs when the Director or designee initiates the Conduct Procedures to address an alleged violation(s) of the Code by a Student or Student Organization.

18. **Gambling** means operation of any "game of chance" or playing at or betting on any game of chance at which any money, property, or other thing of value is bet, whether the same be at stake or not. A "game of chance" is any game or scheme in which receiving something of value depends on chance rather than skill.

19. **Hearing** means the resolution method involving a Student Hearing Panel, Administrative Hearing Panel, or Administrative Hearing Officer.

20. **Hearing Panel** means either a Student Hearing Panel or an Administrative Hearing Panel.

21. **Impact Statement** means a submitted oral or written statement that describes how an incident affected the individual's life and any sanction(s) the individual would like to see imposed and the effect of the sanction(s) on the individual.

22. **In Absentia Resolution** means the resolution method in which a case is resolved in the Respondent's or Complainant's (if applicable) absence, as set forth in Chapter 6, Section VII of the Code.

23. **Investigation Report** means a report developed by an Investigator who has conducted an investigation of an alleged violation(s) of the Code.

24. **Investigator** means an official(s) appointed by the Director or designee to conduct the investigation of an alleged violation(s) of the Code and who acts as the primary witness(es) in the event of a Hearing. In cases of Sexual and Interpersonal Misconduct, the Title IX Coordinator will appoint the official(s) to conduct the investigation.

25. **Minor Violation** means a case in which, based on the Respondent's prior conduct record or facts and circumstances related to the case, the Director or designee determines that the possible
sanctions are less than Conduct Suspension or Expulsion for a Student or less than Registration Suspension or Registration Revocation for a Student Organization.

26. **Mutual Resolution** means the resolution method in which, if offered, a Respondent or Complainant (if applicable) voluntarily accepts the determinations on responsibility and sanction(s) proposed by the Director or designee, as set forth in Chapter 6, Section VI of the Code.

27. **Notice of Outcome** means a written notification issued in accordance with Chapter 9 of the Code that contains the determinations on responsibility and sanction(s) (if applicable), due date(s) assigned for any sanction(s), the rationales upon which the determinations are based, and any available appeal rights, including the permitted grounds for appeal and the time limits in which to appeal.

28. **Possession** or possessing means knowingly or intentionally physically holding or controlling the subject item (including, but not limited to, alcohol, controlled substances, drug paraphernalia, weapons, stolen property, fireworks, or betting devices), or owning or controlling a room, vehicle, or other area where the item is present and where the individual owning or controlling the room, vehicle, or other area knew or had reason to know that the item was present. The presence of the item in a room, vehicle, or other area creates a presumption that the individual owning or controlling the room, vehicle, or other area had knowledge of the item’s presence, unless sufficient information to the contrary is provided.

29. **Provost** means the Provost and Vice Chancellor for Academic Affairs.

30. **Record on Appeal** for appeal levels below the Board of Trustees means the notice of Hearing; the audio recording or written transcript of the Hearing; all documents offered as information at the Hearing, including the Investigation Report (if applicable); the summary of the Hearing; and any written decision of the Director, Vice Chancellor, or Provost. The Record on Appeal for appeals to the Board of Trustees or Board of Governors may include additional documents pursuant to other applicable policies and procedures.

31. **Representative** means a licensed attorney or non-attorney advocate who represents a Student or Student Organization pursuant to Chapter 6, Section III of the Code.

32. **Respondent** means a Student or Student Organization who has a pending Formal Charge(s).

33. **Responsible** means determined by the Conduct Procedures to be responsible for a violation(s) of the Code.

34. **Serious Violation** means a case in which, based on the Respondent’s prior conduct record or facts and circumstances related to the case, the Director or designee determines that the possible sanctions include Conduct Suspension or Expulsion for a Student or Registration Suspension or Registration Revocation for a Student Organization, as those sanctions are defined in Chapter 10 of the Code.

35. **Sexual and Interpersonal Misconduct** means, collectively, committing a Sexual Act without Consent, Sexual Contact without Consent, Sexual Exhibitionism without Consent, Sexual Exploitation without Consent, Sexual Harassment, or Incest, as those terms are defined in Chapter 5, Paragraph p of the Code; Gender-Based Harassment, Dating Violence, Domestic Violence, or Stalking, as those terms are defined in Chapter 5, Paragraph a of the Code; and Retaliation, when related to any individual making a report of Sexual and Interpersonal Misconduct or any individual cooperating in the investigation, including providing a statement or testimony as a witness, of any allegation of Sexual and Interpersonal Misconduct, as defined in Chapter 5, Paragraph z of the Code. Sexual and Interpersonal Misconduct can occur between strangers or acquaintances, including individuals involved in an intimate or ongoing sexual relationship. Sexual and Interpersonal Misconduct can be committed by an individual of any
gender or gender identity, and it can occur between individuals of the same or different genders or gender identities.

36. **Staff Advisor** means an individual appointed by the Director to advise a Hearing Panel or Administrative Hearing Officer. The Staff Advisor in any particular case shall not be the same individual who makes any determination on responsibility, recommendation on sanction(s), or determination on sanction(s) in that case, as those duties are set forth in Chapter 9 of the Code.

37. **Student** means an individual who has accepted an offer of admission to the University; is currently enrolled in coursework or has registered for coursework at the University; has a continuing relationship with the University; is an auditing Student; or is participating in an educational program sponsored by or affiliated with the University. The continuing relationship ends upon graduation, termination of the relationship, or a break in enrollment of twelve (12) consecutive months after the last semester attended at the University.

38. **Student Conduct Counselor** means a representative from the SGA Judicial Branch or a staff member appointed by the Director or designee.

39. **Student Hearing Panel** means a body of three voting members appointed from the SGA Judicial Branch that addresses a Formal Charge(s) against a Respondent. A Student Hearing Panel may also be referred to as a “Student Honor Court” in the Code.

40. **Student Organization** or **Organization** means a collection of individuals associated with each other for a common purpose that has complied with formal requirements for registration through the Student Government Association. This includes, but is not limited to, registered student organizations, fraternities and sororities, student media organizations, and club sports teams.

41. **Substantial Emotional Distress** means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

42. **Title IX Coordinator** means the designated University official with ultimate oversight and responsibility for the University’s compliance with Title IX of the Higher Education Amendments of 1972, 20 U.S.C. § 1681 et seq. (“Title IX”) and the Campus Sexual Violence Elimination Act, part of the Violence Against Women Reauthorization Act of 2013 (“Campus SaVE”), as well as relevant supplemental guidance and regulations.

43. **University** means The University of North Carolina at Charlotte.

44. **University Premises** means buildings, properties, grounds, or vehicles owned, leased, operated, controlled, or supervised by The University of North Carolina at Charlotte. This includes, but is not limited to, University housing, dining, recreation, leisure, library, computer lab services, or other University facilities.

45. **Vice Chancellor** means the Vice Chancellor for Student Affairs.
Chapter 3. Authority, Students’ Rights, Standards of Due Process, and Standard of Proof

Section I. Authority

1. Section 502 D(3) of The Code of the University of North Carolina provides:

   “Subject to any policies or regulations of the Board of Governors or of the Board of Trustees, it shall be the duty of the Chancellor to exercise full authority in the regulation of student affairs and student conduct and discipline. In the discharge of this duty, delegation of such authority may be made by the Chancellor to faculty committees and to administrative or other officers of the institution or to agencies of student government, in such manner and to such extent as may by the Chancellor be deemed necessary and expedient. In the discharge of the Chancellor’s duty with respect to matters of student discipline, it shall be the duty of the Chancellor to secure to every student the right to due process.”

2. The University has the right to take necessary and appropriate action to protect the safety and well-being of the University community. The Chancellor has delegated to the Director and the Dean of Students the authority to administer the University student conduct process. The Director or designee may investigate a case as well as adjudicate or advise a Hearing. The investigation by the Director or designee may be in conjunction with Police and Public Safety and/or local police.

3. In all reports of Sexual and Interpersonal Misconduct, the Director and the Dean of Students will work in conjunction with the Title IX Coordinator to address the reports. In all cases of Sexual and Interpersonal Misconduct, the Title IX Coordinator will appoint the Investigator.

4. When necessary, and in consultation with the Dean of Students, the Title IX Coordinator (if applicable), and the Office of Legal Affairs, the Director may alter the Conduct Procedures to protect the University community, property, or resources.

5. Students assume positions of responsibility in the University student conduct process through the Judicial Branch of the Student Government Association so that they may contribute their skills and insights to the resolution of alleged violation(s) of the Code. Final authority in student conduct matters, however, is vested in the University administration, subject to policies or regulations of the UNC Charlotte Board of Trustees or the University of North Carolina Board of Governors and to North Carolina law.

6. The procedures set forth in the Code apply to all cases in which a Student or Student Organization is Accused of a Violation of the Code. In cases of alleged Sexual and Interpersonal Misconduct, the additional procedures set forth in Chapter 8 of the Code are also applicable.

7. Appeals of student conduct determinations shall be in accordance with the procedures set forth in Chapter 11 of the Code.

8. The Code may be amended, in writing, by the Chancellor at any time.

Section II. Procedural Rights

1. Rights of a Respondent

   A Respondent has the following rights:

   a. to be provided a fair, impartial, and efficient process;
   b. to be presumed not responsible until determined otherwise through the Conduct Procedures;
   c. to be given written notice of any Formal Charge(s);
   d. to examine the documentary information that will be presented in any Conduct Procedures, provided that the information may be available only in a redacted format;
e. to present relevant information on their behalf, including witnesses and documentary information;
f. to respond to information presented against them;
g. to accept responsibility for any or all Formal Charge(s);
h. to decline to make statements;
i. to have access to a Student Conduct Counselor to assist in preparing for the Conduct Procedures;
j. to have an Advisor present during the Conduct Procedures;
k. to be represented, at their own expense, by a Representative during the Conduct Procedures, except when the violation:
   i. will be addressed by a Student Honor Court (Student Hearing Panel), or
   ii. is an allegation of academic dishonesty, as governed by University Policy 407, Code of Student Academic Integrity;
l. to obtain the list of witnesses who have been called to present information at the Hearing;
m. to request a delay of the Hearing due to extenuating circumstances, provided that the granting of such request is in the discretion of the Director or designee pursuant to Chapter 6, Section VIII of the Code;
n. to challenge the objectivity of a Hearing Panel member or an Administrative Hearing Officer if they believe that a bias or conflict of interest may exist;
o. to pose relevant questions to any witness appearing at the Hearing in a manner consistent with the Code;
p. to present any documents or letters regarding their character as part of the sanctioning phase of the Hearing;
q. to present an Impact Statement as part of the sanctioning phase of the Hearing;
r. to be notified in writing of the outcome of the Conduct Procedures;
s. to appeal the decision of a Hearing Panel or Administrative Hearing Officer within the time limits and conditions specified in Chapter 11 of the Code; and
t. to have any conduct records kept confidential to the extent permitted under Chapter 12 of the Code and University Policy 402, Student Education Records (FERPA).

2. Rights of a Complainant

A Complainant has the following rights:

a. to be provided a fair, impartial, and efficient process;
b. to be given written notice of any Formal Charge(s) against a Respondent in the case;
c. to examine the documentary information that will be presented in any Conduct Procedures, provided that the information may be available only in a redacted format;
d. to present relevant information on their behalf, including witnesses and documentary information;
e. to respond to information presented against them;
f. to decline to make statements;
g. to have access to a Student Conduct Counselor to assist in preparing for the Conduct Procedures;
h. to have an Advisor present during the Conduct Procedures;
i. to be represented, at their own expense, by a Representative during the Conduct Procedures;
j. to obtain the list of witnesses who have been called to present information at the Hearing;
k. to request a delay of the Hearing due to extenuating circumstances, provided that the granting of such request is in the discretion of the Director or designee pursuant to Chapter 6, Section VIII of the Code;
l. to challenge the objectivity of a Hearing Panel member or an Administrative Hearing Officer if they believe that a bias or conflict of interest may exist;
m. to pose relevant questions to any witness appearing at the Hearing in a manner consistent with the Code;
n. to present an Impact Statement as part of the sanctioning phase of the Hearing;
Section III. Standards of Due Process

The University shall provide due process as follows:

1. Any Respondent is entitled to a Hearing before a Student Hearing Panel, an Administrative Hearing Panel, or an Administrative Hearing Officer, as specified in Chapter 6, Section VIII of the Code, except where the case is resolved through a Mutual Resolution or through an In Absentia Resolution, as provided in Chapter 6 of the Code.

2. The focus of inquiry in the Conduct Procedures is to determine whether the Respondent is or is not responsible for engaging in prohibited conduct under Chapter 5 of the Code.

3. Formal rules of evidence are not applicable, nor does deviation from prescribed procedures necessarily invalidate a decision or proceeding, unless significant prejudice to the Respondent, Complainant, or University results.

Section IV. Standard of Proof

For a Respondent to be found responsible for a violation(s) of the Code, the information must establish that the Respondent is responsible for the violation(s) by a preponderance of the evidence—that it is more likely than not that the Respondent violated the Code as charged. This determination must be based solely on the information presented during the Conduct Procedures.
Chapter 4. Jurisdiction, Student Organizations, Pending Criminal Proceedings, and Help Seeking Protocol

Section I. Jurisdiction

Jurisdiction under the Code may be exercised with respect to behavior that occurs at any time from an individual's acceptance of an offer of admission until the individual is no longer in a continuing relationship with the University. Jurisdiction extends to any incident related to an individual's application for admission or financial aid or otherwise related to their admission to the University.

The Code applies only to those instances of Student or Student Organization conduct that are harmful to the appropriate interests of the University, including:

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 individuals in the University community; and
3. the protection of the University's integrity and its property.

Instances of prohibited conduct may be subject to the Code whether or not the alleged conduct occurred on University premises. The Director or designee shall determine whether an incident off campus affects University interests and thus falls within the scope of the Code. Off-campus instances of prohibited conduct that may be addressed include, but are not limited to, acts of harm, repeated or high-risk alcohol misuse, repeated or high-risk drug misuse, Sexual and Interpersonal Misconduct, and felony criminal charges.

Instances of prohibited conduct may also be subject to the Code if the alleged conduct occurred prior to an individual's acceptance of an offer of admission but an arrest or conviction occurs while the individual is a Student. The Director or designee shall determine whether the incident affects University interests and thus falls within the scope of the Code. Instances of prohibited conduct that may be addressed include, but are not limited to, Sexual and Interpersonal Misconduct and felony criminal charges and convictions.

The Code is set forth in writing in order to give Students and Student Organizations general notice of prohibited conduct. The Code should be read broadly and is not designed to define prohibited conduct in exhaustive terms.

Section II. Student Organizations

1. A Student Organization may be Accused of a Violation of the Code regardless of whether a member of the Organization is individually Accused of a Violation arising from the same incident(s).

2. A Student Organization and its officers, leaders, or any identifiable spokespersons may be held collectively or individually responsible when prohibited conduct by those associated with the Organization have received the tacit or overt consent or encouragement of the Organization or of the Organization's leaders, officers, or spokespersons.

3. The officers, leaders, or any identifiable spokespersons for a Student Organization may be directed by the Vice Chancellor, Dean of Students Office staff, Office of Student Conduct & Academic Integrity staff, Fraternity and Sorority Life staff, Student Activities staff, Title IX Office staff, or Police and Public Safety officers or other designated security or law enforcement agents to take appropriate action designed to prevent or end prohibited conduct by the Organization or by any individuals associated with the Organization who can reasonably be said to be acting on the Organization's behalf. Failure to make reasonable efforts to comply with the directive shall be considered a violation of Chapter 5, Paragraph m of the Code both by the individual officers, leaders, or spokespersons for the Organization and by the Organization itself.
4. A Student Organization may be held accountable if any of the following situations regarding an alleged violation(s) of the Code apply: (a) it was committed by one or more members of the Organization; (b) it was committed by one or more members of the Organization, and Organization funds were used to finance the function; (c) it occurred in the context of an Organization-sponsored function; or (d) it occurred in the context of an Organization-sponsored activity that was advertised via Organization-controlled mediums (e.g., social media).

5. The president or equivalent officer of a Student Organization shall represent the Organization unless they petition the Director or designee to substitute another Student to represent the Organization.

Section III. Pending Criminal Proceedings

The Conduct Procedures in the Code 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. Students are required to comply with all state and federal laws. Students may be accountable to both civil authorities and to the University for acts that constitute violations of law and the Code. Any Conduct Procedures under the Code that result in a revocation of privileges of enrollment or continued attendance are intended to uphold and promote the purpose and principles of the Code, and are not a substitute for any penalties associated with criminal laws. The Conduct Procedures in the Code 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.

Section IV. Help Seeking Protocol

A priority of the University is Students’ health, safety, and welfare. As Noble Niners, 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 the Conduct Procedures, the Help Seeking Protocol provides Students an opportunity to seek help for themselves or others while being connected to campus and community resources. Additional information about the Help Seeking Protocol can be found online at https://helpseeking.uncc.edu.
Chapter 5. Prohibited Conduct

The following conduct is subject to initiation of the Conduct Procedures [Note: Letters r and u have been intentionally omitted for continuity in record-keeping.]:

a. Acts of Harm
   1. Physical Injury – Inflicting, attempting to inflict, or assisting in inflicting physical injury upon an individual.
   2. Fear/Risk – Placing an individual in fear of imminent physical injury or danger or at risk of imminent physical injury or danger.
   3. Harassment/Intimidation/Bullying – Engaging in unwelcome conduct directed toward a particular individual or identifiable group of individuals through any action, method, device, or means which is so severe or pervasive, and objectively offensive, that it unreasonably interferes with the target individual’s University employment, academic performance, or participation in University programs or activities (i.e., creates a hostile environment). This does not include Discriminatory Harassment or Gender-Based Harassment, which are prohibited under Chapter 5, Paragraphs a.8 and a.9 of the Code.
   4. Fighting Words – Engaging in “fighting words” harassment, as that term is defined in University Policy 503, Fighting Words Harassment.
   5. Relationship Violence – Engaging, attempting to engage, or assisting another in engaging in Relationship Violence, which includes:
      i. Dating Violence – Committing violence against an individual with whom the Student 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 Domestic Violence, which is prohibited under Chapter 5, Paragraph a.5.i of the Code.
      ii. Domestic Violence – Committing 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 Student shares a child in common; (c) with whom the Student 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 Student’s acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
   6. Stalking – 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.
   7. Unwanted Contact – Engaging in unwanted physical touching of or bodily contact with another individual. This does not include Sexual Contact without Consent, which is prohibited under Chapter 5, Paragraph p.2 of the Code.
   8. Discriminatory Harassment/Intimidation – Engaging in unwelcome conduct directed toward a particular individual or identifiable group of individuals based upon the target individual’s actual or perceived race, color, religion, age, national origin, ethnicity, disability, or veteran status through any action, method, device, or means which is so severe or pervasive, and objectively offensive, that it unreasonably interferes with the target individual’s University employment, academic performance, or participation in
University programs or activities, effectively denying equal access to University resources and opportunities (i.e., creates a hostile environment).

9. **Gender-Based Harassment** – Engaging in unwelcome conduct based upon a target individual’s actual or perceived gender, including harassment based on gender identity or non-conformity with gender stereotypes, which is so severe, persistent, or pervasive that it unreasonably interferes with an individual’s University employment, academic performance, or participation in University programs or activities (i.e., creates a hostile environment). Gender-Based Harassment does not necessarily involve conduct of a sexual nature, and it does not include Sexual Harassment, which is prohibited under Chapter 5, Paragraph p.5 of the Code.

b. **Weapons and Explosives** – Using, possessing, or storing any weapon or explosive without University authorization, except as explicitly permitted by law and University Policy 702, Weapons on Campus. Examples include, but are not limited to, all firearms; explosive agents; fireworks; chemicals such as mace and tear gas (if used in an illegal manner); air or canister propelled guns such as BB guns, pellet guns, and paintball guns; tasers or stun guns; metallic knuckles; switchblade knives; martial arts weapons; any object or substance used, attempted to be used, or intended to inflict a wound, cause injury, or incapacitate; or any other “weapon” as defined by N.C.G.S. §14-269.2.

c. **False Report** – Initiating or causing to be initiated any false report, warning, or threat of fire, explosion, or other emergency.

d. **Disruption of Normal University Activities** – Interfering with or inciting others to interfere with normal University activities and services, including, but not limited to, teaching, studying, research, the free expression of ideas, speeches and other public or private events, University administration, and fire, police, or other emergency services. Acts prohibited include, but are not limited to, those acts prohibited in University Policy 601.13, Interference with University Operations, which prohibits, among other things, Student action taken “with intent to obstruct or disrupt any normal operation or function of the University,” and University Policy 802, Conduct at Speech Events, which prohibits certain disruptive activities at speech events on campus.

e. **Violating Sanctions** – Knowingly violating the terms of any sanction imposed in accordance with the Code.

f. **Drugs**

1. **Possession/Consumption/Use** – Possessing, consuming, or using any controlled substance under the North Carolina Controlled Substances Act (N.C.G.S. Chapter 90, Article 5).
2. **Paraphernalia** – Possessing or using drug paraphernalia, including, but not limited to, bongs, bowls, pipes, roach holders, or scales.
3. **Manufacturing/Distribution/Delivery** – Manufacturing (including growing marijuana), distributing, delivering, or taking delivery of any controlled substance, or attempting to manufacture, distribute, deliver, or take delivery of any controlled substance.
4. **Possessing with Intent to Manufacture/Distribute/Deliver** – Possessing with intent to manufacture (including growing marijuana), distribute, or deliver any controlled substance.
5. **Huffing/Sniffing** – Huffing or sniffing any substance not intended for such use.
6. **Prescription Medication** – Misusing medically prescribed drugs.
7. **Over-the-Counter Drugs** – Misusing over-the-counter drugs.
8. **Driving Under the Influence** – Operating a motor vehicle under the influence of drugs or while impaired by the consumption or use of drugs.
9. **Public Intoxication** – Being intoxicated in public attributable in part or in whole to the use of drugs.
g. **Fire Safety**
   1. *Setting a Fire* – Setting, attempting to set, or assisting in setting a fire without authorization or in a manner that creates a safety hazard.
   2. *Misusing Equipment* – Misusing, tampering with, or damaging fire safety equipment, including, but not limited to, fire extinguishers, smoke detectors, emergency exit signs, or sprinkler systems.

h. **False Information**
   1. *Furnishing* – Furnishing false information to the University.
   2. *Failing to Report Felony Convictions* – Failing to report a felony criminal conviction(s) (a) to the admissions office if convicted between the time the individual has submitted an application for admission and has accepted an offer of admission to the University, or (b) to the Office of Student Conduct & Academic Integrity if convicted between the time the individual has accepted an offer of admission to the University and the individual is no longer in a continuing relationship with the University.
   3. *Misrepresenting Organizational Affiliation* – Misrepresenting or concealing one’s organizational affiliation(s) or sponsorship(s) for the purpose of enticing another individual into joining or participating in an Organization.
   4. *Misrepresenting University Affiliation* – Misrepresenting to a third party one’s affiliation with the University.

i. **Fake Identification**
   1. *Forgery/Counterfeiting* – Forging, counterfeiting, or altering without authorization any document or instrument of identification (ID).
   2. *Possession/Use* – Possessing, using, or displaying an ID that is not one’s own or is fictitious, canceled, revoked, or suspended.
   3. *Loaning/Selling* – Loaning or selling an ID to another individual not entitled to the ID.

j. **Unauthorized Electronic Recording** – Using any electronic or other device to make an audio, photographic, or video record of any individual without their knowledge or without their effective permission in a place where they have a reasonable expectation of privacy, when such a recording is objectively likely to cause injury, embarrassment, or distress. This does not include Sexual Exploitation, which is prohibited under Chapter 5, Paragraph p.4 of the Code.

k. **Theft and Unauthorized Possession/Use**
   1. *Theft/Attempted Theft* – Theft, attempted theft, or assisting in the theft of University or individual property or services.
   2. *Breaking and Entering* – Breaking and entering, attempted breaking and entering, or assisting in breaking and entering into University property or the property of others, including, but not limited to, private vehicles.
   3. *Confidential Information* – Using or accessing private or confidential information in any medium without authorization.
   4. *Unauthorized Possession* – Possessing property that is not one’s own without the owner’s authorization.

l. **Vandalism** - Destroying, defacing, tampering with, or damaging the property of others or University property, including, but not limited to, chalking, spray painting, or otherwise marking without appropriate University approval.

m. **Failure to Comply** - Failing to comply with the reasonable directions of or meeting requests by University officials, including, but not limited to, Dean of Students Office staff, Office of Student Conduct & Academic Integrity staff, Police and Public Safety officers or other designated security or law enforcement agents, Housing and Residence Life staff, or Title IX Office staff, acting in performance of their duties.

n. **Violation of University Policies or Regulations** – Violating, aiding in violation of, or concealing information of violation of published University policies or regulations. Such policies or regulations
include, but are not limited to, all Housing and Residence Life policies, the residence hall contract, and the Resident Handbook (collectively referred to as “Residence Life Policies”).

o. **Alcohol**
   1. *Underage Possession/Consumption* – Possessing or consuming alcoholic beverages while under the legal drinking age pursuant to applicable law.
   2. *Driving Under the Influence* – Operating a motor vehicle under the influence of alcohol or while impaired by the consumption of alcohol.
   3. *Providing to Minors* – Furnishing or selling any alcoholic beverages to any individual less than 21 years of age.
   4. *Public Intoxication* – Being intoxicated in public attributable in part or in whole to the use of alcohol.
   5. *Violation of University Policy* – Violating University Policy 706, Alcoholic Beverages, including, but not limited to, (a) failing to abide by the provisions of an "Acknowledgment of Responsibility for Service of Alcoholic Beverages" form; (b) making any sale of any alcoholic beverage on University Premises; (c) having common source containers within any University housing, any University outdoor area, or event sponsored by a Student Organization; or (d) possessing an open container on University Premises, unless specifically permitted under paragraphs V.B and V.C of University Policy 706, Alcoholic Beverages.

p. **Sexual Misconduct**
   1. *Sexual Act without Consent* – Engaging, attempting to engage, or assisting another in engaging in any sexual penetration (anal, oral, or vaginal), however slight, with any object, without Consent.
   2. *Sexual Contact without Consent* – Deliberately touching, attempting to touch, or assisting another in touching an individual's intimate parts (including genitals, groin, breast, mouth, buttocks, or any other orifice or clothing covering any of those areas), touching an individual with one’s intimate parts, or causing an individual to touch their own or another individual's intimate parts, without Consent. Sexual Contact includes any intentional bodily contact in a sexual or unwanted manner, even if the contact does not involve contact with intimate parts.
   3. *Sexual Exhibitionism without Consent* – Engaging, attempting to engage, or assisting another in engaging in a sexual activity or exposing one’s intimate parts (including genitals, groin, female breast [other than when breastfeeding a child], mouth, or buttocks) in the presence of others without their Consent.
   4. *Sexual Exploitation without Consent* – Taking, attempting to take, or assisting another in taking sexual advantage of an individual without their Consent for one's own advantage or benefit or to benefit or advantage anyone other than the one being exploited, and the behavior does not otherwise constitute one of the other Sexual and Interpersonal Misconduct offenses. Sexual Exploitation includes, but is not limited to, prostituting an individual; recording, photographing, or distributing identifiable images of a private sexual activity and/or the intimate parts (including genitals, groin, breasts, or buttocks) of an individual; allowing a third party to observe private sexual activity; engaging in voyeurism; or otherwise invading sexual privacy.
   5. *Sexual Harassment* – Engaging in unwelcome conduct of a sexual nature which is so severe, persistent, or pervasive that it unreasonably interferes with an individual's University employment, academic performance, or participation in University programs or activities (i.e., creates a hostile environment). Sexual Harassment does not include Gender-Based Harassment, which is prohibited under Chapter 5, Paragraph a.9 of the Code.
   6. *Incest* – Engaging, attempting to engage, or assisting another in engaging in any sexual intercourse between individuals who are related to each other within the degrees wherein marriage is prohibited by law.
q. **Trespassing** - Trespassing, including being present in, using, or assisting another in being present in or using, University Premises without University authorization or the premises or property owned or controlled by others without authorization.

r. **[Intentionally omitted for continuity in record-keeping]**

s. **Disorderly Conduct**
   1. **Disturbance** – Creating a disturbance, including, but not limited to, fighting, creating the threat of imminent fighting or other violence, drunk and disorderly conduct, or generally engaging in objectively disruptive behavior.
   2. **Disruption of Classroom Environment** – Engaging in conduct that objectively disrupts or interferes with the normal functions of a class, including, but not limited to, failure to conform to the instructor’s announced expectations for classroom decorum. A Student who persists in disruptive conduct as described in the Code is subject to an interim suspension pursuant to Chapter 6, Section IV of the Code.

 t. **Hazing** – Engaging in Hazing, as defined by University Policy 405, Hazing.

 u. **[Intentionally omitted for continuity in record-keeping.]**

 v. **Computer Abuse** - Engaging in computer abuse, including, but not limited to, violation of University Policy 302, Web Communications; University Policy 304, Electronic Communication Systems; University Policy 601.14, Proprietary Software; Standard for Communications Security; Standard for Responsible Use; or University Policy 311, Information Security and its related supplemental University Policies 311.2 through 311.9.

 w. **Gambling** – Gambling for money or other things of value, except as permitted by law. Prohibited gambling includes, but is not limited to, betting on, wagering on, or selling pools on any athletic or other competitive event; possessing any card, book, or other device (including that which uses the Internet) for registering bets; or bookmaking in connection with betting.

 x. **Presence During Prohibited Conduct** – Being present during prohibited conduct by another Student or Student Organization and not removing or attempting to remove oneself from the situation. Students who are present during prohibited conduct are expected to remove themselves from the situation and are encouraged to report the conduct to a University official.

 y. **Violation of Law** – Committing an act, attempting to commit an act, or assisting another in committing an act that violates state or federal law or local ordinances that is not otherwise a violation of the Code.

 z. **Retaliation** – Retaliating against an individual who has engaged in protected activity, including, but not limited to, reporting an alleged violation, providing a statement or testimony as a witness in the Conduct Procedures, or participating in an investigation regarding an alleged violation(s) of the Code. Retaliatory acts may include threats, intimidation, coercion, or harassment and will be addressed separately from the underlying alleged violation(s) of the Code.
Chapter 6. Case Referrals and Adjudication Methods

Section I. Case Referrals

1. Any Student, staff member, or faculty member may refer a Student or Student Organization suspected of violating the Code to the Office of Student Conduct & Academic Integrity or, if the Student or Student Organization is suspected of Sexual and Interpersonal Misconduct, to the Title IX Office. If appropriate, reports to the Title IX Office will be referred to the Office of Student Conduct & Academic Integrity.

The referral to the Office of Student Conduct & Academic Integrity or the Title IX Office must include factual information supporting the allegation. An individual making such a referral will normally be expected to appear before a Hearing Panel or Administrative Hearing Officer as a witness. Referrals should be made as soon as possible after the alleged violation(s) occurred. Anonymous referrals may limit the University's ability to appropriately respond to the referral. Any individual may report an alleged violation(s) of the Code online at https://incidentreport.uncc.edu/.

Based on such a referral, the Director or designee will determine whether a Formal Charge(s) shall be pursued and whether the Formal Charge(s) constitutes a Minor Violation or a Serious Violation, based on the Respondent's prior conduct record or facts and circumstances related to the case. This determination should be made within ten (10) Days after the initiation of the referral; however, a reasonable extension of this time limit is permissible. No Respondent is permitted to withdraw from enrollment at the University after being charged with a Serious Violation until determinations on responsibility and sanction(s) (if applicable) are made.

In some instances, an Investigator may be assigned to investigate an alleged violation(s) of the Code. The Investigator will conduct interviews with the Respondent, the Complainant (if applicable), and any relevant third party witnesses; will collect and review any other information relevant to the report; and will submit a written report to the Director or designee summarizing their findings. If an investigation is anticipated to last for an extended period of time, the Director or designee, in their discretion, may pursue a Formal Charge(s) following a preliminary investigation that can be modified at the conclusion of the investigation.

In instances when a Student or Student Organization is suspected of Sexual and Interpersonal Misconduct, the investigation shall be in accordance with Chapter 8, Section VII of the Code.

2. If the Director or designee determines that a Formal Charge(s) shall be pursued, they will deliver a written notice of referral to the Respondent. The notice of referral will include the following:

a. notice of the Formal Charge(s);
b. information regarding next steps in the Conduct Procedures (e.g., a request that the Respondent participate with the Director or designee in a meeting to discuss details related to the alleged violation(s), or a referral to an investigation);
c. if a Serious Violation, notice that possible sanctions include Conduct Suspension or Expulsion for a Student or Registration Suspension or Registration Revocation for a Student Organization;
d. if a Serious Violation, notice that the Respondent’s University account and official academic transcript will be placed on hold until determinations on responsibility and sanction(s) (if applicable) are made;
e. a statement indicating that the Respondent has the right to be represented, at their own expense, by a Representative during the Conduct Procedures pursuant to Chapter 6, Section III of the Code; and
f. if the Director or designee requests a meeting, notice that the Respondent is required to respond to the Director’s or designee’s request within three (3) Days of delivery of the notice of referral.
If the Respondent attends the meeting requested by the Director, the Respondent has the option to stop the meeting in order to retain a Representative. The meeting will be rescheduled as soon as possible thereafter. The same rights described in Chapter 6, Section 1 of the Code apply to a Complainant (if applicable).

Section II. Participation of an Advisor

The Respondent, the Complainant, and any witnesses may each invite an individual to the Conduct Procedures to serve solely as an Advisor. During the Conduct Procedures, the Advisor may confer with the Respondent, the Complainant, or the witness they are advising but may not address a University official or Hearing Panel, other parties, or witnesses, and may not unreasonably delay, disrupt, or otherwise interfere with the proceedings. An Advisor may not argue, make statements, or question witnesses; however, an Advisor may respond to questions if asked to do so. An Advisor may not be called as a witness.

The Respondent, Complainant, and any witnesses must complete a FERPA Consent Form prior to being accompanied by an Advisor.

The Advisor may be in addition to the Respondent’s and the Complainant’s respective Representatives pursuant to Chapter 6, Section III of the Code.

Section III. Participation of a Representative

1. Conduct Procedures in which a Representative May Participate

In accordance with N.C.G.S. §116-40.11, and subject to the requirements set forth in Chapter 6, Section III.2 of the Code, the Respondent may be represented, at their own expense, by a Representative during the Conduct Procedures, except when the violation:

a. will be addressed by a Student Honor Court (Student Hearing Panel), or
b. is an allegation of academic dishonesty, as governed by University Policy 407, Code of Student Academic Integrity.

If applicable, a Complainant may be represented, at their own expense, by a Representative. The Complainant and their selected Representative are subject to the same requirements in Chapter 6, Section III.2 of the Code as the Respondent and their Representative.

When scheduling a meeting or Hearing in which the Respondent or the Complainant has notified the University that a Representative plans to participate, the University will make reasonable efforts to accommodate the Representative’s schedule. The University will, however, prioritize the availability of the Respondent, Complainant (if applicable), witnesses, the designated Hearing Panel members or Administrative Hearing Officer assigned to the matter, Investigator (if applicable), and other necessary participants when determining the date and time for a meeting or Hearing.

A Representative may fully participate in the Conduct Procedures only to the extent afforded to the Respondent or Complainant they represent. The Representative may not unreasonably delay, disrupt, or otherwise interfere with the Conduct Procedures. A Representative may not be called as a witness.

An attorney or other individual representing the University may participate in the Conduct Procedures in which a Representative is participating.

Nothing in the Code shall be construed to create a right to be represented at public expense during the Conduct Procedures.
2. Requirements for Serving as a Representative During Conduct Procedures

In order for a Representative to participate in the Conduct Procedures, the Respondent or Complainant must provide the Director or designee with a completed Notice of Attorney or Non-Attorney Advocate Representation form that includes the Notice of Representation, FERPA Consent, and Certification by Representative described in Chapter 6, Section III.2 a-c of the Code. The notice must be submitted at least three (3) Days prior to the scheduled meeting or Hearing.

a. Notice of Representation

A Respondent or Complainant who plans to have a Representative during the Conduct Procedures must notify the Director or designee in writing of the Representative’s planned participation. This notice must specify the following:

1. the identity of the Representative;
2. whether the individual is a licensed attorney or a non-attorney advocate; and
3. an address, telephone number, and email address where the Representative can be reached.

b. FERPA Consent

In order for a Representative to participate in the Conduct Procedures or to communicate with any University official regarding the Respondent or Complainant they represent, the Respondent or Complainant must complete and submit a written authorization that meets the requirements of a valid consent as specified by the Family Educational Rights and Privacy Act (FERPA), if applicable. Even if the Respondent or Complainant executes a valid FERPA consent authorizing the Representative to receive information or documents regarding the Respondent or Complainant, the University, its officials (other than the Office of Legal Affairs), and the Director or designee will at all times correspond directly with the Respondent or Complainant regarding the Conduct Procedures. It is the Respondent’s or Complainant’s responsibility to communicate and share information with their Representative.

c. Certification by Representative

A Respondent or Complainant who plans to be represented by a Representative during the Conduct Procedures must submit a certification statement signed by the Representative stating that the Representative has read in their entirety and understands the following documents:

1. University Policy 406, Code of Student Responsibility;
2. University Policy 402, Student Education Records (FERPA);
3. Residential Student Handbook (if applicable);
4. University Parking Ordinances (if applicable);
5. UNC Board of Governors Policy 700.4.1, Policy on Minimum Substantive and Procedural Standards for Student Disciplinary Proceedings;
6. UNC Board of Governors Regulation 700.4.1.1[R], Applicable to Student Disciplinary or Conduct Procedures: Right to an Attorney or Non-Attorney Advocate for Students and Student Organizations; and
7. The Code of The University of North Carolina, Section 502 D(3).

d. Presence of Respondent or Complainant

A Respondent’s or Complainant’s Representative may participate in the Conduct Procedures only when the Respondent or Complainant is also present.
Failure to meet the requirements as set forth in Chapter 6, Section III.2 may result in the loss of the Respondent’s or Complainant’s right to participation of a Representative in the Conduct Procedures.

A Representative may act on behalf of the Respondent or Complainant they represent in any instance where the action is not inherently personal to the Respondent or Complainant. Inherently personal actions include, but are not limited to, personal testimony, signing documents, and completing sanctions.

Section IV. Interim Suspension and Interim Removals

1. Students

When the University determines that the continued presence of a Student on University Premises or in University housing (a) is potentially threatening, harmful, or dangerous to others or the University community; (b) poses a threat of significant property damage; (c) impacts the stability and continuity of normal University activities; and/or (d) directly and substantially impedes the lawful activities of others, the Director or designee, in consultation with the Title IX Coordinator (if applicable), may, on an interim basis, suspend the Student and/or remove the Student from University housing pending the outcome of any Conduct Procedures.

A Student who persists in disrupting a particular class in violation of Chapter 5, Paragraph s.2 of the Code after a warning by the instructor may, in the discretion of the Director or designee and provided other normal University functions are not at risk, be removed from that class only, on an interim basis, pending the outcome of any Conduct Procedures.

Within five (5) Days of the effective date of the interim suspension or interim removal, the Student may submit a written request for termination or modification to the Director or designee. In reviewing the request, the Director or designee shall consider the following issues only:

   a. the reliability of the information concerning the Student’s conduct, including an assertion of mistaken identity; and
   b. whether the conduct in the surrounding circumstances reasonably indicates that the continued presence of the Student on University Premises, in University housing, or in the classroom is threatening, harmful, or dangerous to others or the University community; poses a threat of significant property damage; impacts the stability and continuity of normal University activities, including the normal conduct of class; and/or directly and substantially impedes the lawful activities of others.

The Director or designee may, in their discretion, meet with the Student and utilize information gathered in that meeting to make a decision whether to terminate or modify the interim suspension or interim removal. The Student may be represented in that meeting, at their own expense, by a Representative pursuant to Chapter 6, Section III of the Code.

Under certain circumstances, as a condition for termination or modification of the interim suspension or interim removal, the Director or designee may require that certain conditions be met, such as the Student’s consent to completion of a medical or psychological evaluation to be arranged by the University. The Student shall ensure that the medical or psychological evaluation report or other requested report is delivered to the University promptly. Within five (5) Days after delivery of such report, the Student may submit a written request for termination or modification of the interim suspension or interim removal to the Director or designee. The Director or designee shall consider such report in making a decision whether to terminate or modify the interim suspension or interim removal.

No Student is permitted to withdraw from enrollment at the University after being placed on interim suspension until (a) determinations on responsibility and sanction(s) (if applicable) are made as part of the Conduct Procedures or (b) the interim suspension is terminated. Any
restrictions related to being charged with a Serious Violation, as set forth in Chapter 6, Section I.1 of the Code, shall still apply regardless of the status of the interim suspension. A student who has been placed on interim removal from a class may withdraw from enrollment in the class or from the University during such interim removal; however, the conduct process will proceed regardless of the student’s enrollment.

The Conduct Procedures shall be initiated as soon as practicable; however, a Student who has been placed on interim suspension may request a deferral of the Conduct Procedures until the conclusion of any criminal proceedings or medical treatments. Within five (5) Days of the effective date of the interim suspension or the decision on termination/modification, the Student may submit a written request for deferral to the Director. In reviewing the request, the Director shall consider the following:

a. whether the interests of the University will be served by postponing the Conduct Procedures until after the criminal process or medical treatment has been concluded;

b. the amount of time the resolution may take;

c. the availability of witnesses at the time of the request and the likelihood of their availability in the future; and

d. any federal or state laws or policies that would not permit the process to be delayed.

2. Student Organizations

When the University determines that the continued activities of a Student Organization (a) are potentially threatening, harmful, or dangerous to others or the University community; (b) pose a threat of significant property damage; (c) impact the stability and continuity of normal University activities; and/or (d) directly and substantially impede the lawful activities of others, the Director or designee, in consultation with the Title IX Coordinator (if applicable), may, on an interim basis, suspend the activities of the Organization pending the outcome of any Conduct Procedures. The interim suspension may require the Organization to cease activities both on campus and off campus until the Conduct Procedures have been conducted.

Within five (5) Days of the effective date of the interim suspension, the Organization may submit a written request for termination or modification to the Director or designee. In reviewing the request, the Director or designee shall consider the following issues only:

a. the reliability of the information concerning the Organization’s conduct, including an assertion of mistaken identity; and

b. whether the conduct in the surrounding circumstances reasonably indicates that the continued activities of the Organization are threatening, harmful, or dangerous to others or the University community; pose a threat of significant property damage; impact the stability and continuity of normal University activities; and/or directly and substantially impede the lawful activities of others.

The Director or designee, in their discretion, meet with the Student Organization and utilize information gathered in that meeting to make a decision whether to terminate or modify the interim suspension. The Student Organization may be represented in that meeting, at its own expense, by a Representative pursuant to Chapter 6, Section III of the Code.

The Conduct Procedures shall be initiated as soon as practicable.

Section V. Administrative Resolution of Residence Life Policy Violations

An Administrative Resolution may be applied in cases in which the Director or designee determines the following:

1. there is a preponderance of the evidence that a Student has engaged in a single, first-time violation of Residence Life Policies, as described in Chapter 5, Paragraph n of the Code;
2. there is little additional information needed to resolve the case;
3. important information relevant to the policy violation may be communicated to the Student in writing, without a face to face meeting; and
4. the appropriate response to the violation is limited to an official written notice to the Student educating them about the policy that has been violated.

The Administrative Resolution will result in a letter to the Student from the Director or designee that:

1. provides notification of the charge;
2. educates the Student about the policy that has been violated;
3. offers the Student the opportunity to engage in a Mutual Resolution;
4. notifies the Student that they have three (3) Days to request a Mutual Resolution; and
5. notifies the Student that if they do not respond to the letter within three (3) Days, the Administrative Resolution stands, and the case will be closed.

Section VI. Mutual Resolution

1. Mutual Resolution for the Respondent

If the Director or designee determines that the Mutual Resolution process is appropriate, they will offer the Respondent the option of a Mutual Resolution during the meeting scheduled after the notice of referral or at a subsequent meeting. The Respondent has three (3) Days to respond to an offer of a Mutual Resolution.

A Respondent who accepts a Mutual Resolution must voluntarily accept the determinations on responsibility and sanction(s) proposed by the Director or designee and waives their right to a Hearing. The Mutual Resolution must be in writing and signed by the Respondent and the Director or designee. The signed Mutual Resolution may not be appealed. For cases including a Formal Charge(s) related to Sexual and Interpersonal Misconduct, a Mutual Resolution must be accepted by both the Respondent and the Complainant pursuant to Chapter 6, Section VI.2.

If the Director or designee does not offer a Mutual Resolution or the Respondent does not accept a Mutual Resolution, the Director or designee shall refer the case to a Hearing pursuant to Chapter 6, Section VIII of the Code.

If the Respondent fails to respond within seven (7) Days of an initial request from the Director or designee for a meeting, the case may be resolved in the Respondent’s absence pursuant to Chapter 6, Section VII.1 of the Code.

2. Mutual Resolution for the Complainant (if applicable)

If the Respondent accepts a Mutual Resolution for violation(s) including a Formal Charge(s) related to Sexual and Interpersonal Misconduct, the Director will request a meeting with the Complainant to discuss the proposed Mutual Resolution and to determine whether the Complainant accepts the Mutual Resolution. The Director will provide the Complainant with a summary outlining the proposed determinations on responsibility and sanction(s) and the rationale related only to those Sexual and Interpersonal Misconduct violation(s). The Complainant has three (3) Days to respond to an offer of a Mutual Resolution.

A Complainant who accepts a Mutual Resolution must voluntarily accept the determinations on responsibility and sanction(s) accepted by the Respondent and waives their right to a Hearing. The Mutual Resolution must be in writing and signed by the Complainant and the Director. The signed Mutual Resolution may not be appealed.

If both the Respondent and the Complainant accept the Mutual Resolution, the case is resolved with a waiver of a Hearing and no further right of appeal.
If the Director does not offer a Mutual Resolution or either the Respondent or Complainant does not accept a Mutual Resolution, the Director shall refer the case to a Hearing pursuant to Chapter 6, Section VIII of the Code.

If the Respondent accepts a Mutual Resolution and the Complainant fails to respond within seven (7) Days of an initial request from the Director for a meeting, the case may be resolved in the Complainant’s absence pursuant to Chapter 6, Section VII.2 of the Code.

Section VII. In Absentia Resolution

1. Resolution in the Absence of the Respondent

   If the Respondent fails to respond within seven (7) Days of an initial request from the Director or designee for a meeting, the case may be resolved in the Respondent’s absence through an In Absentia Resolution. If the case is resolved through an In Absentia Resolution, the Respondent waives their right to a Hearing. The Director or designee will, in their professional judgment, make a determination on responsibility for any Formal Charge(s) and may specify any appropriate sanction(s).

   The Respondent shall be notified of the In Absentia Resolution in writing no later than five (5) Days after the determination is made. The Office of Student Conduct & Academic Integrity may place a hold on the Respondent’s University account until such time as the Respondent confirms receipt of the written resolution.

   Within five (5) Days after delivery of the written resolution, the Respondent may petition the Director or designee in writing to rescind the In Absentia Resolution. If granted, the Director or designee will move forward with either a Mutual Resolution or a Hearing. The Director or designee may consider any factors in rescinding the In Absentia Resolution, including, but not limited to, extenuating circumstances related to the Respondent’s failure to respond and access to information not available at the time of the In Absentia Resolution.

2. Resolution in the Absence of the Complainant (if applicable)

   If the Respondent accepts a Mutual Resolution for violation(s) including a Formal Charge(s) related to Sexual and Interpersonal Misconduct and the Complainant fails to respond within seven (7) Days of an initial request from the Director for a meeting, the case may be resolved in the Complainant’s absence through an In Absentia Resolution. If the case is resolved through an In Absentia Resolution, the Complainant waives their right to a Hearing, and the Mutual Resolution accepted by the Respondent is final.

   The Complainant shall be notified of the In Absentia Resolution in writing no later than five (5) Days after the determination is made.

   Within five (5) Days after delivery of the written resolution, the Complainant may petition the Director in writing to rescind the In Absentia Resolution. If granted, the Director will move forward with either a Mutual Resolution or a Hearing. The Director may consider any factors in rescinding the In Absentia Resolution, including, but not limited to, extenuating circumstances related to the Complainant’s failure to respond and access to information not available at the time of the In Absentia Resolution.

Section VIII. Resolution through Hearing

If the case is not resolved through a Mutual Resolution or an In Absentia Resolution, the Director or designee shall refer the case to a Hearing. The Director or designee may modify the Formal Charge(s) based on information provided before or during the Mutual Resolution process.

The scheduling of a Hearing may be delayed at the discretion of the Director or designee during times of heavy caseloads, if the Formal Charge(s) occurs close to the end of an academic semester or
term, in the event of the reasonable need of either party for additional time to gather information for the Hearing, or upon request of the Respondent or Complainant (if applicable) due to extenuating circumstances. Any Hearing under Chapter 8 of the Code may be delayed at the discretion of the Director, after consultation with the Title IX Coordinator.

At any time up to three (3) Days before the scheduled Hearing, the Director or designee may offer or accept a Mutual Resolution.

Section IX. Hearing Panels and Administrative Hearing Officers

1. When a case is referred to a Hearing, the Director or designee will convene either a Student Hearing Panel, an Administrative Hearing Panel, or an Administrative Hearing Officer.

2. An Administrative Hearing Panel may be convened when:
   a. the case arises at a time when Student Hearing Panel members are unavailable (e.g., holidays, semester breaks, or summer months);
   b. there is clear and convincing information that the Respondent may not receive a fair Hearing from a Student Hearing Panel;
   c. a backlog of cases has developed and Administrative Hearing Panels, in addition to Student Hearing Panels, are necessary to assure prompt resolution of cases; or
   d. there is any other circumstance in which the Director deems such a Hearing Panel to be appropriate.

3. A Hearing with an Administrative Hearing Officer shall be convened when:
   a. the case includes at least one Formal Charge of Sexual and Interpersonal Misconduct, or
   b. the Director determines that the complexity or required expediency of the case or general backlog of cases necessitates the use of an Administrative Hearing Officer.

4. A Hearing Panel member or an Administrative Hearing Officer who has a conflict with, bias about, or interest in the case should recuse themselves. If a Hearing Panel member or Administrative Hearing Officer with a conflict fails to recuse themselves, the Director or designee shall make the decision about whether to remove that individual from the Hearing Panel or to assign a different Administrative Hearing Officer. A Respondent or Complainant (if applicable) may challenge a Hearing Panel member or Administrative Hearing Officer pursuant to Chapter 7, Section II.3 or Chapter 8, Section IX.3 of the Code.

5. In the discretion of the Director, the primary documentary information to be presented by the University at the Hearing and a list of witnesses may be submitted to the Hearing Panel or Administrative Hearing Officer in advance of the Hearing.
Chapter 7. Hearing Panel or Administrative Hearing Officer Conduct Procedures

The following Conduct Procedures shall be applicable for a Formal Charge(s) adjudicated by a Hearing Panel or Administrative Hearing Officer under the Code, except that in cases of alleged Sexual and Interpersonal Misconduct, the procedures set forth in Chapter 8 of the Code shall apply.

Section I. Notice of Hearing

If, pursuant to Chapter 6 of the Code, a case is referred to a Hearing, the Director or designee shall deliver a written notice of Hearing to the Respondent. The notice of Hearing will include the following:

a. notice of the Formal Charge(s), citing the alleged behavior prohibited by the Code;
b. the date, time, and location of the Hearing;
c. the names of the Hearing Panel members or the name of the Administrative Hearing Officer who will hear the case;
d. the names of any witnesses being called to provide testimony;
e. a statement indicating that the Respondent may seek assistance from a Student Conduct Counselor in the preparation of their case for the Hearing;
f. a statement indicating that the Respondent has the right to be represented, at their own expense, by a Representative during the Conduct Procedures pursuant to Chapter 6, Section III of the Code;
g. if a Serious Violation, notice that possible sanctions include Conduct Suspension or Expulsion for a Student or Registration Suspension or Registration Revocation for a Student Organization; and
h. if a Serious Violation, notice that the Respondent’s University account and official academic transcript will be placed on hold until determinations on responsibility and sanction(s) (if applicable) are made.

In a case of a Minor Violation, the Respondent shall have no fewer than five (5) Days’ notice of the Hearing. In a case of a Serious Violation, the Respondent shall have no fewer than ten (10) Days’ notice of the Hearing. The time limit for any notice of the Hearing may be waived by the Respondent.

Notice is sufficient if sent via email to the Respondent’s University email address or mailed via first class, registered, or certified mail to the Respondent's current address as shown in the student information system on the date of mailing. All claims of failure to receive adequate notice are waived by the Respondent if the Respondent appears at the Hearing and does not formally raise the issue of adequate notice at the first opportunity.

Section II. Conduct of the Hearing

1. Attendance of Parties

If the Respondent fails to appear at the Hearing after being notified pursuant to the Code, the Hearing will continue in the absence of the Respondent.

2. Attendance of Student Conduct Counselors

A Student Conduct Counselor will attend the Hearing and may provide procedural advice to the Respondent. Any witnesses called to provide testimony may seek procedural advice from a Student Conduct Counselor. Participants may decline the assistance of a Student Conduct Counselor. The Student Conduct Counselor is in addition to the Respondent’s Representative and any Advisors, as described in Chapter 6 of the Code.

3. Challenges of Hearing Panel Members or Administrative Hearing Officer

The Respondent may challenge a Hearing Panel member or the Administrative Hearing Officer on grounds of bias or a personal relationship that might affect impartial consideration of the case. The Respondent must submit the challenge in writing to the Director at least two (2) Days prior to
the scheduled Hearing. The Director must decide the challenge prior to the Hearing. If the Director determines possible bias, they will excuse the Hearing Panel member or Administrative Hearing Officer and appoint a replacement. The Hearing may be rescheduled at the discretion of the Director in order to appoint an available replacement.

4. **Multiple Respondents**

Pursuant to FERPA, a Formal Charge(s) against multiple Respondents involved in the same incident may be heard in a single Hearing only if each Respondent consents in writing in advance of the Hearing.

5. **Special Accommodations**

Upon timely request to the Director or designee by the Respondent or any witness, the University may be able to provide special accommodations for testimony by alternate methods (e.g., room divider or video conference). Such accommodations are at the discretion of the Director or designee.

6. **Administration of the Hearing**

   a. Formal rules of evidence do not apply. The Chair of the Hearing Panel or the Administrative Hearing Officer, in consultation with the Staff Advisor, will determine the admissibility of any information. The Respondent’s prior conduct record is not to be considered in the Hearing unless and until the Respondent is found responsible for a violation(s) of the Code.

   b. The Chair of the Hearing Panel or the Administrative Hearing Officer will exercise control over the proceedings in order to maintain a fair, impartial, and efficient Hearing. The Chair of the Hearing Panel or the Administrative Hearing Officer may exclude or remove any individual who unreasonably delays, disrupts, or otherwise interferes with the Hearing, including the Respondent or their Advisor or Representative.

   c. A Staff Advisor appointed by the Director or designee will attend the Hearing, may comment on questions of procedure and admissibility of information, and will otherwise assist in conducting the Hearing. The Staff Advisor will be present during deliberations of the Hearing Panel but may not actively participate in the deliberations or vote.

   d. Each Hearing shall be audio recorded and/or transcribed by the University and not by any other individual, and the recording and/or written transcript becomes a part of the case file in the Office of Student Conduct & Academic Integrity. All documents or recordings included in the case file are the property of the University.

7. **Closed Hearing**

A Hearing before a Hearing Panel is an open meeting pursuant to North Carolina law; however, the Hearing shall be closed to the public once a proper motion to go into closed session is made and adopted by the Hearing Panel. Once the Hearing is closed, admission of any individual to the Hearing shall be at the discretion of the Chair of the Hearing Panel, in consultation with the Staff Advisor pursuant to Chapter 7, Section II.6.b of the Code.

A Hearing before an Administrative Hearing Officer is never an open meeting and is therefore closed to the public. Admission of any individual to the Hearing shall be at the discretion of the Administrative Hearing Officer, in consultation with the Staff Advisor pursuant to Chapter 7, Section II.6.b of the Code.
8. **Witnesses and Information**

   a. The Director or designee shall present the case on behalf of the University, including witnesses and/or documentary information to establish the Formal Charge(s).

   b. The Director or designee may submit as documentary information any notes from the Mutual Resolution process described in Chapter 6, Section VI of the Code.

   c. The Investigator (if applicable) will present information regarding the investigation to the Hearing Panel or the Administrative Hearing Officer.

   d. The Respondent is expected to give truthful testimony. Furnishing untruthful testimony may subject the Respondent to additional Conduct Procedures.

   e. The Respondent shall be given the opportunity to present any witnesses or documentary information that they wish to offer, provided that, at the discretion of the Chair of the Hearing Panel or the Administrative Hearing Officer, the information is relevant to the Formal Charge(s) or other information presented and does not otherwise infringe upon the rights of other Students. If the Respondent has a question for a witness during the Hearing, they must present the question to the Chair of the Hearing Panel or the Administrative Hearing Officer, who may then ask the question or a rephrased question in their discretion on behalf of the Respondent. The Respondent will be afforded the opportunity to examine any documents offered as information. Documentary information does not include written witness statements. Written witness statements are admissible only in accordance with Chapter 7, Section II.8.g of the Code.

   f. All witnesses are required to give truthful testimony. Furnishing untruthful testimony may subject a University student or employee to appropriate disciplinary action.

   g. All witnesses are expected to attend the Hearing. University students or employees called as witnesses must attend the Hearing unless compliance would result in significant and unavoidable personal hardships or substantial interference with normal University activities. A desire to avoid questioning may not be used to demonstrate “personal hardships.” Failing to appear after an appropriate request may subject a University student or employee to appropriate disciplinary action. Subject to other provisions in the Code related to the admissibility of information, written witness statements in lieu of appearance and testimony at the Hearing may be admitted as information only if the witness’s attendance would result in significant and unavoidable personal hardships or substantial interference with normal University activities. To be eligible for admission as information, such written statements must be signed by the individual writing the statement and verified by an individual appointed by the Director.

9. **Impact Statements and Character Documents**

   If the Hearing Panel or Administrative Hearing Officer determines that the Respondent is responsible for a violation(s) of the Code, the Respondent may present an Impact Statement as part of the sanctioning phase of the Hearing. The Respondent may also present any documents or letters regarding their character as part of the sanctioning phase of the Hearing.

   If the Hearing Panel or Administrative Hearing Officer determines that the Respondent is responsible for a violation(s) of the Code related to a crime of violence (as defined in Section II.B.10 of University Policy 402, Student Education Records (FERPA)), any victim of the crime of violence may present an Impact Statement as part of the sanctioning phase of the Hearing.

   The Hearing Panel or Administrative Hearing Officer may consider, but is not bound by, any Impact Statements or character documents in determining a recommendation on sanction(s).
Chapter 8. Additional Conduct Procedures Applicable to Reports of Sexual and Interpersonal Misconduct

Section I. Overview and Purpose

Chapter 8 of the Code provides additional Conduct Procedures applicable to alleged Sexual and Interpersonal Misconduct by Students or Student Organizations (Sexual and Interpersonal Misconduct Procedures). Sexual and Interpersonal Misconduct, as defined in the Code, includes a broad range of behavior that is not tolerated in the University community.

The University is committed to fostering an environment that encourages prompt reporting of all types of Sexual and Interpersonal Misconduct; a timely response to reports; and a fair, impartial, and equitable investigation and resolution process. Pursuant to the Code, the University will provide a prompt, fair, and impartial investigation and resolution of Sexual and Interpersonal Misconduct reports. The University strives to investigate and resolve cases of alleged Sexual and Interpersonal Misconduct within sixty (60) Days of the initial report, excluding any appeal(s). In the University’s experience, however, circumstances including, but not limited to, parallel criminal investigations, multiple witnesses, and difficulties with availability and scheduling, almost always exist; therefore, many cases may take up to one hundred twenty (120) Days to be resolved. Both the Respondent and the Complainant will be notified in writing if the investigation and resolution will take more than one hundred twenty (120) Days and of the reason(s) for the delay.

Sexual and Interpersonal Misconduct violates University policy and federal civil rights laws and may also be subject to criminal prosecution separate from the Conduct Procedures, as described in Chapter 4, Section III of the Code.

The Sexual and Interpersonal Misconduct Procedures are designed to provide a fair and impartial process for both the Complainant and the Respondent. As a public institution, the University provides due process to Respondents accused of Sexual and Interpersonal Misconduct. Consistent with due process, a Respondent is presumed not responsible until determined otherwise through the Conduct Procedures.

All individuals involved in addressing reports of Sexual and Interpersonal Misconduct under the Code receive annual training on issues related to Sexual and Interpersonal Misconduct and how to conduct a fair and impartial investigation and resolution process that protects the safety of Complainants, protects the due process rights of Respondents, and promotes accountability.

In responding to reports of Sexual and Interpersonal Misconduct, the University complies with Title IX of the Higher Education Amendments of 1972 (“Title IX”) and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, as amended by the Campus Sexual Violence Elimination Act (“Clery Act”). The Code and any referenced documents constitute the policy and procedure required by both Title IX and the Clery Act.

Section II. Violations

The Sexual and Interpersonal Misconduct Procedures shall apply when the following violation(s) of the Code are alleged:

1. Prohibited conduct under Chapter 5, Paragraphs a.5, a.6, and a.9:
   • a.5.i. Acts of Harm: Relationship Violence, Dating Violence
   • a.5.ii. Acts of Harm: Relationship Violence, Domestic Violence
   • a.6. Acts of Harm: Stalking
   • a.9. Acts of Harm: Gender-Based Harassment
2. Prohibited conduct under **Chapter 5, Paragraph p:**
   - p.1. Sexual Misconduct: Sexual Act without Consent
   - p.2. Sexual Misconduct: Sexual Contact without Consent
   - p.3. Sexual Misconduct: Sexual Exhibitionism without Consent
   - p.4. Sexual Misconduct: Sexual Exploitation without Consent
   - p.5. Sexual Misconduct: Sexual Harassment
   - p.6. Sexual Misconduct: Incest

3. Prohibited conduct under **Chapter 5, Paragraph z:**
   - z. Retaliation (when related to any individual making a report of Sexual and Interpersonal Misconduct or any individual cooperating in the investigation of any allegation of Sexual and Interpersonal Misconduct, including providing a statement or testimony as a witness)

**Section III. Timing; Preservation of Information; Other Violations; Retaliation**

1. **Timing of Reports and Availability of Procedures**

   There is no time limit to invoking the Sexual and Interpersonal Misconduct Procedures. Nevertheless, individuals are encouraged to submit a report immediately after the alleged violation(s) occur in order to maximize the University's ability to obtain information and conduct a thorough, impartial, and reliable investigation. Failure to promptly report alleged Sexual and Interpersonal Misconduct may result in the loss of relevant information and witness testimony and may impair the University's ability to implement the Sexual and Interpersonal Misconduct Procedures.

   An individual who allegedly experienced Sexual and Interpersonal Misconduct has the right to file a criminal complaint with Police and Public Safety or other appropriate law enforcement. The individual is not required to file a criminal complaint and may choose to pursue only the University student conduct process as described in the Code. The processing of a report pursuant to the Code is independent of any criminal investigation. The Conduct Procedures in the Code 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. The University will not wait until the conclusion of a criminal investigation or criminal proceeding to investigate a report of Sexual and Interpersonal Misconduct and, if needed, will take interim action to protect the individual within the educational setting. The Title IX Office may be given access to any investigation notes and findings of Police and Public Safety needed to investigate the report, as long as the criminal investigation is not compromised.

2. **Preservation of Information**

   Individuals are encouraged to preserve any information that may be important to an investigation of a report of Sexual and Interpersonal Misconduct, including, but not limited to, handwritten or electronic communications such as text messages, telephone messages, emails, and videos and/or photographs related to the incident. The University encourages an individual who allegedly experienced Sexual and Interpersonal Misconduct to seek medical help within seventy-two (72) hours of an incident so that any physical information can be preserved for use at a later date should that be necessary.

3. **Other Violations**

   A priority of the University is Student safety, and the use of alcohol or drugs never makes a Complainant at fault for incidents of Sexual and Interpersonal Misconduct. An individual should not be deterred from reporting an alleged incident(s) of Sexual and Interpersonal Misconduct simply because the Complainant or any witness may have violated the Code. Therefore, any alcohol, drug, or other alleged violation(s) of the Code will be addressed separately. The Director
may, in their discretion and on a case-by-case basis, determine not to pursue a Formal Charge(s) for any related alleged violation(s) of the Code.

4. Retaliation

Retaliation against any individual making a report of Sexual and Interpersonal Misconduct or against any individual cooperating in the investigation of or Conduct Procedures for any allegation of Sexual and Interpersonal Misconduct, as described in Chapter 8, Section II.3 of the Code, is prohibited by Title IX and the Code. Any such retaliation should be reported promptly to the Title IX Office, and in the case of imminent threat of serious bodily injury, to Police and Public Safety. Retaliation will be addressed separately from the underlying allegation(s) of Sexual and Interpersonal Misconduct.

Section IV. Reporting and Response Protocols

The Title IX Coordinator is authorized to enact procedures that include specific instructions for reporting and responding to incidents of Sexual and Interpersonal Misconduct. Any individual may report an alleged incident online at https://incidentreport.uncc.edu/ or to the Title IX Office.

Section V. Advisors and Representatives

1. Advisors

The Respondent, Complainant, and any witnesses may be accompanied in any Sexual and Interpersonal Misconduct Procedures by an Advisor of their choice as described in Chapter 6, Section II of the Code.

2. Representatives

If the Director pursues a Formal Charge(s) against a Respondent, the Respondent and the Complainant each have the right to be represented, at their own expense, by a Representative as described in Chapter 6, Section III of the Code.

Section VI. Initial Response

1. Initial Meeting with Complainant

Upon receipt of a report of any allegation of Sexual and Interpersonal Misconduct, the Title IX Coordinator or designee will promptly request a meeting with the Complainant to:

   a. provide the Complainant with a general understanding of the Code, specifically the Sexual and Interpersonal Misconduct Procedures and the investigation process;
   b. provide the Complainant with a written explanation of the Complainant's rights and options pursuant to the Code, including the right to an Advisor as described in Chapter 6, Section II of the Code and to have a Representative participate as described in Chapter 6, Section III of the Code;
   c. discuss and provide written information regarding forms of support or immediate interventions available to the Complainant, such as on and off-campus resources, interim measures, etc.;
   d. discuss and provide written information regarding any accommodations that may be appropriate concerning the Complainant's academic, University housing, transportation, and/or University employment arrangements;
   e. 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
   f. inform the Complainant about how 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.

2. Complainant Does Not Wish to Proceed or Requests Confidentiality

If the Complainant does not wish to proceed with an investigation or the University student conduct process, and/or requests the report remain confidential, Title IX still requires the University to investigate and take reasonable action in response to the Complainant's information or any other information learned while reviewing the report. The Title IX Coordinator or designee will inform the Complainant that the University's ability to respond may be limited without the Complainant's participation.

The Title IX Coordinator will weigh the Complainant's request(s) for confidentiality and/or wish not to proceed with an investigation or the University student conduct process against the University's obligation to provide a safe, non-discriminatory environment for all Students. Specifically, the Title IX Coordinator may consider the following factors:

a. the seriousness of the alleged Sexual and Interpersonal Misconduct;
b. whether there have been other known reports of Sexual and Interpersonal Misconduct against the same accused Student at the University or any other school or known prior criminal charges against the accused Student;
c. whether the accused Student threatened further Sexual and Interpersonal Misconduct, Retaliation, or violence against the Complainant or others;
d. whether the Sexual and Interpersonal Misconduct was committed by multiple individuals;
e. whether the Sexual and Interpersonal Misconduct involved use of a weapon;
f. the ages and respective roles of the Complainant and accused Student;
g. whether the University possesses other means to obtain relevant information of the Sexual and Interpersonal Misconduct;
h. whether the report reveals a pattern of conduct at a particular location or by a particular Student and/or Student Organization; and
i. the accused Student's right to receive information about the allegation(s) if the information is maintained by the University as an "education record" under FERPA.

The Title IX Coordinator or designee will inform the Complainant if the University cannot ensure confidentiality. In an instance where the University must disclose a Complainant’s identity to a Respondent after the Complainant has requested confidentiality, the Title IX Coordinator or designee will inform the Complainant prior to making the disclosure and will share information only on a need-to-know basis.

Even if the Complainant does not wish to proceed with an investigation or the University student conduct process because the Complainant insists on confidentiality or requests that the report not be resolved, the University reserves the authority to undertake an appropriate action, including the interim measures described in Chapter 8, Section VI.4 of the Code. The Title IX Coordinator or designee will inform the Complainant that the University will follow the Conduct Procedures in resolving the report.

3. Complainant Wishes to Proceed with the University Student Conduct Process

A Complainant may elect to proceed with the University student conduct process, which may involve a Hearing before an Administrative Hearing Officer pursuant to the Sexual and Interpersonal Misconduct Procedures.

4. Interim Measures

In all reports of alleged Sexual and Interpersonal Misconduct, the University may take prompt action to prevent continuing or future acts of Sexual and Interpersonal Misconduct in any form against any individual who participates in the investigation and Conduct Procedures. Such action
may include an interim suspension as outlined in Chapter 6, Section IV of the Code. The University may also take immediate steps to accommodate reasonable requests for academic, University housing, transportation, University employment, and other accommodations as appropriate.

Section VII. Investigation Proceedings

Independent of the Director’s determination whether to pursue a Formal Charge(s) under the Code, the Title IX Coordinator will determine whether to conduct an investigation. If the Director determines that a Formal Charge(s) will be pursued and delivers the written notice of referral as set forth in Chapter 6, Section I of the Code, the Title IX Coordinator will appoint the Investigator.

The Title IX Coordinator or designee will promptly request a meeting with the Respondent to:

a. provide the Respondent with a general understanding of the Code, specifically the Sexual and Interpersonal Misconduct Procedures and the investigation process;
b. provide the Respondent with a written explanation of the Respondent’s rights and options pursuant to the Code, including the right to an Advisor as described in Chapter 6, Section II of the Code and to have a Representative participate as described in Chapter 6, Section III of the Code;
c. discuss and provide written information regarding forms of support or immediate interventions available to the Respondent, such as on and off-campus resources, interim measures, etc.;
d. discuss and provide written information regarding any accommodations that may be appropriate concerning the Respondent’s academic, University housing, transportation, and/or University employment arrangements; and

e. inform the Respondent about how 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.

The Investigator will provide a written notice of investigation to both the Respondent and Complainant. This notice will include a reference to the Formal Charge(s); a description of the investigation process; a reminder regarding the preservation of information as described in Chapter 8, Section III.2 of the Code; a reminder regarding the Respondent’s and Complainant’s right to be represented, at their own expense, by a Representative; a reaffirmation of available resources throughout the Conduct Procedures; and a reminder that retaliation is prohibited under the Code.

The Investigator will conduct interviews with the Complainant, the Respondent, and any relevant third party witnesses, and will collect and review any other information relevant to the report. When applicable, the Investigator will coordinate with Police and Public Safety and other law enforcement officials. If during the investigation proceedings, the Respondent reports alleged Sexual and Interpersonal Misconduct by the Complainant and the Director makes the determination to pursue a Formal Charge(s) under the Code, the Title IX Coordinator or designee may conduct the investigations simultaneously.

All interviews conducted by the Investigator will be audio recorded by the Investigator. The Complainant, Respondent(s), and any third party witness may also record their own interviews utilizing their own recording devices. Notice will be provided to each interviewee that the interview is being recorded.

Once the formal investigation is completed, the Investigator will prepare an Investigation Report. After the Title IX Coordinator or designee reviews the Investigation Report, the Investigator will distribute a draft of the Investigation Report to the Complainant and the Respondent and will provide the Complainant and the Respondent an opportunity to offer additions or clarifications to the Investigation Report. The Investigator will offer to meet independently with the Complainant and the Respondent to discuss the Investigation Report, answer any questions, and discuss next steps. Once the Investigation Report is finalized, the Investigator will distribute the documents to the Director.
The Director will then make a determination as to whether to continue pursuing the Formal Charge(s). If the Director determines that the Formal Charge(s) will not be pursued, the Complainant may request an independent review of the Director's determination by submitting a written request to the Dean of Students or designee within five (5) Days of receiving notice of the determination. Both the Respondent and Complainant shall be notified within a reasonable time in writing of the Dean of Student's decision. The decision of the Dean of Students or designee is final and conclusive.

Section VIII. Notice of Hearing

If, pursuant to Chapter 6 of the Code, the case is referred to a Hearing, the Director shall deliver a written notice of Hearing to the Respondent and the Complainant. The notice of Hearing will include the following:

a. notice of the Formal Charge(s), citing the alleged behavior prohibited by the Code;
b. the date, time, and location of the Hearing;
c. the name of the Administrative Hearing Officer who will hear the case;
d. the names of any witnesses being called to provide testimony;
e. a statement indicating that the Respondent and the Complainant may seek assistance from a Student Conduct Counselor in the preparation of their case for the Hearing;
f. a statement indicating that the Respondent and the Complainant have the right to be represented, at their own expense, by a Representative during the Conduct Procedures pursuant to Chapter 6, Section III of the Code;
g. if a Serious Violation, notice that possible sanctions include Conduct Suspension or Expulsion for a Student or Registration Suspension or Registration Revocation for a Student Organization; and
h. if a Serious Violation, notice that the Respondent's University account and official academic transcript will be placed on hold until determinations on responsibility and sanction(s) (if applicable) are made.

In a case of a Minor Violation, the Respondent and the Complainant shall have no fewer than five (5) Days’ notice of the Hearing. In a case of a Serious Violation, the Respondent and the Complainant shall have no fewer than ten (10) Days’ notice of the Hearing. The time limit for any notice of the Hearing may be waived by both the Respondent and the Complainant.

Notice is sufficient if sent via email to the Respondent's and the Complainant's University email addresses or mailed via first class, registered, or certified mail to the Respondent's and the Complainant's current addresses as shown in the student information system on the date of mailing. All claims of failure to receive adequate notice are waived by the Respondent and the Complainant if the Respondent and the Complainant appear at the Hearing and do not formally raise the issue of adequate notice at the first opportunity.

Section IX. Conduct of the Hearing

1. Attendance of Parties

The Respondent and the Complainant may remain present throughout the Hearing, with the exception of the Administrative Hearing Officer deliberations. If either the Respondent or the Complainant fails to appear at the Hearing after being notified pursuant to the Code, the Hearing will continue in their absence.

2. Attendance of Student Conduct Counselors

A Student Conduct Counselor will attend the Hearing and may provide procedural advice to the Respondent. An additional Student Conduct Counselor will attend the Hearing and may provide
procedural advice to the Complainant. Any witnesses called to provide testimony may seek procedural advice from a Student Conduct Counselor. Participants may decline the assistance of a Student Conduct Counselor. The Student Conduct Counselor is in addition to the Respondent’s and the Complainant’s respective Representatives and any Advisors, as described in Chapter 6 of the Code.

3. **Challenges of Administrative Hearing Officer**

The Respondent or the Complainant may challenge the Administrative Hearing Officer on grounds of bias or a personal relationship that might affect impartial consideration of the case. The Respondent or the Complainant must submit the challenge in writing to the Director at least two (2) Days prior to the scheduled Hearing. The Director must decide the challenge prior to the Hearing. If the Director determines possible bias, they will excuse the Administrative Hearing Officer and appoint a replacement. The Hearing may be rescheduled at the discretion of the Director in order to appoint an available replacement.

4. **Multiple Respondents**

Pursuant to FERPA, a Formal Charge(s) against multiple Respondents involved in the same incident may be heard in a single Hearing only if each Respondent consents in writing in advance of the Hearing.

5. **Special Accommodations**

Upon request to the Director or designee by the Respondent, the Complainant, or any witnesses, the University may be able to provide special accommodations for testimony by alternate methods (e.g., room divider or video conference). Such accommodations are at the discretion of the Director or designee, in consultation with the Title IX Coordinator. The University’s ability to provide special accommodations may be limited by the timing of the request and the accessibility of resources.

When possible, the Respondent and the Complainant will be notified in writing in advance of the Hearing of any special accommodations granted.

6. **Administration of the Hearing**

   a. Formal rules of evidence do not apply. The Administrative Hearing Officer, in consultation with the Staff Advisor, will determine the admissibility of any information. The Respondent’s prior conduct record is not to be considered in the Hearing unless and until the Respondent is found responsible for a violation(s) of the Code.

   b. The Administrative Hearing Officer will exercise control over the proceedings in order to maintain a fair, impartial, and efficient Hearing. The Administrative Hearing Officer may exclude or remove any individual who unreasonably delays, disrupts, or otherwise interferes with the Hearing, including the Respondent, the Complainant, or either of their Representatives or Advisors.

   c. A Staff Advisor appointed by the Director will attend the Hearing to assist the Administrative Hearing Officer, may comment on questions of procedure and admissibility of information, and will otherwise assist in conducting the Hearing. The Staff Advisor will be present while the Administrative Hearing Officer makes any determinations, but may not actively participate in the determinations.

   d. Each Hearing shall be audio recorded and/or transcribed by the University and not by any other individual, and the recording and/or written transcript becomes a part of the case file in the Office of Student Conduct & Academic Integrity. All documents or recordings included in the case file are the property of the University.
7. **Closed Hearing**

The Hearing is closed to the public. Admission of any individual to the Hearing shall be at the discretion of the Administrative Hearing Officer, in consultation with the Staff Advisor pursuant to Chapter 8, Section IX.6.b of the Code. The Respondent and the Complainant shall have the same opportunities to have others present.

8. **Witnesses and Information**

a. The Director or designee shall present the case on behalf of the University, including witnesses and/or documentary information to establish the Formal Charge(s).

b. The Title IX Coordinator or Investigator will present information regarding the investigation to the Administrative Hearing Officer.

c. The Respondent and Complainant are expected to give truthful testimony. Furnishing untruthful testimony may subject the Respondent or the Complainant to additional Conduct Procedures.

d. All witnesses with any relevant information and all relevant information must be brought to the attention of the Investigator during the investigation. Absent extraordinary circumstances and except in the case of character documents as described in Chapter 8, Section IX.9 of the Code, 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.

e. The Respondent and the Complainant will not be allowed to directly cross-examine or question each other or any witnesses under any circumstances. If the Respondent or the Complainant has a question for each other or a witness during the Hearing, they must present the question to the Administrative Hearing Officer, who may then ask the question or a rephrased question in their discretion on behalf of either the Respondent or the Complainant. The Respondent and the Complainant will be afforded an opportunity to examine any documents offered as information.

f. All witnesses are required to give truthful testimony. Furnishing untruthful testimony may subject a University student or employee to appropriate disciplinary action.

g. All witnesses are expected to attend the Hearing. University students or employees called as witnesses must attend the Hearing unless compliance would result in significant and unavoidable personal hardships or substantial interference with normal University activities. A desire to avoid questioning may not be used to demonstrate “personal hardships.” Failing to appear after an appropriate request may subject a University student or employee to appropriate disciplinary action. Subject to other provisions in the Code related to the admissibility of information, written witness statements in lieu of appearance and testimony at the Hearing may be admitted as information only if (a) the witness was not interviewed by the Investigator during the investigation proceedings and (b) the witness’s attendance would result in significant and unavoidable personal hardships or substantial interference with normal University activities. To be eligible for admission as information, such written statements must be signed by the individual writing the statement and verified by an individual appointed by the Director.

h. The Respondent's or Complainant's prior sexual history is generally not relevant and will not be considered as information except in the following circumstances: (a) the Respondent's prior sexual history or other behavior may be relevant when that history or behavior is sufficiently similar to the alleged violation(s) to demonstrate a pattern of conduct; (b) the Complainant's prior sexual history with the Respondent may be relevant to assess the manner and nature of communications between them with respect to
Consent; or (c) the Complainant's or Respondent's prior sexual history with any other individual may be relevant under very limited circumstances to prove intent, motive, absence of mistake, or to explain an injury or physical finding. In rare circumstances, the Administrative Hearing Officer, in consultation with the Staff Advisor, may determine that information related to prior sexual history is relevant even if not covered by one of the exceptions above.

9. Impact Statements and Character Documents

If the Administrative Hearing Officer determines that the Respondent is responsible for a violation(s) of the Code, the Respondent may present an Impact Statement as part of the sanctioning phase of the Hearing. The Respondent may also present any documents or letters regarding their character as part of the sanctioning phase of the Hearing.

If the Administrative Hearing Officer determines that the Respondent is responsible for a violation(s) of the Code related to Sexual and Interpersonal Misconduct, the Complainant may present an Impact Statement as part of the sanctioning phase of the Hearing.

If the Administrative Hearing Officer determines that the Respondent is responsible for a violation(s) of the Code related to a crime of violence (as defined in Section II.B.10 of University Policy 402, Student Education Records (FERPA)), any victim of the crime of violence may present an Impact Statement as part of the sanctioning phase of the Hearing.

The Administrative Hearing Officer may consider, but is not bound by, any Impact Statements or character documents in determining a recommendation on sanction(s).

Section X. Simultaneous Notification

The Notice of Outcome as set forth in Chapter 9, Section III of the Code shall be sent to the Respondent and the Complainant simultaneously. The Respondent and Complainant will also be simultaneously notified if any portion of the determinations changes on appeal and when the determinations become final.
Chapter 9.  Recommendations and Determinations on Responsibility and Sanction(s)

Section I.  Determination on Responsibility

The determination by the Hearing Panel or Administrative Hearing Officer on responsibility for any Formal Charge(s) shall be made in private, based solely on the information presented at the Hearing. In the case of a Hearing Panel, the determination shall be by majority vote. The determination on responsibility must be announced at the Hearing prior to making a recommendation on sanction(s). The determination on responsibility must contain a brief rationale upon which the determination is based.

Section II.  Recommendation on Sanction(s)

A determination by the Hearing Panel or Administrative Hearing Officer that a Respondent is responsible for any Formal Charge(s) shall be followed by a recommendation of an appropriate sanction(s). The prior conduct record of the Respondent shall be considered in determining a recommendation of an appropriate sanction(s). After private deliberation on the appropriate sanction(s), the Hearing Panel or Administrative Hearing Officer will announce the recommended sanction(s) at the Hearing and shall specify appeal rights, including the time in which to appeal and the permitted grounds for the appeal. The recommendation on sanction(s) must contain a brief rationale upon which the recommendation is based.

Section III.  Determination on Sanction(s)

The Hearing Panel's or Administrative Hearing Officer's determination on responsibility and recommendation on sanction(s) (if applicable) shall be transmitted to the Director in the form of a brief written summary noting the rationales upon which the determination and recommendation are based.

1.  Determination by the Director

   The Director has the authority to Affirm or adjust the sanction(s) other than Expulsion or Registration Revocation recommended by the Hearing Panel or Administrative Hearing Officer. The Director shall deliver their determination in a written Notice of Outcome to the Respondent and the Complainant (if applicable) no later than ten (10) Days after the recommendation is made.

2.  Determination by the Vice Chancellor

   The Vice Chancellor has the authority to Affirm or adjust the sanction of Expulsion or Registration Revocation recommended by the Hearing Panel or Administrative Hearing Officer. When the Hearing Panel or Administrative Hearing Officer recommends a sanction of Expulsion or Registration Revocation, the Director shall deliver that recommendation to the Vice Chancellor, who shall make a final determination on the sanction of Expulsion or Registration Revocation. The Vice Chancellor shall deliver their determination in a written Notice of Outcome to the Respondent and the Complainant (if applicable) no later than ten (10) Days after the recommendation is made.
Chapter 10. Sanctions

All recommended sanctions require review in accordance with Chapter 9, Section III of the Code and may be altered or deferred. Compelling factors that affect the severity of the sanction(s) may include, but are not limited to, the Respondent's demonstrated understanding of their responsibility and level of accountability; the prior conduct record of the Respondent; the nature of the incident and the facts and circumstances related to the case; the severity of any damage, injury, or harm resulting from the incident; the level of disruption to normal University activities and services; whether the incident was motivated by bias based upon an individual's actual or perceived race, color, religion, age, national origin, ethnicity, gender, gender identity or expression, sexual orientation, disability, or veteran status; and guidance from applicable governing policies and regulations of the UNC Board of Governors.

Section I. Individual Student Sanctions

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

1. **Conduct Reprimand** – Formal written reprimand indicating that the Respondent’s behavior was unacceptable and that if the Respondent is subsequently found responsible for a violation(s) of the Code, more severe sanctions could result.

2. **Conduct Probation** – A status in which the Respondent is deemed not to be in good conduct standing with the University for a definite period of time not less than the remainder of the semester in which the Conduct Probation is imposed or for an indefinite period of time. Conduct Probation does not affect the Respondent’s academic standing, is not shared with faculty members, and is not notated on the Respondent’s academic transcript. In the event the Respondent is subsequently found responsible for a violation(s) of the Code while on Conduct Probation, more severe sanctions, including Conduct Suspension or Expulsion, could result. Conditions restricting the Respondent’s participation in University activities may also be imposed. If the Conduct Probation is for an indefinite period, the Respondent may petition the Director in writing for reinstatement to good standing, but not earlier than two (2) calendar years from the effective date of the Conduct Probation.

3. **Deferred Conduct Suspension** – A status in which the Respondent is deemed not to be in good conduct standing with the University for a definite period of time not less than the remainder of the semester in which the Deferred Conduct Suspension is imposed or for an indefinite period of time. Deferred Conduct Suspension does not affect the Respondent’s academic standing, is not shared with faculty members, and is not notated on the Respondent’s academic transcript. In the event the Respondent is subsequently found responsible for a violation(s) of the Code while on Deferred Conduct Suspension, more severe sanctions, including Conduct Suspension or Expulsion, could result, with Conduct Suspension being considered as a most likely possibility. Conditions restricting the Respondent's participation in University activities may also be imposed. If the Deferred Conduct Suspension is for an indefinite period, the Respondent may petition the Director in writing for reinstatement to good standing, but not earlier than two (2) calendar years from the effective date of the Deferred Conduct Suspension.

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

5. **Expulsion** – Permanent separation of the Respondent from the University. The Respondent is trespassed from the University and may not be present on University Premises; attend or participate in classes; 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. Violation of the terms of Expulsion may subject the Respondent to arrest. The Respondent will be automatically withdrawn from registered courses based upon the effective date of the Expulsion. The Respondent will be responsible for any financial obligations to the University but may be eligible for a reduction of tuitions and fees based upon the effective date of the Expulsion and the University’s Reduction of Tuition and Fees Schedule. A Respondent who has been expelled from one constituent institution of The University of North Carolina system may not be admitted to another UNC System institution until the Expulsion has been rescinded by the institution that imposed the sanction. Notification of the Expulsion will appear on the Respondent’s academic transcript until the date the Expulsion is rescinded, if it is rescinded. The Respondent’s name will be added to the UNC System Suspension/Expulsion Database, where it will remain indefinitely. The Respondent may petition the Chancellor in writing for the Expulsion to be rescinded, but not earlier than two (2) calendar years from the effective date of the Expulsion.

6. **Removal from University Housing** – Loss of the privilege of living in University housing. Removal may be for a definite period of time not less than the remainder of the semester in which the Removal is imposed or for an indefinite period of time. If the Removal is for an indefinite period, the Respondent may petition the Director in writing for restoration of University housing privileges, but not earlier than one (1) calendar year from the effective date of the Removal. Any cancellation fee, pro-rata refund, or return of deposit shall be assessed as set forth in the housing contract between the University and the Respondent.

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

8. **Additional Sanctions** – The following sanctions may be imposed in addition to those listed in Chapter 10, Section I.1-7 of the Code:

a. restitution for loss incurred by an individual or the University as a result of the Respondent’s violation(s);
b. exclusion and/or trespass from all or a portion of any University Premises or any University-sponsored program, activity, or related event, as specified in the sanction, for a definite or indefinite period of time;
c. an administrative no contact order with an individual(s);
d. loss of driving and/or parking privileges on University Premises;
e. a student conduct fee not to exceed $100;
f. community service and/or participation in educational programs;
g. 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);
h. parental/guardian notification, pursuant to Section II.B.11 of University Policy 402, Student Education Records (FERPA); or
i. any other appropriate sanction as determined by the Director or designee.

Section II. Student Organization Sanctions

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

1. **Conduct Reprimand** – Formal written reprimand indicating that the Respondent’s behavior was unacceptable and that if the Respondent is subsequently found responsible for a violation(s) of the Code, more severe sanctions could result.

2. **Registration Probation** – A status in which the Respondent is deemed not to be in good conduct standing with the University for a definite period of time not less than the remainder of the semester in which the Registration Probation is imposed. In the event the Respondent is subsequently found responsible for a violation(s) of the Code while on Registration Probation, more severe sanctions, including Registration Suspension or Registration Revocation, could result. The Respondent may seek and add members during this probationary period and may host other activities unless otherwise specified.

3. **Deferred Registration Suspension** - A status in which the Respondent is deemed not to be in good conduct standing with the University for a definite period of time not less than the remainder of the semester in which the Deferred Registration Suspension is imposed. In the event the Respondent is subsequently found responsible for a violation(s) of the Code while on Deferred Registration Suspension, more severe sanctions, including Registration Suspension or Registration Revocation, could result, with Registration Suspension being considered as a most likely possibility. The Respondent may seek and add members during this probationary period and may host other activities unless otherwise specified.

4. **Registration Suspension** – Removal of University recognition of the Respondent for a definite period of time. During the period of Registration Suspension, the Respondent is deemed not to be in good conduct standing with the University. While under Registration Suspension, the Respondent may continue to occupy or hold property, but may not function at the University; utilize University facilities or services; or participate in any University-sponsored program, activity, or related event.

5. **Registration Revocation** – Permanent removal of University recognition of the Respondent. The Respondent may not function at the University; utilize University facilities or services; or participate in any University-sponsored program, activity, or related event. The Respondent may petition the Vice Chancellor in writing for the Registration Revocation to be rescinded, but not earlier than two (2) calendar years from the effective date of the Registration Revocation.

6. **Additional Sanctions** – The following sanctions may be imposed in addition to those listed in Chapter 10, Section II.1-4 of the Code:

   a. exclusion from intramural competition;
   b. restitution for loss incurred by an individual or the University as a result of the Respondent’s violation(s).
   c. denial of use of University Premises for meetings or activities;
d. 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;

e. suspension of rushing, recruiting, or intake processes;

f. loss of social privileges where the Respondent may not sponsor any activity, party, or function that is social in nature during the established period of time;

g. community service and/or participation in educational programs;

h. 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

i. any other appropriate sanction as determined by the Director or designee.

Section III. Deferral of Sanctions

At the discretion of the Director, the imposition of a sanction normally will be deferred until after a decision on a first-level appeal as described in Chapter 11 of the Code, but may be imposed immediately after the Hearing if:

1. the Respondent has been found responsible for an act which resulted or foreseeably could have resulted in personal injury to another;

2. the Respondent has been found to be in possession of a Weapon;

3. the Respondent has been found responsible for the forgery or falsification of a University document; or

4. the Respondent has committed an additional violation of the Code or has violated the terms of a previous sanction(s).
Chapter 11. Appeals

Section I. Process

The Respondent or Complainant (if applicable) (hereinafter Appellant) may appeal the determination on responsibility and/or the determination on sanction(s) based only on the following grounds:

1. a violation of due process; or
2. a material deviation from Substantive and Procedural Standards adopted by the Board of Governors, set forth in The University of North Carolina Board of Governors Policy 700.4.1.

Section II. Process

Within five (5) Days after delivery of the Notice of Outcome, as set forth in Chapter 9, Section III of the Code, the Appellant may submit written rationale for appeal of the determination on responsibility and/or the determination on sanction(s) to the Director.

In cases in which there is both a Respondent and a Complainant, each party will be notified that the other party has submitted an appeal, if any.

The Director or designee will promptly forward appeals meeting the grounds set forth in Chapter 11, Section I of the Code, along with the Record on Appeal, to the Appellate Officer. Appeals not meeting the grounds set forth in Chapter 11, Section I of the Code, will not be considered.

The Appellate Officer shall decide appeals based upon the Appellant’s written appeal and the Record on Appeal. The decision may:

1. Affirm the determinations on responsibility and the sanction(s) (if applicable);
2. Affirm the determination on responsibility and reduce but not eliminate the sanction(s); or
3. remand the case to the same or a new Hearing Panel or Administrative Hearing Officer.

The Respondent and the Complainant (if applicable) shall be notified within a reasonable time in writing of the decision on appeal. The decision of the Appellate Officer Affirming the determination on responsibility shall be final and conclusive, and the sanction(s) will be imposed as directed. If the case is remanded to a Hearing Panel or Administrative Hearing Officer, the appropriate Conduct Procedures set forth in the Code shall apply.

If the decision of the Appellate Officer imposes a sanction of Conduct Suspension or Expulsion for a Student or Registration Suspension or Registration Revocation for a Student Organization, a Respondent or Complainant (if applicable) who believes that the rights set forth in Section 502 D(3) of The Code of the University of North Carolina (violation of due process or material deviation from Substantive and Procedural Standards adopted by the Board of Governors) have been violated may file a notice of appeal from the decision of the Appellate Officer to the Board of Trustees.

The notice of appeal must be in writing and must specify the rights alleged to have been violated and the reasons for such allegation. No such notice is effective unless received by the Board of Trustees within five (5) Days after delivery of the decision of the Appellate Officer. Appeals not meeting the grounds set forth in Chapter 11, Section I of the Code will not be considered.

The Board of Trustees shall decide appeals based upon the Appellant’s written appeal and the Record on Appeal. The decision may:

1. Affirm the determinations on responsibility and the sanction(s) (if applicable);
2. Affirm the determination on responsibility and reduce but not eliminate the sanction(s); or
3. remand the case to the same or a new Hearing Panel or Administrative Hearing Officer.
The Respondent and the Complainant (if applicable) shall be notified within a reasonable time in writing of the decision on appeal. If the case is remanded to a Hearing Panel or Administrative Hearing Officer, the appropriate Conduct Procedures set forth in the Code shall apply.

No appeal to the Board of Governors or the President of the University of North Carolina is permitted.
Chapter 12. Case Files and Conduct Records

1. Academic transcripts shall reflect sanctions as provided in Chapter 10 of the Code.

2. The case file, including audio recordings and/or transcripts of the Hearing, will be retained as part of the Respondent’s conduct record for eight (8) years from the date of resolution. Conduct records may be retained for longer periods of time or permanently, as specified in the sanction(s) or if the sanction(s) is considered incomplete. Conduct records including the sanction of Expulsion or Registration Revocation shall be retained permanently. Conduct records designated as “permanent” shall not be voided except under very rare circumstances with unusual and compelling justification.

3. Conduct records related to an individual student are confidential and shall be maintained pursuant to University Policy 402, Student Education Records (FERPA), including limited exceptions that permit disclosure without a student’s consent. Any portions of conduct records related to a Student Organization that do not contain identifiable student information are generally not protected from disclosure.

4. Students may make copies of their conduct records in accordance with University Policy 402, Student Education Records (FERPA).
Chapter 13. Directory of Contacts

Office of Student Conduct & Academic Integrity, King 217, 704-687-0336

Dean of Students Office, King 217, 704-687-0345

Title IX Office, Cone 349, 704-687-6130

Vice Chancellor for Student Affairs, King 219, 704-687-0350

Student Government Association Judicial Branch, Popp Martin Student Union 212 (SGOC Complex)

Revision History:

- Revised August 27, 1999
- March 1, 2001
- July 1, 2003
- April 10, 2006
- August 24, 2008
- October 7, 2008
- Updated August 27, 2009
- Revised November 29, 2010
- Revised January 20, 2011
- Revised August 14, 2014, effective August 18, 2014
- Revised effective August 26, 2015
- Updated November 5, 2015
- Revised November 20, 2015
- Revised August 18, 2016
- Revised August 15, 2017
- Revised January 10, 2018
- Revised effective August 17, 2018

Authority: Chancellor

Responsible Office: Student Affairs

Related Resources:

- Office of Student Conduct & Academic Integrity
- Dean of Students Office
- Title IX Office
- Office of Disability Services
- Section 502 D(3) of The Code of the University of North Carolina
- UNC Board of Governors Policy 700.4.1
- UNC Board of Governors Regulation 700.4.1.1[R]
- UNC Board of Governors Policy 700.4.2
- University Policy 402, Student Education Records (FERPA)
- University Policy 407, Code of Student Academic Integrity
- University Policy 503, Fighting Words Harassment
- University Policy 601.13, Interference with University Operations
- University Policy 706, Alcoholic Beverages
- University Policy 711, Program to Prevent Use of Illegal Drugs and Alcohol Abuse
- University Policy 802, Conduct at Speech Events
- Disposition of Appeal: Instructions to General Counsel
- Notice of Attorney or Non-Attorney Advocate Representation
• Help Seeking Protocol
• Interpersonal Violence Resource Guide
• Code of Student Responsibility Archives