

UNIVERSITY OF NORTH CAROLINA
SCHOOL OF THE ARTS



Annual Security & Fire Safety Report

SEPTEMBER 2024



Message from the Chancellor

The University of North Carolina School of the Arts is committed to the safety and well-being of our campus community. A safe and secure environment fosters the creative atmosphere essential to learning, teaching, and working, allowing everyone to thrive. It is only through the engagement and partnership of everyone on campus that we ensure our safety.

UNCSA's safety efforts are captured in this year's Annual Security Report, including details about campus safety measures, policies, and crime statistics. Please take the time to review this report. It helps highlight the important work involved in making sure our community is safe and shares information that is important for all of us to be aware of.

I want to thank our Police and Public Safety department for their dedication to the safety of our campus and to remind us all that UNCSEA is a community where safety is a shared responsibility.

Sincerely,

Brian Cole,
Chancellor



Message from the University Chief of Police

Greetings,

I am Tommy L. McMasters, and I am proud to serve The University of North Carolina School of the Arts community as their Chief of Police. I am pleased to offer this Annual Security and Fire Safety Report (ASR) for your review and understanding of the level of safety and security transpiring on the campus of the University of North Carolina School of the Arts. I hope you take the time to fully review the contents of this document as it will provide you critical information about services and policies in place to help ensure a safe and secure environment for our community.

Although statistics reflect a low crime rate, it is important to remember that our campus is not immune from criminal activity. It is important to develop a safety mindset that will not only serve you here, but also as you move on into the world.

The University of North Carolina School of the Arts Police Department is a duly sworn law enforcement agency, that operates 365 days per year, 24 hours per day. The department supports the comprehensive mission of the University of North Carolina School of the Arts by providing exemplary law enforcement service and fostering a safe and secure environment that affords all to live, learn, and work in harmony without fear of judgement, ridicule, or harm.

If you would like to receive a paper copy of this report, you may stop by the UNCSEA Police and Public Safety Department located on the UNCSEA campus (2010 Kenan Drive, Winston-Salem, NC 27127) or you may request that a copy be emailed to you by calling (336) 770-3321.

Tommy L. McMasters,
Chief of Police



Message from the Chief Compliance Officer and Title IX Coordinator

The Title IX Office at UNCSCA is a resource for the campus community to address and prevent Sex-Based Harassment and provide supportive measures to support the needs of students, faculty, and staff. The office provides mandatory and optional educational training, professional development, and campuswide collaboration to promote events and programs. The goal of these efforts is to increase knowledge and awareness of the issues that can limit or even prevent someone from being able to fully participate in their education or employment.

If you have a concern, you can [make a report](#) anytime and the Title IX Coordinator will reach out to you with options for assistance. The Title IX Office is just one of the many resources on campus, and I hope you will reach out any time if you or someone you know needs help to ensure members of our campus are safe, supported, and have what they need to get back on track. Please contact me with any questions or concerns about the information in this report or the Title IX Office.

A handwritten signature in cursive script that reads "Valerie Thelen".

Valerie Thelen, J.D.,
Chief Compliance Officer and Title IX Coordinator



Message from the Emergency Manager and Clery Coordinator

Safety and security is a top priority at the University of North Carolina School of the Arts. Our success in maintaining a safe environment is a collaborative approach from all members of the campus community that requires commitment and communication. The University Police Department strives to reduce or eliminate crime on campus through emergency response training, safety programs, and maintaining strong partnerships with university departments and local first responder agencies.

UNCSCA's Annual Security Report is published each year in compliance with Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act). This report includes campus safety policies and procedures, prevention information, crime statistics from the previous three years, and prevention information designed to enhance the safety of the campus community.

We hope that you find this report informative and that your time at UNCSCA will be successful and safe.

A handwritten signature in cursive script that reads "Clarisse Davis".

Clarisse Davis,
Emergency Manager and Clery Coordinator

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Policies for Preparing the Annual Security Report

The University prepares this report to comply with The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (the Clery Act). This report is prepared by the UNCSA Police Department in collaboration with other UNCSA campus partners, including the Division of Institutional Integrity, Title IX Office, Student Affairs, Department of Housing and Residence Life, and other University offices.

This report provides statistics for the previous three years concerning reported crimes that occurred on UNCSA campus and certain off-campus buildings, or property owned, leased, or controlled by UNCSA. This report's crime statistics for property owned or controlled by the institution are gathered from Campus Security Authorities, the UNCSA Police Department, and other local police departments (including Winston-Salem Police Department and Forsyth County Sheriff's Department).

The University distributes a notice of the availability of this Annual Security and Fire Safety Report by October 1 of each year to every member of the University community.

Anyone, including prospective students and employees, may obtain a copy of this report by contacting the UNCSA Police at [336-770-3321](tel:336-770-3321) or visit their [website](#).

Reporting Crimes or Other Emergencies

The UNCSA Police Mission Statement is to support the comprehensive mission of the University of North Carolina School of the Arts by providing exemplary law enforcement service and fostering a safe and secure environment that affords all to live, learn, and work in harmony without fear of judgement, ridicule, or harm.

Therefore, it is critical that all crimes, serious incidents, and other emergencies that occur on campus be immediately reported to the UNCSA Police Department at [336-770-3362](tel:336-770-3362). This helps ensure that incidents are properly investigated and that appropriate follow-up actions are taken, such as issuing a timely warning or emergency notification if necessary. If crimes are never reported, little can be done to help members of the community from becoming victims.

We encourage the University community to report crimes promptly and to participate in and support crime prevention efforts. The University community will be much safer when all community members participate in safety and security initiatives.

The University has a number of ways for community members and visitors to report incidents to the appropriate officials:

Reporting to UNCSA Police

We encourage all members of the University community to report all crimes and other emergencies to the UNCSA Police in a timely manner. Though there are many resources available, the UNCSA Police should be notified of any crime, whether or not an investigation continues, to assure the University can assess any and all security concerns and inform the community if there is a significant or ongoing threat to the campus.

UNCSA Police may be reached by the following means:

Communications Center (available by phone 24 hours a day, 7 days a week): 336-770-3362 or dial 55 from an on-campus phone line (emergency); or 336-770-3321 (non-emergency).

Online: Submit an [online form](#) (non-emergency).

In Person: Look for an officer on patrol throughout campus or visit 2010 Kenan Drive, near the Chapel Street entrance to campus. Officers are on duty 24 hours a day, 7 days a week.

UNCSA Safety App (RAVE Guardian): UNCSA's Safety App features location sharing and a virtual campus safety escort ("Safety Timer") where, once activated, users can choose friends and family members to watch over during your walk. Campus Safety officials act as virtual guardians and will be alerted if you don't reach your destination. The app also allows two-way communication via text with UNCSA Police (available in anonymous mode). The app features one-click emergency dialing and a call directory to access contact information, hours of operation, and location of Campus Police, Student Health Services, Student Affairs, and other UNCSA departments, as well as the Winston-Salem Police Department non-emergency number. Download the Rave Guardian mobile app from the [Apple App Store](#) (for iPhone) or [Google Play](#) (for Android) and associate with our Safety App by using your university email address.

Blue Light Emergency Call Boxes: There are call boxes located across campus to make obtaining assistance convenient and easy to find. These "blue-light" fixtures reflect the University's commitment to a greater level of personal security for all students, employees, and visitors.

Call boxes require only the push of a button to contact Public Safety Officers through a speakerphone. A bright strobe light on the top of the call box is set off when the button is pushed, helping police quickly locate the caller. If the caller is unable to speak or needs to seek safer shelter, there are indicators in place to let police dispatchers know which call box has been activated. Public Safety Officers will quickly respond any time a call box is activated, whether someone speaks into it or not.

A quick button press can make the difference in solving or preventing a crime. In addition, callers should also use them to report simple suspicious activities that may warrant immediate police attention. It is recommended that all members of the campus community should study the locations that are along their regular routes of campus travel so they will know how to find the closest call box in an emergency. Regular maintenance of the campus call boxes is performed.

Voluntary and Private Reporting: If you are a victim or a witness of a crime and do not want to pursue action within the University or criminal justice system, your report will remain mostly confidential. This means that notification will be limited to only those required (i.e., Title IX Coordinator, Vice Provost of Student Affairs, and UNCSA Police).

Victims can remain mostly confidential when reporting to UNCSA Police or other Campus Security Authorities. You can file a report while maintaining your confidentiality by not disclosing your personal identifying information. The purpose of a confidential report is to share information with the University to ensure your safety and the safety of others, while also allowing for accurate records to be compiled on the number and types of incidents occurring on campus, excluding anonymous or third-party reports. Anonymous reports are submitted by an unknown source; third party reports are submitted by someone other than the victim or a witness. Reports filed voluntarily and confidential are counted and disclosed in the Annual Security and Fire Safety Report. Anonymous reports may be made by calling UNCSA Police at 336-770-1414 or by filing a [report online](#) on the department's website

Reporting to Campus Security Authorities

While it is encouraged that all University community members and visitors promptly report all crimes and other emergencies directly to the UNCSA Police, it is also recognized that some may prefer to report to other University officials or offices.

The Clery Act recognizes certain University officials and offices as “Campus Security Authorities”, otherwise known as CSAs. The Clery Act defines these individuals as an “official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline and campus judicial proceedings. An official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution.”

CSAs include, among others: Academic Deans and Associate Deans; Headmaster and Dean of High School Academics and Associate Dean of High School Academics; the Vice Provost of Student Affairs, Dean of Students, Residential Education & Housing Staff, and Student Support Team staff.

While the University has identified several CSAs, we have designated the following offices as places where University community members should report crimes:

- **UNCSA Police Department**: 2010 Kenan Drive
336-770-3362 or 55 (emergency) | 336-770-3321 (non-emergency)
- **Division of Student Affairs**: Hanes Student Commons, 1821 Kenan Drive
336-770-3283
- **Residential Education & Housing**: Artist Village (Front Desk of East Wing), 1412 Spangler Way
336-770-3373
- **Office of Human Resources**: Administration Annex Building, 1655 Ehle Drive
336-770-3317
- **Title IX Office**: Library (Room 3209), 580 Giannini Dr.
336-932-3917
- **Health Services**: Hanes Student Commons, 1821 Kenan Drive
336-770-3288

Pastoral and Professional Counselors: According to the Clery Act, pastoral and professional counselors who are appropriately credentialed and hired by the University to serve in a counseling role are not considered CSAs when they are acting in the counseling role.

UNCSA does not employ pastoral counselors. The University encourages professional counselors to notify those whom they are counseling of the voluntary, confidential reporting options available to them.

The Counseling Center is housed in the Hanes Student Commons Building, located at 1821 Kenan Drive or by phone at [336-770-3288](tel:336-770-3288). To learn more about the Counseling Center, visit their [website](#).

Personal Responsibility: UNCSA is a great place to live, learn, and serve; however, this does not mean that the University community is immune from all of the other unfortunate circumstances that arise in other communities. With that in mind, UNCSA has taken progressive measures to create and maintain a reasonably

safe environment on campus. Though the University is progressive with its policies, programs, and education, it is up to each one of us to live with a sense of awareness and use reasonable judgment when living, working or visiting on campus.

Reporting to the Office of Student Conduct

Reports regarding an individual's conduct or concerns about their wellbeing may also be submitted to Student Conduct or Case Management: www.uncsa.edu/concernreport

Reporting to the Title IX Office

Reports regarding sexual misconduct, sex or gender-based discrimination or harassment, dating and domestic violence, stalking, or other related concerns can be reported online: [Sexual Harassment and Misconduct \(Title IX\) Reporting Form](#)

Physical Security and Access to University Facilities

UNCSA is committed to campus safety and security. UNCSA Police officers patrol the campus 24 hours-a-day, 7 days-a-week on foot, in a vehicle or on a bicycle. If there is an increased threat in a particular area due to recent crime or suspicious activity, officers may conduct extra directed patrol of that area in addition to their regular patrol with specific instructions on what activity or person(s) to look for while patrolling. Officers not only patrol outside buildings, but also actively walk inside buildings on campus to physically check on the safety of persons and the security of restricted access areas. The UNCSA campus is generally "open" to students, faculty, staff, and legitimate visitors on a daily basis.

Legitimate visitors include individuals that justifiably visit people who work, study, or perform here; reasonably tour the campus; attend performances or other events open to the public; properly utilize campus facilities and services that are open for public use; attend a non-UNCSA scheduled meeting, class, performance, rehearsal, training session, or other event conducted on campus as a contractual arrangement with UNCSA; walk or drive purposefully across the campus to get directly from one place to another.

Visitors to campus are not allowed into restricted access rooms/buildings (such as classroom buildings, residence halls or practice rooms) except as allowed by authorized UNCSA personnel.

Residence Hall Access

All exterior doors to the residence halls are locked 24 hours a day and operate under a computerized Access Control System that requires programmed identification cards. Identification cards are coded so that only students who are residents in a particular hall are allowed electronic access entry to that hall between the hours of 12 midnight until 7am each day. During these times, the system denies entry to all unauthorized persons.

When a door is malfunctioning, personnel are called for repair immediately. Students can report maintenance issues during normal office hours to the Residential Education & Housing Office located in the East Wing of Artist Village at 1412 Spangler Way or by calling 336-770-3373. For emergency maintenance issues after 5pm or on weekends, call UNCSA Police for assistance.

All University community members are encouraged to lock all doors and windows when possible. All residence hall and apartment exterior doors are equipped with locks and with crash bars to ensure a quick emergency exit.

Only residents and their invited guests are permitted in the living areas of the residence halls. It is the resident's responsibility to ensure that their guest is aware of the University and Residence Hall policies. Guests are not provided with room keys or door access cards and must be escorted by a resident of the building at all times. It is the responsibility of residents and staff members to report individuals who cannot be identified as residents or guests of residents.

When UNCSA Police receives a report of an unescorted person in a residence hall, a police officer is dispatched to identify that person. UNCSA Police personnel also conduct regular checks of residence hall areas.

Maintenance of Campus Facilities

Exterior lighting and landscaping considerations are a critical part of UNCSA's commitment to campus security. Representatives from various departments continually conduct security surveys to ensure campus lighting is adequate and the landscape is appropriate. UNCSA Police also conduct routine checks of lighting on campus during regularly assigned patrol duties.

If lights on campus are out or dim, the UNCSA Police will initiate a work order, which is acted upon by a representative of the appropriate maintenance office. We encourage community members to report any deficiency in lighting to UNCSA Facilities Management at [336-770-3323](tel:336-770-3323). UNCSA Police and representatives from the University Facilities Management Office work together to identify any inoperative locking mechanisms. We encourage community members to promptly report security concerns, including concerns about locking mechanisms, to the Facilities Management Office at [336-770-3323](tel:336-770-3323) or to the UNCSA Police at [336-770-3321](tel:336-770-3321).

Campus Law Enforcement

All UNCSA Police officers are commissioned under the North Carolina General Statutes § 115D-21.1 and § 116-40.5. UNCSA Police officers have the full range of police authorities granted to municipal law enforcement officers and receive the same level of training as county and municipal officers.

As sworn law enforcement officers, members of UNCSA Police are authorized to carry firearms, and under North Carolina law have the power to make arrests and conduct investigations for crimes that occur on the property owned or under the control of the University.

The UNCSA Police Department is comprised of:

- 18 Police Officers
- 6 Telecommunicators
- 1 Emergency Management Coordinator
- 1 Accreditation Manager

Working Relationship with Local, State, and Federal Law Enforcement Agencies

The UNCSA Police Department has a mutual aid agreement with the City of Winston-Salem that extends our jurisdiction throughout the city when responding to a request for assistance from them. UNCSA Police work closely with local, state, and federal agencies and may enter into a joint investigation, as deemed necessary to provide safety and security for the community. There is an agreement that the Winston-Salem and UNCSA Police Departments will work Sexual Assault investigations jointly with the city police taking the lead; all other criminal offenses will be investigated by UNCSA Police.

The UNCSA Police maintains a cooperative relationship with surrounding law enforcement agencies. This includes intraoperative radio capabilities, sharing of police database records, training programs, special events coordination, critical incident response, and investigation of serious incidents.

UNCSA Police participates in cooperative and mutual aid agreement with the Winston Salem Police Department. This agreement authorizes both agencies to request cooperative or mutual aid support for incidents that require additional resources. The agreements also allow for joint training and cooperation on other matters of shared interest.

Crimes Involving Student Organizations at Off-Campus Locations: The University requires all recognized student organizations to comply with federal, state, and local laws, and UNCSA policies. UNCSA may become involved in the off campus conduct of recognized student organizations when such conduct is determined to affect the interests of the University. UNCSA relies on its close working relationships with local law enforcement agencies to receive information about incidents involving students and recognized organizations, on and off campus.

In coordination with local law enforcement agencies, the UNCSA Police will actively investigate certain crimes occurring on or near campus. If the UNCSA Police learns of criminal activity involving students or student organizations, it will coordinate with the appropriate external law enforcement agency to forward information about the situation to the Vice Provost of Student Affairs and the Office of Student Conduct, as appropriate.

Student misconduct which jeopardizes the University, the integrity of the University, or any member of the University community (equivalent to a Major Infraction) will be subject to the Student Code of Conduct. In addition, misconduct on any officially sponsored University activity will be subject to the Student Code of Conduct, regardless of whether there has been any action by external legal authorities. Instances of student misconduct on or off campus may or may not also constitute a violation of state or federal law. A student who is or has been prosecuted in a civil court for a violation of law may be subject to University jurisdiction for the same offense. The Director of Student Conduct or designee shall determine whether an incident off-campus affects University interests and thus falls within the scope of the Student Code of Conduct.

With the exception of Major Infractions as noted above, students under the jurisdiction of their parents or off campus while on break are not subject to adjudication under the Code.

Please refer to the [Student Code of Conduct](#) online for more information.

Off Campus Crime and Suspicious Situations: Crimes and suspicious activities that are committed off campus should be reported to the local law enforcement agency for the specific location.

- For emergency situations, call 911.
- For non-emergency reports in Winston Salem, call 336-773-7700.
- For non-emergency reports in other locations, check the local law enforcement's website or available resources for the best possible contact number.

UNCSA Police can assist in contacting other law enforcement agencies if the situation is not urgent. For crimes or suspicious activities that occur within Winston-Salem, UNCSA Police can contact the Winston-Salem Police Department and request an officer respond to our campus to take the report.

Timely Warning Notifications

UNCSA Police will issue a Timely Warning to members of the UNCSA community when a Clery Act crime involving serious bodily injury or the threat of serious bodily injury is committed, the suspect is still at-large, and there is a serious risk of harm to community members.

This is an effort to provide timely notice to the campus community should an incident (either on or off campus) constitutes an ongoing or continuing threat to the University community. The decision of whether an incident constitutes an ongoing threat and whether to issue a Timely Warning is made by the Chief of Police or designee.

A Timely Warning will be issued by UNCSA Police through the University emergency notification system (UNCSA Alert) to students, faculty, and staff. The UNCSA Alert system distributes notifications through phone messages (including recorded voice/text-to-speech messages), text messages, emails, and messages to UNCSA's social media accounts.

If available, the Timely Warning will provide details of the crime, a description of the suspect, and information that will aid in the prevention of similar incidents, including safety information and protective steps. The Timely Warning may be updated when new or more accurate information becomes available.

UNCSA Police may omit some information from the timely warning if providing it could identify the victim or compromise law enforcement efforts to respond. Victims can remain "mostly confidential" when reporting. Mostly confidential means that notification will be limited to only those required (i.e. Title IX Coordinator, Vice Provost of Student Affairs, and UNCSA Police). Victims can remain mostly confidential when reporting to UNCSA Police or other Campus Security Authorities.

Timely Warning will be issued when the pertinent information is available and the following criteria are met:

- One or more Clery Act crime is reported, including (but not limited to): criminal homicide (including murder and manslaughter), sex offences (including rape, fondling, incest, and statutory rape), aggravated assault, burglary, robbery, motor vehicle theft, and major incidents of arson;
- The crime is reported by the victim to a CSA or local/state/federal law enforcement agency that forwards the information to the UNCSA Police for evaluation and dissemination;
- The crime occurs within the University's Clery Geography;
- The perpetrator has not been apprehended;
- The University determines that the incident represents an ongoing threat to the campus community;
- There is a substantial risk to the physical safety of other members of the campus community because of the crime; or
- The crime represents a pattern that has occurred two or more times within a specific area or period of time.

Depending on the particular circumstances of the crime, especially in all situations that could pose an immediate and/or continuing threat to the community, the UNCSA Police may issue an emergency notification in lieu of a timely warning. Emergency notifications are covered in a separate policy that addresses a broader range of incidents and requires a greater urgency than timely warnings.

All available information known at the time will be taken into consideration when evaluating the need for a timely warning. Those considerations include, but are not limited to:

- The nature and seriousness of the crime;

- When and where the incident occurred;
- When it was reported;
- The duration of time between the occurrence and the report;
- The relationship between the victim and perpetrator;
- The patterns or trends of other incidents;
- The continuing danger to the campus community; and
- The risk of compromising law enforcement efforts or identifying the victim.

Although each case will be evaluated on an individual basis, timely warnings will not be issued when:

- A report is filed more than 7 days after the date of the alleged incident;
- A report is filed anonymously or by a third party;
- The pertinent information has not been acquired;
- The suspect has been apprehended;
- The report is not made in good faith;
- There is a possible risk of compromising law enforcement efforts; or
- The report does not pose an ongoing threat to the campus.

If, in the professional judgment of the UNCSA Police, issuing a timely warning would compromise efforts to address the crime, the notification may be delayed or information may be limited. Once the potentially compromising situation has been addressed, the timely warning will be issued immediately if the serious or continuing threat still exists.

Anyone with information warranting a timely warning or any criminal conduct should report the circumstances to the UNCSA Police by phone at 336-770-3362 or in person at the UNCSA Police Department located at 2010 Kenan Drive.

Emergency Response and Notification Procedures

The Emergency Management Coordinator is responsible for the Emergency Operation Plan (EOP), Emergency Operations Center, and the Emergency Notification System. The EOP is designed to be an all-hazards document that provides a framework and guidance for coordinated response to minor emergencies, major emergencies, and disasters. The EOP complies with FEMA guidelines for Higher Education that includes planning, mitigation, response, and recovery actions. The EOP includes incident teams, incident priorities and performance expectations, shelter-in-place and evacuation guidelines.

Our priorities are:

- Life safety, infrastructure integrity, and environmental protection during an emergency;
- Coordination with university departments to write, maintain, test, and exercise the EOP; and
- Cooperation, Integration, and Mutual Aid with local, state, and federal public safety agencies and their EOPs.

The University will activate the designated Emergency Operations Center (EOC) in a major emergency. The EOC will serve as the central location for those designated to work on public information, logistics, operations, planning, finance, and administrative issues related to the on-going emergency.

The University has emergency response guidelines addressing emergency situations such as active shooters, evacuation areas, fire safety, bomb threats, severe weather, medical emergencies, and more. A summary of

these guidelines can be [accessed online](#).

Emergency Notification

UNCSA is committed to ensuring the University community receives timely, accurate, and useful information in the event of a significant emergency or dangerous situation on campus or in the local area that poses an immediate threat to the health and safety of University community members.

UNCSA Alerts are issued immediately to notify the University campus community upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of University community members. In these instances, the University will, without delay, and taking into account the safety of the community, determine the content of the notification and activate the UNCSA emergency notification system. However, if in the professional judgment of responsible authorities, issuing an emergency notification would compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency, the notification may be delayed. In those cases, the UNCSA Chief of Police, or designee, will be notified, and once the potentially compromising situation has been addressed the emergency notification will be issued immediately.

UNCSA Alerts are issued by the UNCSA Police through the University's emergency notification system that provides phone (recorded voice/text-to-speech) messages, emails, text messages, and messages to UNCSA social media accounts. UNCSA Police will also update the [UNCSA Alert page](#) on the UNCSA website. In addition, UNCSA Police may activate the loudspeaker system on the Emergency Call Boxes located throughout the campus, when necessary. Given that text messages and loudspeaker messages need to be brief, the e-mail and website alerts will be used for longer messages and more detailed follow-up information about a complex or extended emergency.

An audible alert system enables UNCSA Police to trigger an audible tone and then broadcast an emergency notification message through emergency outside speaker locations across campus, and through indoor speaker locations in the high school academics, performance venues and other areas. The system has the capability to broadcast pre-recorded messages or to allow a live broadcast from the desk microphone. The system is also able to broadcast to all speakers or can broadcast to specific speakers if needed, depending on the circumstances surrounding the emergency notification.

All emergency notification messages will include the following information:

- **What is happening?** A brief description of the significant event that is occurring.
- **Where is it happening?** Depending on the circumstances, you may receive detailed information (e.g. Student Commons, in Eisenberg Hall), or a general location (e.g. in the area of the Student Commons).
- **What to do?** Guidance of what to do to keep yourself and others around you safe while the significant emergency is ongoing. Examples may include shelter in place and stay out of the area.

Emergency notifications may be updated when new or more accurate information becomes available. As soon as the situation is assessed that the danger has passed, the UNCSA Police Department will send an "all clear" message.

UNCSA Alert Sign-Up Procedures: Faculty, staff, and students can sign-up and update their contact information for UNCSA ALERT through the [E-Z Arts web portal](#). Select Emergency Notification (UNCSA ALERT) tab to add your contact information. Follow the step-by- step instructions to register for [UNCSA ALERT](#).

Confirming the Existence of a Significant Emergency or Dangerous Situation: The UNCSA Police as first responders may become aware of a critical incident or other emergency situation that potentially affects the health and/or safety of the campus community. Generally, campus first responders become aware of these situations when they are reported to the UNCSA Police or upon discovery during regular patrols and other assignments. Prior to an emergency notification being disseminated, the UNCSA Police must confirm that there is an ongoing threat to the campus community.

Determining the Appropriate Segment or Segments of the Campus Community to Receive the Emergency Notification: UNCSA Police and/or local first responders on the scene of a critical incident or dangerous situation will assist in preparing the emergency notification with determining what segment or segments of the campus community should receive the notification.

Generally, the entire campus community will be notified of the dangerous situation and will receive the emergency notification. In addition to the emergency notification that may be issued via the University's mass notification system, UNCSA Police will also post applicable messages about the dangerous condition on the UNCSA website homepage to assist in promoting awareness of the situation and the steps they should take to maintain personal and campus safety.

Determining the Contents of the Emergency Notification: UNCSA Police will (in collaboration with the University leadership and local first responders) determine the contents of the notification. UNCSA Police has developed a wide range of template messages addressing several different emergency situations and will select the template message most appropriate to the on-going situation and modify it to address the specifics of the present incident.

In cases where there is no predetermined template message in the system, UNCSA Police will develop the most succinct message to convey the appropriate information to the campus community. The goal is to ensure individuals are aware of the situation and that they know the steps to take to safeguard their personal and community safety.

Safety Advisory

Safety Advisory are communications to the campus community for crimes and or activities that can, but do not always occur in UNCSA's Clery geography but are determined to require the awareness of campus for safety purposes, or for situations that are not deemed an emergency or dangerous situation.

Safety Advisory are distributed when non-emergency information could help the campus community, or subsets of the community, either on or off campus, make safe choices regarding a health or safety issue. Distribution of a Safety Advisory is generally by campus-wide e-mail by UNCSA Police and Public Safety. Generally, there is no timeliness requirement for Safety Advisory.

Testing Emergency Response and Evacuation Procedures

UNCSA conducts an emergency management exercise to test emergency procedures at a minimum of once annually to ensure that the University's Emergency Operation Plan remains current and actionable. The scenarios for these exercises change each year and include several departments from across the campus. These exercises may include tabletop exercises, drills, or full-scale emergency response exercises. These exercises are designed to assess and evaluate the emergency plans and capabilities of the institution. Drills, exercises, and tests may be announced or unannounced.

The University conducts after-action reviews of all emergency management exercises. All after-action reviews will include, but are not limited to, a description of the exercise, the date, time, and whether it was announced or unannounced. In conjunction with at least one emergency management exercise each year, the University will notify the community of the exercise and remind the community of the information included in the University's emergency response procedures.

Exercises for 2023 are listed below:

- High School Academics Active Threat Drill
- High School Academics Fire Drill
- Rapid Deployment Exercise

Emergency Notification System (UNCSA Alert) & Audible Broadcast System Tests: The University conducts monthly UNCSA Alert tests to ensure that equipment and procedures are maintained in a constant state of readiness and that messages are reaching the University campus community in a timely manner. Distribution of test messages are through email, text message and social media. In addition, the audible siren is tested once every month and telecommunicators conduct internal monthly testing to ensure login information is up to date.

UNCSA maintains a contract with a professional vendor to test the emergency audible broadcast system once a year. Any maintenance, repair or replacement needs will be reported to the Emergency Management Coordinator to be addressed. This is in addition to other emergency preparedness activities, drills, and exercises conducted throughout the year. The campus continues to evaluate its Emergency Notification Protocols as part of an ongoing evaluation of best practices and the use of new technologies.

Daily Crime Log

The UNCSA Police Department is committed to facilitating a strong partnership with the campus community to solve problems, prevent crime, foster personal safety, and protect UNCSA and individual property. Safety and security are shared responsibilities with all students, faculty, and staff. It is only through a mutual partnership with members of the community that we can all be successful in crime prevention and safety.

The UNCSA Police maintains a Daily Crime log of all crimes reported to the department. Crimes are recorded on the daily crime log within two business days of when reported and the online daily crime log displays the current 60 days of information. The log identifies the type, location, date and time, and status of each criminal incident or fire reported to the UNCSA Police. The [Clery Crime and Fire Log is available](#) online or you may request a physical copy in person at the UNCSA Police Department, located at 2010 Kenan Drive.

Security Awareness and Crime Prevention Programs

UNCSA offers a number of programs designed to inform students and employees about campus safety, security procedures and practices and to encourage students and employees to be responsible for their own security and the security of others. Programs and services are offered at various frequencies, with many programs provided at least once a semester and others ongoing, available upon a specified request. Some programs have been adapted to an online platform or postponed until pandemic related restrictions are removed.

Below are some of the programs and services offered in an effort to bring awareness to campus security and prevent crime on campus:

- **Active Shooter Response Training:** Active Shooter Response Training consist of the RUN, HIDE, FIGHT method. This training teaches participants to survive a dangerous encounter with a violent

intruder. Training can be conducted in office/departments to evaluate the current security of your space. *This training is offered throughout the academic year and available to the campus community upon request.*

- **Community Policing Liaison:** Each Residence Hall is assigned a UNCSA Police officer who will hold sessions for police safety programs throughout the academic year. *This program is available upon request from any Residence Life staff.* Each Art School is also assigned a police officer to work with and assist the individual programs with safety and security concerns.
- **Housing Resident Advisor Training:** The UNCSA Police partners with Housing and Residence Life to provide training sessions to ensure RAs know the role of UNCSA Police on campus and how it can assist with safety, educational programs, and proper reporting procedures. *Training sessions are given periodically throughout the year to Residence Life staff and Residence Advisors.*
- **Safety Escorts (through Rave Guardian):** Students, faculty, and staff members can use the UNCSA Safety App, Rave Guardian, which offers a virtual safety escort feature, Safety Timer. Activate the Safety Timer and choose friends and/or family members to watch over you during your walk. Campus safety officials act as your virtual guardians and will be alerted if you don't reach your destination.
- **Safety Talks:** An opportunity to gather with students, staff, or faculty to discuss general safety precautions and concerns. Commonly sponsored by campus departments or residence halls with questions about safety. *This program is ongoing throughout the academic year and is available upon request.*
- **Sexual Assault Awareness Month (April):** Campus Police, in collaboration with the Title IX Office and the Department of Residence Life, organizes campus wide events to bring awareness to sexual violence and the resources that are available to assist students experiencing any type of sexual violence. The events include Take Back the Night, the red flag campaign, the night walk across campus, and information tables set up with resources for students.
- **Domestic and Dating Violence Awareness Month (October):** Campus Police, the Title IX Office, and the UNCSA Wellness Center organize tabling events and outreach to students throughout the month to bring awareness to issues around interpersonal relationships.
- **Meet & Greet:** Informational table about all of the programs the UNCSA Police offer to the UNCSA community. *This program is offered during the beginning of the fall semester and is available upon request.*
- **Police Ride-Along Program:** The UNCSA Police Department offers a police ride-along program to educate our community about the UNCSA Police Department and the crime on and around campus and is designed to inform students and employees about crime prevention strategies. *This program is available upon request.*
- **Sexual Assault Awareness & Prevention:** The Title IX Office offers a program to learn about the definitions of sexual assault, dating violence, domestic violence, and stalking; information on risk reduction, and how and who to report incidents on and off campus. *This program is available upon request.*

- **Emergency Response Training:** The training provides employees with a basic understanding on how to stay safe on campus and what procedures to take in the event of an emergency. Examples include Active Shooter incidents, how and when to “Lockdown or Shelter-in-Place,” weather emergencies, emergency notifications, and what to do when you observe suspicious packages and/or people. *This training is ongoing throughout the academic year.*
- **Student Support Team:** The UNCSA Student Support Team promotes the health, safety, and well-being of the University campus community by cultivating best practices centered around prevention, intervention, and education. They provide a confidential, collaborative, and coordinated approach to situations involving student concerns, including but not limited to distress, disruptive actions, and/or engaging in harmful behavior. The team is composed of members of UNCSA Police, Residence Life, Student Conduct, Learning Resources (disability), Student Health Services, Case Management, and High School Academics.

Policies Governing Alcohol and Other Illegal Drugs

Federal law requires UNCSA to annually notify all faculty, staff, and students that the University prohibits the unlawful possession, use, manufacture or distribution of alcohol or controlled substances by students, faculty, staff, and guests in buildings or facilities and on grounds or property controlled by the University or used as part of University activities. For students, this includes prohibiting the possession and consumption of any beverage containing alcohol under the age of twenty-one (21). In addition, the smoking of any material is prohibited in all UNCSA facilities.

Alcohol Policy

The sale, service, possession, and consumption of alcoholic beverages are regulated by relevant North Carolina General Statutes, Winston-Salem City Ordinances, and UNCSA Policy. In compliance with state law, no person under the age of twenty-one (21) can possess or consume alcoholic beverage and no person can sell, give, or provide alcoholic beverages to an underage person or aid or assist an underage person in the purchase, attempted purchase, possession, or consumption of alcoholic beverages.

Campus-Wide Alcohol Policies: The University’s College Handbook and High School Handbook establish rules on student alcohol use and possession, support programs offered, and University consequences for violations of those rules in [Appendix A: Programs and Policies Addressing Alcohol and Other Drugs](#). Regarding North Carolina alcohol laws, the policy states that “it is against the law for any person under twenty-one (21) to purchase or possess any alcoholic beverage” and further that “it is against the law for any person to sell or give any alcoholic beverage to a person under twenty-one (21) or to aid or abet such person in selling, purchasing, or possessing any alcoholic beverage.” The policy also contains medical amnesty and broader amnesty provisions.

Areas Open to the Public: UNCSA prohibits the possession and use of alcoholic beverages in areas open to the public including areas of buildings open to the public. However, the use of alcoholic beverages, subject to the laws of the state and may be permitted at University-sponsored activities in areas designated by, and with the prior approval of the University.

Private or Closed Areas: The possession and use of alcoholic beverages are prohibited in conference rooms, offices, office reception rooms, closed buildings, and areas of buildings not open to the public or from which the public has been excluded, except: the use of alcoholic beverages, subject to the laws of the state, may be

permitted in specific private or closed areas designated by, and with the prior approval of the appropriate person responsible for the area of request.

Housing Alcohol Policies: All alcohol and alcoholic containers (including large storage containers, i.e. kegs) are not permitted anywhere in High School housing facilities. See the [UNCSA High School Handbook](#) for more information.

College residents who are twenty-one (21) or older may consume alcoholic beverages in accordance with the established alcohol policies. The policy on alcohol found in the [UNCSA College Housing Handbook](#) is summarized in the following points:

- Residents under the age of twenty-one (21) are prohibited from being in the presence of, possessing, and/or consuming alcohol.
- Alcoholic beverages are permitted for persons twenty-one (21) years of age and over in their own living space or living space where they are invited guests of residents twenty-one (21) years of age or older.
- Students who are twenty-one (21) years of age or older may not consume alcohol in a living space with guests under twenty-one (21) years of age present, unless the individual is the student's roommate. It is the responsibility of the student twenty-one (21) years of age or over not to put underage students at the risk of violating the alcohol policy.
- It must be clear that the beverage is the possession of the student that is twenty-one (21) years of age or over. Alcohol in a mixed age room/suite should be kept in the private refrigerator or storage space of the overage room/suite mate, not in a shared storage space or refrigerator.
- No alcohol (open or closed containers of alcohol) is permitted in the common and public areas (i.e. hallways, stairways, bathrooms, balconies, etc.) of the residence halls.
- No kegs or other forms of bulk alcohol are allowed in the residence halls.

The policy on consumption of alcoholic beverages to faculty, staff, visitors, and other University community members is found within the [University Alcohol Policy #102](#). This policy provides guidance on serving alcohol at events on campus and restricts the service of alcohol in accordance with North Carolina law, including the prohibition of serving alcoholic beverages to those under twenty-one (21) years of age.

Drug Policy

Students, faculty members, and staff are responsible for knowing about and complying with the provisions of North Carolina law that make it a crime to possess, sell, deliver, or manufacture those drugs designated collectively as “controlled substances” in Chapter 90 of the North Carolina General Statutes. Students, faculty members, and staff are responsible for knowing about and complying with the applicable provisions of federal law located in Chapter 21 of the US Code.

Possession, use or sale of illegal drugs/paraphernalia by any member of the University community is prohibited. The misuse of any lawfully available chemical substances, compound or combination, when used for any other purpose than its intended use is also prohibited. Federal and State drug laws will be enforced when violated on campus. For more information on the Policy on illegal drugs, please visit the [University Illegal Drugs Policy #702](#).

The Drug-Free Schools and Communities Act and The Drug-Free Workplace Act: As a precondition for receiving any federally funded grants or contracts, UNCSCA is required to certify that it is providing a drug-free campus and workplace. Any employee reporting to work under the influence of alcohol or illegal drugs or using

alcohol or illegal drugs on the job is subject to appropriate disciplinary action. In addition to the UNCSA's Illegal Drugs Policy, the University is required to adhere to all federal policies.

The University also annually notifies the University of resources and information to reduce alcohol and drug misuse and promote the health and safety of all students and employees. It is extremely important that you are aware of the policies on illegal drugs and alcohol, which has been implemented by the federal government and the University's governing bodies. The University has scheduled several events during the academic year to bring awareness to the University alcohol and drug policies, as well as Federal and State policies prohibiting illegal behavior.

As a condition of employment, any faculty, staff, or student must notify the University of any criminal drug conviction for a violation occurring in the workplace no later than five (5) days after such a conviction. If a student is charged with a crime equivalent to a Major Infraction of the Student Code of Conduct or convicted of any crime or misdemeanor (prior to or after matriculation at UNCSA), the student is required to self-report such action to the Vice Provost of Student Affairs.

For more information on prevention programs and policies, please review the [UNCSA Drug Abuse and Alcohol Prevention Programs Report \(DAAPP\)](#).

Enforcement of Federal and State Underage Drinking & Alcohol Laws

In accordance with North Carolina laws, if you are underage and convicted of drinking alcohol, you could face the following penalties:

- Drinking by a person under age nineteen (19) is a Class 1 Misdemeanor, and punishment can include a fine, community service hours, and other court costs.
- Drinking by a person age nineteen (19) or twenty (20) is a Class 3 Misdemeanor in which punishment can include a fine, community service hours, and other court costs.
- Attorney's fees.

According to North Carolina General Statute § 15A-505, the local police department and UNCSA Police are required to notify parents or guardians for all violations committed by persons under the age of eighteen (18).

The State of North Carolina has a zero-tolerance policy associated with students consuming alcoholic beverages under the age of twenty-one (21). Not only is this against the State law, it also violates the UNCSA Student Code of Conduct.

Any student, staff, faculty member, or other University campus community member in violation of UNCSA's alcohol policies or North Carolina law may be subject to disciplinary measures by the University as outlined in the policies discussed above. Disciplinary sanctions for students who are found responsible may range from disciplinary warning, disciplinary probation, suspension, or expulsion from the University. Students residing in University housing may also lose the privilege of living on campus for violating University rules and regulations or conditions of the housing contract. In most cases, developmental and educational interventions will be assigned to the student, designed to promote greater awareness and improved decision-making for the student and further deter future misconduct.

False Identification: It is illegal for anyone under the age of twenty-one (21) to: possess an identification card falsely identifying that person by name, age, date of birth, or photograph as being 21 or older in an attempt to obtain alcohol; use the identification card of another; or use an identification card that has not been lawfully

issued to or in the name of the person who presents the card. A violation constitutes a Class 1 misdemeanor and subjects the offender to court costs and fines.

Alcohol Testing: If two UNCSA staff members believe an underage student has consumed alcohol, or if a student over twenty-one (21) is noticeably impaired on campus or at a UNCSA sponsored event, a UNCSA staff member will test the student's alcohol level. The following procedures will be followed:

- If the alcohol test is above 0.0, the student will be referred to Student Conduct for appropriate adjudication.
 - If the result is above 0.08 and below 0.12, the student will be monitored by the Residence Life Programs & Housing Staff until their test is 0.08 or below.
 - If the level is 0.12 or above, or if the student's behaviors create concern, the student will be sent to the emergency room by ambulance or other emergency transport. Costs for this are the responsibility of the student.
- If the alcohol level test is 0.0, the student will be medically evaluated by either UNCSA Health Services or a local hospital emergency room in response to the behaviors exhibited that prompted the alcohol level test. All costs are the responsibility of the student.
 - Note: A test resulting in an alcohol level of 0.0 does not absolve a student who also possesses alcohol.
- A refusal or inability to be tested will be documented and taken into consideration during adjudication and may be treated as an admission of guilt.

Public Intoxication: It is illegal to appear in any public place under the influence of alcohol to the degree that you: block or otherwise interfere with traffic; block or otherwise prevent access to or passage across a sidewalk or entrance to a building; grab, shove, push or fight with others or challenge others to fight; curse, shout at or otherwise rudely insult others; or beg for money or other property.

Being intoxicated and disruptive in public also leads to other behaviors and important health concerns. Oftentimes public drunkenness contributes to criminal mischief and disorderly conduct on campus. Persons must be responsible for their own actions and know their limits and tolerance levels before consuming alcohol. A violation constitutes a Class 3 misdemeanor and subjects the offender to court costs and fines.

Students of any age (including those over twenty-one) found under the influence of alcohol will be assessed for their BAC (Blood Alcohol Concentration). Those with a BAC at .08 and below .12 will be placed under observation by Residence Life staff until their BAC is below .08. Those with a BAC level at .12 or above and any students displaying behaviors of concern due to another substance or factor generally will be sent to the hospital emergency room by ambulance.

Driving While Impaired (DWI) & Refusing a Chemical Test: In North Carolina, a person commits the offense of Driving While Impaired if they drive a vehicle upon any highway, street, or public vehicular area:

- While under the influence of an impairing substance;
- After having consumed sufficient alcohol that they have, at any relevant time after driving, an alcohol concentration of 0.08 or more; or
- With any amount of a Schedule I controlled substance or its metabolites in their blood or urine.

The punishment for the offense is a misdemeanor to which the structured sentencing laws do not apply. It has five different levels of punishment; the level depends on the presence of and weight assigned to certain specified aggravating and mitigating factors found by the court.

It is illegal for anyone under 21 years of age to drive a vehicle with a blood alcohol concentration of .01 or higher. Any person who drives a motor vehicle automatically gives consent to one or more chemical analysis (e.g. breath, blood, or urine.). This implied consent means that a person doesn't have a right to an attorney before testing, except to view the testing procedures. Under the implied consent law, you can refuse any test, but your driver's license will be revoked for one year and could be revoked for a longer period of time under certain circumstances, and an officer can compel you to be tested under other laws. Your driving privileges will be revoked immediately for at least 30 days if you refuse any test or the test results is 0.08, 0.04 or more if you were driving a commercial vehicle, or 0.01 or more if you are under the age of 21.

Open Container Law: North Carolina does not have a general statute prohibiting open containers of alcohol in public. However, the City of Winston-Salem [local ordinance Sec. 38-9\(a\)2](#) prohibiting open containers of alcohol in public.

Enforcement of Federal and State Drug Laws

The unlawful manufacture, distribution, disposition, possession, and/or use of a controlled substance or alcohol is regulated by a number of federal, state, and local laws. These laws impose legal sanctions for both misdemeanor and felony convictions. Criminal penalties for convictions can range from fines and probation to denial or revocation of federal benefits (such as financial aid) to imprisonment and forfeiture of personal and real property.

Policies Specific to Students: Any student who violates this policy is subject to disciplinary action including sanctions as outlined in the Student Code of Conduct in addition to any penalties resulting from violating local, state and or federal law. Disciplinary sanctions for students who are found responsible may range from disciplinary warning, disciplinary probation, suspension, or expulsion from the University. Students residing in University housing may also lose the privilege of living on campus for violating University rules and regulations or conditions of the housing contract. In most cases developmental and educational interventions will be assigned to the student, designed to promote greater awareness and improved decision-making for the student and further deter future misconduct. A full explanation of the [disciplinary procedure](#) can be accessed online.

Policies Specific to Faculty and Staff: As a condition of university employment, every employee shall abide by the terms of this policy. Any employee who violates this policy is subject to University sanctions, including dismissal, as well as criminal sanctions provided by federal, state or local law. An employee may be required to participate in a drug abuse or drug rehabilitation program. Please consult the [Policy on Illegal Drugs](#).

North Carolina Drug and Alcohol Laws and Penalties

A summary of North Carolina alcohol and drug laws is available below. The information provided below is not an exhaustive or definitive statement of all applicable laws and is intended to illustrate the types of conduct that are against the law and range of legal sanctions that may be imposed. More detailed and current information can be found on the [North Carolina General Assembly Website](#) and the [North Carolina Judicial Branch Website](#).

NORTH CAROLINA DRUG LAWS			
Types of Drugs	Possession	Trafficking	Statute
Schedule I: Heroin, LSD, Peyote, Mescaline, Psilocybin (Shrooms), other Hallucinogens, Methaqualone (Quaaludes), Phencyclidine (PCP), and MDA	Maximum Penalty: Five (5) years in prison and/or fine (felony)	Maximum Penalty: Ten (10) years in prison and/or fine (felony)	§90-89
Schedule II: Morphine, Demerol, Codeine, Percodan, Percocet, Fentanyl, Dilaudid, Secondal, Nembutal, Cocaine, Amphetamines and other opium and opium extracts and narcotics	Maximum Penalty: Two (2) years in prison and/or \$2,000 fine (misdemeanor)—UNLESS- 1. Exceeds 4 tablets, capsules, other dosage units or equivalent quantity of Hydromorphone. 2. Exceeds 100 tablets, capsules, other dosage units or equivalent quantity. 3. One gram or more of Cocaine Maximum Penalty: Five (5) years in prison and/or fine (felony)	Maximum Penalty: Ten (10) years in prison and/or fine (felony)	§90-90
Schedule III: Certain barbiturates such as amobarbital and codeine containing medicine such as Fiorinal#3, Doriden, Tylenol #3, Empirin#3, and codeine-based cough suppressants such as Tussionex and Hycomine, and all anabolic steroids	Maximum Penalty: Possession of less than 100 tablets, capsules, other dosage units or equivalent quantity: Two (2) years in prison and/or fine (misdemeanor) To possess more than 100 tablets, capsules, other dosage units or equivalent quantity: Five (5) years in prison and/or fine (felony)	Maximum Penalty: Five (5) years in prison and/or fine (felony)	§90-91
Schedule IV: Barbiturates, narcotics, and stimulants including Valium, Talwin, Librium, Equanil, Darvon, Darvocet, Placidyl, Tranzone, Serax, Ionamin (yellow jackets)	Maximum Penalty: Same as Schedule III	Maximum Penalty: Five (5) years in prison and/or fine (felony)	§90-92
Schedule V: Compounds that contain very limited amounts of codeine, dihydrocodeine, ethylmorphine, opium, and atropine, such as Terpene Hydrate with codeine, Robitussin AC	Maximum Penalty: Six (6) months in prison and/or fine (misdemeanor)	Maximum Penalty: Five (5) years in prison and/or fine (felony)	§90-93
Schedule VI: Marijuana, THC, Hashish, Has Oil, Tetrahydrocannabinol	Maximum Penalty: Possession of less than ½ ounce of Marijuana or 1/20 ounce Hashish: Thirty (30) days in prison and/or \$100 fine (misdemeanor) Possession of more than ½ ounce of Marijuana or 1/20 ounce Hashish: Two (2) years in prison and/or fine (misdemeanor) Possession of more than 1½ ounce of Marijuana or 3/20 ounce of Hashish or consists of any quantity of synthetic Tetrahydrocannabinols or Tetrahydrocannabinols isolated from the resin of marijuana: Five (5) years in prison and/or fine (felony)	Maximum Penalty: Five (5) years in prison and/or fine (felony)	§90-94
Drug Paraphernalia (§90-113.22- §90-113.24)	Maximum Penalty: One hundred twenty (120) days in prison and/or fine. (misdemeanor)	Maximum Penalty: One hundred twenty (120) days in prison and/or fine. (misdemeanor) However, delivery of drug paraphernalia by a person over 18 years of age to someone under 18 years of age who is at least three years younger.	§90-113.22- §90-113.24

NORTH CAROLINA ALCOHOL LAWS		
STATE LAW	PENALTY	STATUTE
To possess, attempt to purchase or purchase, sell or give beer, wine, liquor, or mixed beverages to anyone under the age of 21.	Maximum Penalty: Imprisonment for a term up to 120 days and/or community service and fines up to \$1,000 (Class 1 misdemeanor)	§18B-302-18B302.1
A person under 21 years of age who aids and abets to purchase or to attempt to purchase, purchase or to possess; sell or give, alcohol to a person who is under 21 years of age	Maximum Penalty: Imprisonment for a term up to 60 days and/or community service and fines (Class 2 misdemeanor)	§18B-302 - 18B-302.1
A person over 21 years of age who aids and abets to purchase or to attempt to purchase, purchase or to possess; sell or give, alcohol to a person who is under 21 years of age	Maximum Penalty: Imprisonment for a term up to 120 days and/or community service and fines up to \$1,000 (Class 1 misdemeanor)	§18B-302-18B302.1
Operating a motor vehicle upon any highway, any street, or any public vehicular area within this State: while under the influence of an impairing substance; after having consumed sufficient alcohol that he has, at any relevant time after the driving, an alcohol concentration of 0.08 or more; or with any amount of a Schedule I controlled substance.	1st Offense: Jail - 24 hours; Fine - \$200; License Suspension – 60 days to 1 year; 2d Offense: Jail – 4 days; Fine – varies; License Suspension – 1 to 4 years; 3d Offense: Jail – 14 days to 2 years; Fine – varies; License Suspension – 1 year to permanent	§20-138.1
Operating a motor vehicle on a highway or public vehicular area by a person less than 21 years old while consuming alcohol or at any time while he has remaining in his body any alcohol or controlled substance previously consumed.	Maximum of 20 days in jail and \$200. If driving while impaired offense is also charged then: 1st Offense: Jail - 24 hours; Fine - \$200; License Suspension – 60 days to 1 year; 2d Offense: Jail – 4 days; Fine – varies; License Suspension – 1 to 4 years; 3d Offense: Jail – 14 days to 2 years; Fine – varies; License Suspension – 1 year to permanent.	§20-138.1 & 20-138.3
Possessing an alcoholic beverage other than in the unopened manufacturer's original container, or consume an alcoholic beverage, in the passenger area of a motor vehicle while the motor vehicle is on a highway or the right-of-way of a highway.	Maximum Penalty: Imprisonment for a term up to 60 days and/or community service and fines up to \$1,000 (Class 2 or 3 misdemeanor based on number of offenses).	§18B-301; §18B-401; §20-138.7

Drug and Alcohol Abuse Education and Prevention Programs

UNCSA runs numerous interactive and passive programming offered through various departments within the Division of Student Affairs including Health Services, Counseling Center, Health and Wellness, Residence Life and Housing. Additionally, throughout the academic year, UNCSA posts flyers and bulletin boards to promote low-risk choices during high-risk campus events. Monthly community meetings are also held specifically for high school students to introduce them to policies and protocols on alcohol and other drug abuse prevention. Some programs have been adapted to an online platform or postponed until pandemic related restrictions are removed

Completion of **Vector Solutions** online educational courses addressing alcohol, other drugs, and consent is mandatory for all new undergraduate students matriculating in August 2023. The **Safe-U** orientation session is mandated at the beginning of the year for all students and includes information related to Alcohol and Other Drug policies, protocols, and helping resources. In addition, the Office of Student Affairs sponsored several mandated panel discussions during orientation for new and returning students addressing the following topics: Alcohol and Other Drug policies and procedures, campus and community safety, Title IX regulations and concerns, helping resources.

Other programs include:

- **Alcohol and Other Drug (AOD) Training:** Training by UNCSA Police for student leaders (both high school and college) and Residence Life professional staff, and training by Residence Life professional staff to Resident Advisors. Training addresses each individual's role in managing situations with drugs and alcohol.
- **Hazing Awareness Week:** Interactive tabling events to highlight the effects of alcohol and other drugs on health as well as prevention/intervention strategies.
- **UNCSA Police/MADD:** Tabling events focused on the negative effects of driving under the influence of substances.
- **Curriculum Infusion:** required health class for high school students and partnerships with various professors in the college environment.
- **Residence Life and Housing Sponsored Events:** monthly community meetings with high school students where discussion of policies, protocols, Title IX and harassment were included; Town Hall Meetings; college/all campus meetings where policies/procedures were discussed.

Drug or Alcohol Resource Team (DART): The Drug or Alcohol Resource Team (DART) is a resource for students who voluntarily request help with a substance abuse problem(s). Any student who thinks they have a problem with alcohol, tobacco, or any drug may request assistance to refrain from further use of these substances. Parents, fellow students, and faculty or staff members who are aware of students with substance abuse issues are encouraged to refer students to the program. The DART program is entirely voluntary and participation is completely confidential, within the limits of the law.

The goal of the program is to remove barriers for those students seeking assistance. Students in the DART program are evaluated, drug tested, and referred to appropriate treatment, which may include a combination of counseling, therapy, and outpatient or inpatient care. The program includes supporting counseling, referrals to appropriate resources, and unscheduled drug testing at no cost to the student. Results of the drug testing in the DART program are confidential. A student may refer themselves into the program by contacting the Wellness Center.

Only the Medical Director of Health Services and the involved student will know the results of drug testing. DART records will be released only with explicit written permission from the student. *Parents of students in the DART Program will not be notified of the student's participation or drug test results.*

UNCSA does not condone or tolerate alcohol and/or drug abuse. In no way should the DART Program be seen as a venue for excusing substance abuse or as a way for the UNCSA students to escape consequences for their behaviors. If a student in the DART Program is charged for conduct involving illegal drugs, alcohol, or tobacco, they will not be immune from student conduct proceedings by virtue of participation in DART.

Counseling Services: Counselors and the Wellness Center offers substance use evaluation and referrals to other resources as necessary. Student Health Services offers assistance in treatment through the DART program. Professional confidentiality applies to all clients.

Weekdays, students can visit the Wellness Center on the upper level of the Hanes Student Commons or can call 336-770-3288 between the hours of 8am-5pm for counseling or health services. After-hours non-emergency medical support, UNC Nurse Connect (formerly Healthlink) 984-364-4730.

Please note: Students under 18 may not call this number alone. Contact your High School Life or Residence Education staff for support in making this call.

Students may also contact UNCSA Police or the local chapters of [Alcoholics Anonymous](#) or (866) 210-1303), or [Narcotics Anonymous](#) or (800) 365-1036) for additional support and assistance.

We have engaged a new partner called “Uwill,” a leading mental health and wellness online platform that will significantly expand our existing counseling capacity for students. With Uwill, any UNCSA student will have free, immediate access to teletherapy online, as well as a mental health crisis line. Licensed clinical therapists are available for virtual appointments 24 hours a day, 7 days a week, 365 days of the year, including extended holiday and summer breaks. Uwill can provide appointments via text message, phone or video chat, allowing students to choose from a diverse range of qualified mental health therapists, based on student preferences for availability, focus area/issue, gender, language and ethnicity. Students will be able to choose a time that fits their schedule, whether it is day, night or weekend. Uwill is private, secure and confidential. Uwill is designed to supplement and complement our existing university resources and [in-house counselors](#), in order to serve more students in need and help reduce wait times for counseling.

Access to Uwill is quick and easy. Students can register and book their first session in just minutes by visiting [Uwill online](#) or accessing the platform through their UNCSA Campus app.

Drug and Alcohol Student Programs

UNCSA Wellness Center

- Alcohol and Other Drug Educational Health and Wellness Sessions
- Alcohol Use and Decision Making (low-risk choices)
- Drug and Alcohol High-Risk Behaviors concerning use/misuse
- Online Drug and Alcohol Intervention Course

UNCSA Police

- Fatal Vision Program
- What’s in your drink Campaign
- Spring Break Safety Tip Table

Alcoholics Anonymous (Family Group)

- Group meetings for family members of substance abusers held various times and locations weekly. Automated Information Line for meeting information/volunteer services: (336) 723-1452.

- [Drug and Alcohol Treatment and Prevention Network](#).

To find Mental Health and Substance Abuse resources, including providers:

- UNCSA Counseling Center (offers Substance Use Evaluations and Referrals): (336) 770-3288
- UNC Nurse Connect(an on-call, after hours, weekend and holiday nurse advice line): 984-364-4730
- Access to Uwill is quick and easy. Students can register and book their first session in just minutes by visiting [Uwill online](#) or accessing the platform through their UNCSA Campus app. If you are experiencing a mental health crisis, call [833-646-1526](#) for help 24/7/365. (If you are experiencing a medical emergency, call 911.)
- [Alcoholics Anonymous](#) : or (866) 210-1303
- [Narcotics Anonymous](#): or (800) 365-1036

Resources for Faculty and Staff: UNCSA Employees are encouraged to use the Employee Assistance Program offered by the University at no cost. These professional counseling services are available as needed through [ComPsych](#) at 888-311-4327, Web ID: UNCSA.

Drug and Alcohol Abuse Online Resources: For more information regarding drug abuse, please visit these online resources:

- [National Institute on Drug Abuse](#)
- [Substance Abuse and Mental Health Services Administration](#)
- [Insight NC](#)
- [Stop Alcohol Abuse](#)
- [National Institute on Alcohol Abuse and Alcoholism](#)
- [College Drinking Prevention](#)

Missing Student Notification Policy and Procedures

Effective August 14, 2008, the Higher Education Opportunity Act of 2008 requires any institution participating in a Title IV Federal Student Financial Aid Program that maintains on-campus housing facilities to establish a Missing Student Notification Policy and related procedures. When it is determined that a student is missing from UNCSA, staff will be guided by the Missing Student Notification Policy and related procedures.

At the beginning of the year Residence Life collects missing student information through a separate form given directly to the students on move in day. The form requires the student to provide campus with a point of contact if the student should go missing. This information is then shared with UNCSA Police and the Residence Life teams.

Appendix G: Missing Student Policy¹

Introduction

This regulation establishes the procedures for the UNC School of the Arts (UNCSA) community regarding the reporting, investigation and required emergency notification when a student residing in on-campus

¹ The University's Missing Student Policy is available online in the [College Handbook](#) and [High School Handbook](#).

housing is determined to be missing. A student shall be deemed missing when he or she is reported absent from the University for more than 24 hours without any known reason.

Identifying a Contact Person

All students residing in on-campus housing, including the high school, must register a contact person to be notified by UNCSEA if UNCSEA determines that the student is missing for more than 24 hours. This contact information will be registered confidentially and will not be disclosed except to authorized University officials and law enforcement personnel in furtherance of a missing person investigation. If a student is under 18 years of age and not an emancipated minor, UNCSEA is required to notify a custodial parent or guardian, in addition to notifying any additional contact person designated by the student.

Procedure for Identifying a Missing Student

3.1 Any person who believes that a student who resides in on-campus housing is missing should immediately report this information to University Housing or to University Police at 336-770-3362 or 55. Any missing student report received by University Housing will be immediately referred to the University Police. In the event another University officer or employee other than a member of University Housing, or University Police receives a report of a missing student, that person shall immediately notify University Police of the report received.

3.2 Upon the report of a possible missing student, the University Police will immediately initiate a missing person investigation in accordance with North Carolina law and with their standard operating procedures (Missing Persons). If University Police determines that a student is missing, University Police will take the following actions:

3.2.1 University Police will notify the student's contact person within 24 hours of the determination that the student is missing;

3.2.2 If the student is under 18 years of age and is not an emancipated minor, University Police will notify the student's custodial parent or guardian and any other designated contact person within 24 hours of the determination that the student is missing;

3.2.3 University Police will inform any other appropriate law enforcement agencies within 24 hours of the determination that the student is missing;

3.2.4 University Police and any other appropriate law enforcement agencies will continue to investigate the missing person report.

3.3 Nothing in this regulation prevents UNCSEA from making notifications earlier than noted above if deemed appropriate under the circumstances. Nothing in this regulation shall restrict UNCSEA from contacting other individuals if deemed necessary to prevent harm to a student or others, necessary to the investigation, or otherwise appropriate under the circumstances.

HEOA Victim Notification

The University will, upon written request, disclose to the alleged victim of a crime of violence or non-forcible sex offense the results of disciplinary proceedings conducted by the University against a student who is the alleged perpetrator of such crime or offense. If the crime resulted in the victim's death, the University will disclose the results, upon written request, to the victim's next of kin.

Sexual Misconduct Response Programs

The Clery Act, as amended by the Violence Against Women Reauthorization Act (VAWA), requires colleges and universities to address domestic violence, dating violence, sexual assault, and stalking through programs, awareness campaigns, policies, and procedures. Title IX is an important civil rights law that protects individuals from discrimination based upon sex in federally funded education programs or activities. Sexual harassment of students, which includes acts of sexual violence or sexual assault, is a form of discrimination based on sex that is prohibited by Title IX. Regulations on Title IX require grievance procedures that provide for the prompt and equitable resolution of sex discrimination complaints and guidance on Title IX recommends prevention, awareness, resource, and responsible employee training programs for individuals with reporting responsibilities.

UNCSA is committed to providing a safe learning and working environment, and in compliance with federal laws has adopted policies and procedures and will continue to take necessary steps to address and respond to these types of conduct, including sexual violence, sexual assault (rape, fondling, incest, and statutory rape), sexual battery, sexual coercion, domestic violence, dating violence, and stalking as further defined in the Clery Act and Title IX. Acts of sex or gender-based discrimination, harassment, and aforementioned sexual violence and misconduct will not be tolerated. These guidelines apply to all students, faculty, staff, independent contractors, and visitors.

Education Programs

UNCSA is committed to increasing the awareness and prevention of violence. All incoming students and new employees are provided with programming and strategies intended to prevent dating violence, domestic violence, sexual assault, and stalking before it occurs. This includes an understanding of how important it is that we change social norms in a way that dictates that these behaviors are unacceptable. All awareness and education programming include a clear statement that UNCSA prohibits such acts, relevant definitions (including the definition of consent), options for bystander intervention, information about risk reduction, and policies and procedures for responding to these incidents. Some programs have been adapted to an online platform or postponed until pandemic related restrictions are removed.

Ongoing prevention and awareness campaigns are also offered throughout the year. These programs include:

- **Student Orientation “Safe U”:** UNCSA’s orientation program for all undergraduate students and their families. This is an interactive program for incoming students and families to meet with an advisor, learn about campus resources, and experience the UNCSA environment.
- **Vector Solutions:** An online annual program for all students to complete prior to coming to campus addressing consent, sexual assault, and alcohol and other drugs.
- **New Hire Orientation (NHO):** New Hire Orientation is a mandatory information/benefits enrollment session conducted for all new employees. It is vital for new employees to attend orientation prior to or on their start date.
- **Sexual Assault Awareness & Prevention:** UNCSA Police and UNCSA Title IX Office offers multiple programs discussing the definitions of sexual assault, dating violence, domestic violence, and stalking. The program includes information on risk reduction and how/who to report incidents to, both on and off campus.

- **Office of Residence Life Programs:** Residence Hall floor programs in the living area are designed to educate and socialize residents. Educational programming on campus safety, sexual assault awareness and personal safety tips for off campus are done primarily through passive programming efforts such as bulletin boards and newsletters.
- **Sexual Assault Awareness Month (April):** Programming including distributing materials and interactive tabling with exercises to promote awareness of sexual assault. Collaboration with community partners for larger awareness events.
- **Domestic/Dating Violence Awareness Month (October):** Programming including distributing materials and interactive tabling with exercises to promote awareness of dating/domestic violence. Collaboration with community partners for larger awareness events.
- **Red Flag Campaign:** The Red Flag Campaign uses a bystander intervention strategy to address and prevent sexual assault, dating violence, and stalking on college campuses. The campaign encourages friends and other campus community members to say something when they see warning signs (“red flags”) for sexual assault, dating violence, or stalking in a friend’s relationship.

Sexual Misconduct Advocacy and Response Team (SMART)

UNCSA’s Sexual Misconduct Advocacy and Response Team (“SMART”) is responsible for coordinating training on the University’s response to sexual violence, implementing continuing education on prevention of sexual misconduct, and providing appropriate support resources to members on campus. The team is comprised of high-ranking officials on campus, including the Title IX Coordinator, Vice Provost of Student Affairs, UNCSA Police Chief, and others as needed.

Defining Sexual Assault, Domestic Violence, Stalking, and Consent in North Carolina

*N.C. Gen. Stat. § 50B-1 defines **Domestic Violence** as:*

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

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

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

1. Are current or former spouses;
2. Are persons of opposite sex who live together or have lived together;
3. Are related as parents and children, including others acting in loco parentis to a minor child, or as grandparents and grandchildren. For purposes of this subdivision, an aggrieved party may not obtain an order of protection against a child or grandchild under the age of 16;
4. Have a child in common;
5. Are current or former household members;
6. Are persons of the opposite sex who are in a dating relationship or have been

in a dating relationship. For purposes of this subdivision, a dating relationship is one wherein the parties are romantically involved over time and on a continuous basis during the course of the relationship. A casual acquaintance or ordinary fraternization between persons in a business or social context is not a dating relationship.

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

Sexual Assault: means an offense that meets the definition of rape, fondling, incest or statutory rape as used in the FBI's Uniform Crime Reporting (UCR) program. A sex offense is any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

- *N.C. Gen. Stat. § 14-27.21(a) defines **First-Degree Forcible Rape** as:*
A person is guilty of first-degree forcible rape if the person engages in vaginal intercourse with another person by force and against the will of the other person, and does any of the following:
 1. Uses, threatens to use, or displays a dangerous or deadly weapon or an article which the other person reasonably believes to be a dangerous or deadly weapon.
 2. Inflicts serious personal injury upon the victim or another person.
- *N.C. Gen. Stat. § 14-27.22(a) defines **Second-Degree Forcible Rape** as:*
A person is guilty of second-degree forcible rape if the person engages in vaginal intercourse with another person:
 1. By force and against the will of the other person; or
 2. Who has a mental disability or who is mentally incapacitated or physically helpless, and the person performing the act knows or should reasonably know the other person has a mental disability or is mentally incapacitated or physically helpless.
- *N.C. Gen. Stat. § 14-27.26(a) defines **First-Degree Forcible Sex Offense** as:*
A person is guilty of a first degree forcible sexual offense if the person engages in a sexual act with another person by force and against the will of the other person, and does any of the following:
 1. Uses, threatens to use, or displays a dangerous or deadly weapon or an article which the other person reasonably believes to be a dangerous or deadly weapon.
 2. Inflicts serious personal injury upon the victim or another person.
 3. The person commits the offense aided and abetted by one or more other persons.
- *N.C. Gen. Stat. § 14-27.27 defines **Second-Degree Forcible Sex Offense** as:*
A person is guilty of second degree forcible sexual offense if the person engages in a sexual act with another person:
 1. By force and against the will of the other person; or
 2. Who has a mental disability or who is mentally incapacitated or physically helpless, and the person performing the act knows or should reasonably know that the other person has a mental disability or is mentally incapacitated or physically helpless.
- ***Fondling** is included in the crime of "sexual battery" under N.C. Gen. Stat. § 14-27.33(a), defined as:*
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 has a mental disability, or who is mentally incapacitated or physically helpless, and the person performing the act knows or should reasonably know that the other person has a mental disability or is mentally incapacitated or physically helpless.

- *N.C. Gen. Stat. § 14-178(a) defines **Incest** as:*

A person commits the offense of incest if the person engages in carnal intercourse with the person's (i) grandparent or grandchild, (ii) parent or child or stepchild or legally adopted child, (iii) brother or sister of the half or whole blood, or (iv) uncle, aunt, nephew, or niece.

- *N.C. Gen. Stat. § 14-27.30(a) defines **Statutory Rape** as:*

[Where] 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.

- *N.C. Gen. Stat. § 14-277.3A(a) defines **Stalking** as:*

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.

The State of North Carolina does not have a statute defining “dating violence” or “consent” in reference to sexual activity. North Carolina criminal law prohibits sexual acts that are by force and against the will of the other person or acts that are against people who are mentally disabled, mentally incapacitated, or physically helpless. In determining whether a person gave consent, or was capable of giving consent, the facts of the particular situation will be assessed. Physical resistance is not necessary to prove the lack of consent, nor is actual force. In North Carolina, consent is not submission due to fear, fright, coercion, or the realization that in the particular situation resistance is futile.

Sexual Misconduct Regulations, Policies, and Procedures

Title IX Regulations and Procedures

Title IX of the Education Amendments of 1972 was the first comprehensive federal law to prohibit sex discrimination against students and employees of educational institutions. It is one of several federal and state anti-discrimination laws that define and ensure equality in education. The regulations implementing Title IX, published in 1975, prohibit discrimination, exclusion, denial, limitation, or separation based on gender.

The University of North Carolina School of the Arts has a policy regarding Equal Opportunity and Non-Discrimination, which includes a prohibition of sex discrimination, sex-based harassment, and retaliation within the University.

Investigations are conducted by officials who, at a minimum, receive annual training on the issues related to dating violence, domestic violence, sexual assault and stalking and on how to conduct an investigation and hearing process that protects the safety of the victims and promotes accountability.

University of North Carolina School of the Arts Title IX Regulation

Effective Date: August 1, 2024

The University of North Carolina School of the Arts (“UNCSA” or “University”) does not tolerate Sex-Based Harassment. Such conduct is harmful to the well-being of our community members, our learning and working environments, and the collegial relationships among students, faculty, and staff. All forms of prohibited conduct under this policy are regarded as serious University offenses, and violations may result in discipline, including the possibility of separation from the University. State and federal laws may also address conduct that meets the University’s definitions of prohibited conduct, and criminal prosecution may take place independently of any disciplinary action instituted by the University.

UNCSA’s Title IX Regulation (“Title IX Policy”) is based on definitions set forth in regulations issued by the U.S. Department of Education under Title IX of the Education Amendments Act of 1972, and updated most recently on April 19, 2024. Please note there is now an additional policy that outlines the different procedures for students, faculty, staff, or third parties titled UNCSA Title IX Grievance Procedures (“Title IX Procedures”).

This Title IX Policy applies to incidents that occur on or after August 1, 2024. Any incidents reported that occurred on or before July 31, 2024, will be processed through the institution’s [Interim Title IX Regulation](#) or the [Prohibited Discrimination, Harassment, and Related Misconduct Regulation #121](#).

Should any portion of the 2024 Title IX Final Rule (89 Fed. Reg. 33474 (Apr. 29, 2024)), be stayed or held invalid by a court of law, or if the 2024 Title IX Final Rule is withdrawn or modified to not require elements of this Title IX Policy, the Title IX Policy in their entirety, or the invalidated elements of this Title IX Policy, they will be deemed revoked as of the publication date of the opinion or order from the Court and for all reports after that date, as well as any elements of the process that occur after that date if a case is not complete by the date of the opinion or order publication by the Court. If this Title IX Policy is revoked in this manner, any conduct covered under this Title IX Policy shall be investigated and adjudicated under the previous [Interim Title IX Regulation](#) or the [Prohibited Discrimination, Harassment, and Related Misconduct Regulation #121](#). The University will update this Title IX Policy as soon as practicable to reflect any court rulings or changes that invalidate parts of the Title IX Policy, if applicable.

I. Scope of Procedure¹

Sex-Based Harassment is considered discrimination on the basis of sex if it includes harassment due to actual or perceived sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and/or gender identity.

¹ 34 C.F.R. 106.10.

II. Related Policies and Procedures

In order to address incidents of Sex-Based Harassment that do not fall within the definition of Title IX Policy, the University has two policies that can address Sex-Based Harassment: (1) Title IX Policy and (2) the [University Prohibited Discrimination, Harassment, and Related Misconduct Policy #121](#) (“Policy #121”). [Policy #121](#) may cover forms of Sex-Based Harassment that do not fall under the scope of the Title IX Policy.

These policies may cover similar allegations so each report will be evaluated by the Title IX Coordinator to determine the relevant policy to apply to any allegations involving Sex-Based Harassment. If the allegations forming the basis of a formal complaint, if substantiated, constitute prohibited conduct under the Title IX Policy then the Title IX Procedures will be applied in the investigation and adjudication of the allegations.

If the allegations, if substantiated, would not constitute prohibited conduct under this Title IX Policy, then they would be assessed under [Policy #121](#) to determine if the allegations would constitute prohibited conduct under [Policy #121](#). If the determination is yes, then there may be an investigation and adjudication of the allegations. If the determination is no, then there is not sufficient information to proceed with an investigation into the allegations under either policy and the reporting party will be notified there is insufficient information to proceed with an investigation. However, even if there is insufficient information to proceed with an investigation, there may still be options for supportive measures or accommodations.

The University will respond to all reports with measures designed to stop the prohibited conduct, prevent its recurrence, and remediate any adverse effects of such conduct on campus or in University-related programs or activities.

The University will not deprive an individual of rights guaranteed under federal and state law (or federal and state anti-discrimination provisions; or federal and state law prohibiting discrimination on the basis of sex) when responding to any claim under the Title IX Policy.

III. Non-Discrimination in Application

The requirements and protections of this Title IX Policy apply equally regardless of sex, sexual orientation, gender identity, gender expression, or other protected classes covered by applicable federal, state or local law. All requirements and protections are equitably provided to individuals regardless of such protected status(es) or status as a Complainant, Respondent, or Witness. Individuals who wish to file a Complaint about the institution’s policy or process may contact the U.S. Department of Education’s Office for Civil Rights using contact information available at <https://ocrcas.ed.gov/contact-ocr>.

IV. The Title IX Coordinator

The [Title IX Coordinator](#) oversees the University’s compliance with Title IX and all University policies related to Sex-Based Harassment.

Non-Confidential Reports

Any person may report sex discrimination, including Sex-Based Harassment (whether or not the person reporting is the person alleged to be the victim of the conduct that may constitute sex discrimination or Sex-Based Harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report.

Confidential Reports²

The following officials at UNCSA will provide privacy, but not confidentiality, upon receiving a report of conduct prohibited by Title IX:

- Title IX Coordinator or designee(s);
- Officials with Authority to institute corrective measures under Title IX;
- all other employees at UNCSA that are not designated as confidential resources

The following officials at UNCSA may be confidential resources:

- [Counseling Services](#) (students)
- [Student Health and Wellness](#) (students)
- [Gender Violence Prevention and Survivor Advocacy](#) (students)
- [Ombuds](#) (faculty and staff)

All faculty and staff who are not designated Confidential Resources are [required to notify the Title IX Coordinator](#) of suspected violations of this policy and cannot guarantee the confidentiality of a report under this policy.

The Title IX Coordinator will be informed of all reports or formal complaints of violations of this policy and oversees the University's centralized response to ensure compliance with Title IX and the 2013 Amendments to the Violence Against Women Act (VAWA). The Title IX Coordinator's responsibilities include (but are not limited to):

- Communicating with all members of the University community regarding Title IX and VAWA, and providing information about how individuals may access their rights;
- Reviewing applicable University policies to ensure institutional compliance with Title IX and VAWA;
- Monitoring the University's administration of its own applicable policies, including this policy and the University Prohibited Discrimination Policy and all related record keeping, timeframes, and other procedural requirements;

² 34 C.F.R. 106.44(d).

- Conducting training regarding Title IX, VAWA, and prohibited conduct defined in this policy and related policies; and
- Responding to any report or formal complaint regarding conduct that violates this policy. For any report of which the University has actual knowledge (and any formal complaint), the Title IX Coordinator shall oversee and implement the explanation and provision of any supportive measures. For any formal complaint, the Title IX Coordinator oversees the investigation and resolution of such alleged misconduct, directs the provision of any additional supportive measures, and monitors the administration of any related appeal.

The Title IX Coordinator may delegate certain responsibilities under this policy to designated staff and administrators, who will be appropriately trained.

The Title IX Coordinator's contact information is as follows:

Valerie Thelen
Chief Compliance Officer and Title IX Coordinator
UNCSA Library Room 3209
1533 S Main St
Winston-Salem, North Carolina, 27127
thelenv@uncsa.edu
336-932-3917

Make a report now: [Title IX Reporting Form](#)

The University provides the contact information of the Title IX Coordinator to students, faculty, staff, applicants for admission, applicants for employment, and all labor unions or professional organizations agreements with the University.

V. Definitions

1. *Admission* means selection for part-time, full-time, special, associate, transfer, exchange, or any other enrollment, membership, or matriculation in or at an education program or activity operated by UNCSA.
2. *Consent* means a knowing, voluntary, and mutual decision among all participants to engage in mutually acceptable sexual activity freely given by clear actions or words. Consent may not be inferred from silence, passivity, or lack of resistance alone. A current or previous dating or sexual relationship is not sufficient to constitute consent, and consent to one form of sexual activity does not imply consent to other forms of sexual activity.
3. *Complainant* means:

- (1) a Student or employee who is alleged to have been subjected to conduct that could constitute Sex-Based Harassment as defined in this Title IX Policy and who was participating or attempting to participate in UNCSA's Education Program or Activity; or
- (2) a person other than a Student or employee who is alleged to have been subjected to conduct that could constitute Sex-Based Harassment under this Title IX Policy and who was participating or attempting to participate in UNCSA's Education Program or Activity at the time of the alleged Sex-Based Harassment.
4. *Complaint* means an oral or written request to UNCSA that objectively can be understood as a request for UNCSA to investigate and make a determination about alleged Sex-Based Harassment at the institution.
5. *Confidential Employee* means:
- (1) an employee of UNCSA whose communications are privileged under Federal or State law. The employee's confidential status is only with respect to information received while the employee is functioning within the scope of their duties to which privilege or confidentiality applies;
- (2) an employee of UNCSA whom the institution has designated as confidential for the purpose of providing services to persons related to Sex-Based Harassment. If the employee also has a duty not associated with providing those services, the employee's confidential status is only with respect to information received about Sex-Based Harassment in connection with providing those services; or
- (3) an employee of UNCSA who is conducting an Institutional Review Board-approved human-subjects research study designed to gather information about Sex-Based Harassment. The employee's confidential status is only with respect to information received while conducting the study.
6. *Disciplinary Sanctions* means consequences imposed on a Respondent following a determination under the Grievance Procedure that the Respondent violated UNCSA's prohibition Sex-Based Harassment.
7. *Education Program or Activity* means any academic, extracurricular, research, occupational training or other Education Program or Activity operated by UNCSA that receives Federal financial assistance.
8. *Party* means Complainant or Respondent.
9. *Peer Retaliation* means Retaliation by a Student against another Student.

10. *Relevant* means related to the allegations of Sex-Based Harassment under investigation as part of this Grievance Procedure. Questions are Relevant when they seek evidence that may aid in showing whether the alleged Sex-Based Harassment occurred, and evidence is Relevant when it may aid a decisionmaker in determining whether the alleged Sex-Based Harassment occurred.
11. *Remedies* means measures provided, as appropriate, to a Complainant or any other person UNCSA identifies as having had their equal access to UNCSA's Education Program or Activity limited or denied by Sex-Based Harassment. These measures are provided to restore or preserve that person's access to UNCSA's Education Program or Activity after UNCSA determines that Sex-Based Harassment occurred.
12. *Report* refers to information brought to the Title IX Office alleging conduct prohibited under this Title IX Policy; a report is not considered to be a formal complaint. A party may bring a report and then subsequently file a formal complaint.
13. *Respondent* means a person who is alleged to have violated UNCSA's prohibition on Sex-Based Harassment.
14. *Retaliation* means intimidation, threats, coercion, or discrimination by any person, by UNCSA, a Student, or an employee or other person authorized by UNCSA to provide aid, benefit, or service under UNCSA's Education Program or Activity, for the purpose of interfering with any right or privileged secured by Title IX, or because the person has reported information, made a Complaint, testified, assisted or participated or refused to participate in any manner in an investigation, proceeding, or hearing.
15. *Sex-Based Harassment* means sexual harassment and other harassment on the basis of sex, including harassment because of gender identity, sexual orientation, sex characteristics, sex stereotypes, and/or pregnancy and other conditions, that is:
 - (1) *Quid pro quo harassment*. An employee, agent or other person authorized by UNCSA's Education Program or Activity explicitly or impliedly conditioning the provision of such an aid, benefit, or service on a person's participation in unwelcome sexual conduct;
 - (2) *Hostile Environment harassment*. Unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from UNCSA's Education Program or Activity (i.e., creates a Hostile Environment). Whether a Hostile Environment has been created is a fact-specific inquiry that includes consideration of the following: (i) the degree to which the conduct affected the Complainant's ability to access UNCSA's Education Program or Activity; (ii) the type, frequency, and duration of the conduct; (iii) the Parties' ages, roles within UNCSA's Education Program or Activity,

previous interactions and other factors about each Party that may be Relevant to evaluating the effects of the conduct; (iv) the location of the conduct and the context in which the conduct occurred; and (v) other Sex-Based Harassment in UNCSCA's Education Program or Activity;

(3) *Sexual Assault* (as defined in the Clery Act, 20 U.S.C. 1092(f)) means any sexual act directed against another person, without the Consent of the victim, including instances where the victim is incapable of giving Consent;

(4) *Dating Violence* (as defined in the Violence Against Women Act (VAWA) Reauthorization of 2022 and the VAWA Amendments to the Clery Act) means any violence committed by a person: (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (B) Where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) The length of the relationship; (ii) the type of relationship; and (iii) the frequency of interaction between the persons involved in the relationship.

(5) *Domestic Violence* means any felony or misdemeanor crimes committed by a person who: (A) is a current or former partner of the victim under the family or Domestic Violence laws of North Carolina or a person similarly situated to a spouse of the victim; (B) is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner; (C) shared a child in common with the victim; or (D) commits acts against a youth or adult victim who is protected from those acts under the family or Domestic Violence laws of North Carolina.

(6) *Stalking* means engaging in a course of conduct directed at a specific person that would cause a reasonable person to: (A) fear for the person's safety or the safety of others; or (B) suffer substantial emotional distress.

16. *Student* means a person who has gained Admission.

17. *Supportive Measures* means individualized measures offered as appropriate, as reasonably available, without unreasonably burdening a Complainant or Respondent, not for punitive or disciplinary reasons, and without fee or charge to the Complainant or Respondent to: (1) restore or preserve that Party's access to UNCSCA's Education Program or Activity, including measures that are designed to protect the safety of the Parties or UNCSCA's educational environment; or (2) provide support during UNCSCA's Grievance Procedure for Sex-Based Harassment or during the informal resolution process.

18. *Third Party* refers to any individual who is not a University student, member of faculty or staff, (e.g., vendors, alumni/ae, or local residents).

19. Witness refers to any individual who shares information relating to an allegation of prohibited conduct under this policy.

VI. Disability Accommodations³

This Title IX Policy does not alter any institutional obligations under applicable federal, state, or local disability laws, including the Americans with Disabilities Act of 1990, and Section 504 of the Rehabilitation Act of 1973, among others. Parties may request reasonable accommodations for disclosed disabilities to the Title IX Coordinator. The Title IX Coordinator will not affirmatively provide disability accommodations that have not been specifically requested by the Parties, even where the Parties may be receiving accommodations in other institutional programs and activities.

If the Complainant or Respondent discloses a disability, the Title IX Coordinator may consult, as appropriate, with the [Director of Learning Resources](#) to provide support to Students with disabilities to determine how to comply with applicable law including, without limitation, Section 504 of the Rehabilitation Act of 1973 in the implementation of any Supportive Measures, or any other reasonable accommodations requested.

VII. Prohibited Conduct

UNCSA's Title IX Coordinator will determine if this Policy applies to a Complaint. The Title IX Policy will apply when the following elements are met, in the reasonable determination of the Title IX Coordinator:

- The conduct alleged occurred on or after August 1, 2024;
- The conduct alleged occurred in the United States;
- The conduct alleged occurred in UNCSA's Education Program or Activity; and
- The conduct alleged, if true, would constitute Sex-Based Harassment as defined in this Title IX Policy.

NOTE: UNCSA has an obligation to address a sex-based Hostile Environment under its Education Program or Activity, even when some conduct alleged to be contributing to the Hostile Environment occurred outside UNCSA's Education Program or Activity, or outside of the United States. UNCSA's Title IX Coordinator will work with all Complaints to assess such Complaints that may fall under these criteria, and direct to appropriate UNCSA Policies and Procedures that may apply if this Policy does not. UNCSA will communicate all such decisions in writing to the Complainant. Any such dismissals shall be subject to appropriate appeal rights under this Policy as outlined in the Dismissals section.

Conduct that occurs under UNCSA's Education Program or Activity includes but is not limited to conduct that occurs in a building owned or controlled by a Student organization that is officially

³ 34 C.F.R. 106.8(e).

recognized by UNCSEA, and conduct that is subject to UNCSEA's disciplinary authority under UNCSEA's Code of Conduct

If all elements of jurisdiction are met, UNCSEA will investigate the allegations according to the Title IX Procedure as appropriate, unless informal resolution is pursued or there are grounds for dismissal of the Complaint.

VIII. Confidentiality, Privacy, and Related Responsibilities

Issues of privacy and confidentiality play important roles in this policy, and may affect individuals differently. Privacy and confidentiality are related but distinct terms that are defined below.

In some circumstances, the reporting responsibilities of University faculty or staff, or the University's responsibility to investigate, may conflict with the preferences of the complainant and/or respondent with regard to privacy and confidentiality. Individuals are encouraged to familiarize themselves with their options and responsibilities, and make use of Confidential Resources, if applicable, in determining their preferred course of action.

Requests for confidentiality or use of anonymous reporting may limit the University's ability to conduct an investigation.

The following officials at UNCSEA may be confidential resources:

- [Counseling Services](#) (students)
- [Student Health and Wellness](#) (students)
- [Gender Violence Prevention and Survivor Advocacy](#) (students)
- [Ombuds](#) (faculty and staff)

1. Confidentiality and Confidential Resources

The term "confidential" refers to the circumstances under which information will or will not be disclosed to others.

Several campus professionals are designated Confidential Resources, who are not obligated to report information that is provided to them. This allows individuals to explore their options in a non-pressured environment while they make informed decisions. There may be exceptions in cases involving child abuse, imminent risk of serious harm, emergent hospitalization, or a court order. In addition, non-identifying information about violations of the Title IX Policy may be submitted to the University Police Department for purposes of the anonymous statistical reporting under the Clery Act.

An individual who is not prepared to make a report or formal complaint, or who may be unsure how to label what happened, but still seeks information and support, is strongly encouraged to contact a Confidential Resource.

2. Options for Complainants, Respondents, and Other Reporting Individuals

A complainant, respondent, or witness has many options, including counseling and support services. Information regarding contact information for local law enforcement as well as contact information for confidential resources that are available to provide support to parties and witnesses are listed below.

A complainant may:

- Request supportive measures from the Title IX Coordinator;
- File a formal complaint with the Title IX Coordinator, begin the Title IX Grievance Procedures process;
- Contact the University Police Department or local law enforcement to file a criminal complaint and preserve physical evidence; the University Police Department can assist a complainant who decides to pursue a criminal process if local law enforcement if the incident does not fall under University Police Department's jurisdiction.

An individual may pursue some or all of these steps at the same time. When initiating any of the above, an individual does not need to know whether they wish to request any particular course of action.

IX. Employees' Responsibility to Report

In non-emergency situations, employees must promptly report suspected or known violations of this policy to the Title IX Coordinator. Students are encouraged to report any suspected violation of this policy.

In emergency situations, if there is a suspected crime in progress or imminent or serious threats to the safety of anyone, employees must immediately contact the Department of Public Safety or call 911.

Anonymous Reporting

If a reporting individual makes an anonymous report, Title IX Coordinator will consider how to proceed, considering the individual's articulated concerns; the best interests of the University community; fair treatment of all individuals involved; and the University's obligations under Title IX. A complainant cannot file a formal complaint anonymously.

Any individual may make an anonymous report concerning a violation of this policy through the online reporting form. Anonymous reporting does not satisfy employees' reporting obligation. However, if the reporter provides limited information, the University may be limited in its ability to take action.

Timeliness of Report

Complainants and other reporting individuals are encouraged to report any violation of this policy as soon as possible in order to maximize the University's ability to respond promptly and effectively. Reports and formal complaints may be made at any time without regard to how much

time has elapsed since the incident(s) in question. If the respondent is no longer a student or employee at the time of the report or formal complaint, the University may not be in a position to gather evidence sufficient to reach a determination as to the formal complaint and/or the University may not be able to take disciplinary action against the respondent. However, the University will still seek to provide support for the complainant and seek to take steps to end the prohibited behavior, prevent its recurrence, and address its effects.

Amnesty

In order to encourage reports of conduct that is prohibited under this policy, the University may offer leniency with respect to other violations which may come to light as a result of such reports, depending on the circumstances involved.

X. Supportive and Interim Measures⁴

Complainants who report allegations of Sex-Based Harassment have the right to receive Supportive Measures from UNCSCA regardless of whether they file a Complaint. Supportive Measures are non-disciplinary and non-punitive. Supportive Measures may vary depending upon what is reasonably available at UNCSCA.⁵

As appropriate, Supportive Measures may include without limitation:

- Counseling services
- Extensions of deadlines or other course-related adjustments
- Modifications of work or class schedules
- Campus escort services, as available
- Restrictions on contact applied to one or more Parties (no contact directives)
- Changes in class, work, housing, or extracurricular or any other activity, regardless of whether there is or is not a comparable alternative
- Leaves of absence
- Increased security and monitoring of certain areas of the campus
- Training and education programs related to Sex-Based Harassment

Supportive Measures must not unreasonably burden either Party and must be designed to protect the safety of the Parties or UNCSCA's educational environment, or to provide support during or after UNCSCA's Sex-Based Harassment grievance procedure.

UNCSCA may modify or terminate Supportive Measures at the conclusion of the grievance or informal resolution process, or may continue them beyond that point within UNCSCA's discretion.

⁴ 34 C.F.R 106.44(g).

⁵ 34 C.F.R. 106.44(g).

UNCSA will not disclose information about any Supportive Measures to persons other than the person to whom they apply, including informing one Party of Supportive Measures provided to another Party, unless necessary to provide the supportive measure or restore or preserve a Party's access to UNCSA's education program or activity, or there is an exception that applies, such as:

- UNCSA has obtained prior written consent from a person with the legal right to consent to the disclosure;
- When the information is disclosed to an appropriate third Party with the legal right to receive disclosures on behalf of the person whose personally identifiable information is at issue;
- To carry out the purpose of the policy when it is necessary to address conduct that reasonably may constitute Sex-Based Harassment under Title IX in UNCSA's education program or activity;
- As required by Federal law, federal regulations, or the terms and conditions of a federal award; or
- To the extent such disclosures are not otherwise in conflict with Title IX, when required by State or local law or when permitted under the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. 1232g, or its implementing regulations, 34 CFR Part 99).

Process for Review of Supportive Measures⁶

UNCSA provides for a Complainant or Respondent to seek modification or reversal of UNCSA's decision to provide, deny, modify or terminate a Supportive Measure. Grounds for challenge of Supportive Measures include, but are not limited to:

- Whether a Supportive Measure is reasonably burdensome;
- Whether a Supportive Measure is reasonably available;
- Whether a Supportive Measure is being imposed for punitive or disciplinary reasons;
- Whether the Supportive Measure is being imposed without fee or charge; and
- Whether the Supportive Measure is effective in meeting the purposes for which it is intended, including to restore or preserve access to the Education Program or Activity, provide safety, or provide support during Title IX Procedure.

This review will be conducted by an impartial employee of UNCSA, who did not make the challenged decision on the original supportive measure request. The impartial employee of UNCSA who makes this determination will have the authority to modify or reverse the decision if that impartial employee determines that the decision to provide, deny, modify or terminate the supportive measure was inconsistent with the procedures as outlined above for providing Supportive Measures in accordance with the Title IX regulations.

⁶ 34 C.F.R. 106.44(g)(4).

Parties are only allowed to challenge their own individual Supportive Measures. Challenges by one Party will not be heard to Supportive Measures afforded to the opposite Party, unless that supportive measure directly impacts the Party making such challenge (i.e., two-way no contact orders).

UNCSA has a webpage, safe@uncsa designated to keeping the most up to date information on resources, events, programming, and training available for anyone seeking additional information on Sex-Based Harassment or other related areas that impact students, faculty, or staff. This page contains information for anyone who is looking for more in-depth information on how to get help for themselves or others.

Emergency Removal⁷

UNCSA retains the authority to remove a Respondent from all or part of⁸ UNCSA's education program or activity on an emergency basis, where UNCSA (1) undertakes an individualized safety and risk analysis, and (2) determines that an imminent and serious threat to the health or safety of a Complainant or any Students, employees, or other persons arising from the allegations of Sex-Based Harassment justifies removal.

UNCSA will provide the Respondent with notice and an opportunity to challenge the decision immediately following the removal under the Title IX Procedure.

The decisionmaker who hears a challenge to an emergency removal must not be involved in any decision regarding responsibility or appeal of a determination.

Emergency removals will not be considered Relevant evidence that can be considered in reaching a determination of whether Sex-Based Harassment occurred.⁹

Administrative Leave¹⁰

UNCSA retains the authority to place a non-Student employee Respondent on administrative leave during the Title IX Procedures.

Note on Student employees: when a Complainant or Respondent is both a Student and an employee of UNCSA, UNCSA must make a fact-specific inquiry to determine whether these procedures apply to that Student employee. UNCSA will consider if the Complainant or Respondent's primary relationship with UNCSA is to receive an education and whether the alleged Sex-Based Harassment occurred while the Party was performing employment-related work.¹¹

⁷ 34 C.F.R. 106.44(h).

⁸ 89 FR 33617.

⁹ 89 FR 33618.

¹⁰ 34 C.F.R. 106.44(i).

¹¹ 34 C.F.R. 106.46(b).

XI. Title IX Grievance Procedure

Please refer to the Title IX Grievance Procedure for information and options regarding formal and informal processes for adjudication or resolution of alleged violations of the Title IX Policy.

UNCSA Grievance Procedure for Sex-Based Harassment Complaints for Students and Employees

Effective: August 1, 2024

I. Effective Date and Changes to Procedure Based on Court Rulings and Legal Challenges or Changes in Law or Regulation

This Grievance Procedure applies to incidents reported under the Title IX Policy that occur on or after August 1, 2024. Any incidents reported that occurred on or before July 31, 2024, will be processed through the institution's [Interim Title IX Regulation](#) or the [Prohibited Discrimination, Harassment, and Related Misconduct Regulation #121](#).

Should any portion of the 2024 Title IX Final Rule (89 Fed. Reg. 33474 (Apr. 29, 2024))¹, be stayed or held invalid by a court of law, or if the 2024 Title IX Final Rule is withdrawn or modified to not require elements of this Grievance Procedure, the Grievance Procedures in their entirety, or the invalidated elements of this Procedure, they will be deemed revoked as of the publication date of the opinion or order from the Court and for all reports after that date, as well as any elements of the process that occur after that date if a case is not complete by the date of the opinion or order publication by the Court. If this Procedure is revoked in this manner, any conduct covered under this Procedure shall be investigated and adjudicated under the previous 2020 Title IX Grievance Policy and/or [Interim Title IX Regulation](#) or the [Prohibited Discrimination, Harassment, and Related Misconduct Regulation #121](#). The University of North Carolina School of the Arts ("UNCSA") will update this Grievance Procedure as soon as practicable to reflect any court rulings or changes that invalidate parts of the Grievance Procedure, if applicable.

II. Scope of Procedure²

Sex-Based Harassment is considered discrimination on the basis of sex if it includes harassment due to actual or perceived sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and/or gender identity.

III. Jurisdiction of Procedure³

UNCSA's Title IX Coordinator will determine if this Grievance Procedure applies to a Complaint made under the University of North Carolina School of the Arts Title IX Regulation ("Title IX Policy"). This Grievance Procedure will apply when the following elements are met, in the reasonable determination of the Title IX Coordinator:

- The conduct alleged occurred on or after August 1, 2024;
- The conduct alleged occurred in the United States;
- The conduct alleged occurred in UNCSA's Education Program or Activity; and

² 34 C.F.R. 106.10.

³ 34 C.F.R. 106.11.

- The conduct alleged, if true, would constitute Sex-Based Harassment as defined in the Title IX Policy.

If all elements of jurisdiction are met, UNCSA will investigate the allegations according to this Grievance Procedure as appropriate, unless informal resolution is pursued or there are grounds for dismissal of the Complaint.

Title IX Coordinator

You can contact the Title IX Coordinator at any time to make a report or ask questions about the Grievance Procedure or the Title IX Policy.

Valerie Thelen

Chief Compliance Officer and Title IX Coordinator

UNCSA Library Room 3209

1533 S Main St

Winston-Salem, North Carolina, 27127

thelenv@uncsa.edu

336-932-3917

Make a report now: [Title IX Reporting Form](#)

IV. Basic Requirements of the Grievance Procedure⁴

UNCSA is required to:

- Treat Complainants and Respondents equitably;
- Ensure that any person designated by UNCSA as a Title IX Coordinator, investigator, or decisionmaker does not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent;
- Establish reasonably prompt timeframes for the major stages of this Grievance Procedure, including a process that allows for the reasonable extension of timeframes on a case-by-case basis for good cause with notice to the Parties that includes the reason for the delay;
- Ensure that reasonable steps to protect the privacy of the Parties and witnesses during the pendency of the Grievance Procedure are taken, provided that the steps do not restrict the abilities of the Parties to obtain and present evidence, including by speaking to witnesses (as long as such does not result in Retaliation), consult with their family members, confidential resources, or advisors, or otherwise prepare for or participate in this Grievance Procedure;
- Ensure an objective evaluation of all evidence that is Relevant and not otherwise impermissible under this procedure, including both inculpatory and exculpatory evidence, and provide that credibility determinations must not be based on a person's status as a Complainant, Respondent or Witness;

⁴ 34 C.F.R. 106.45(b).

- Exclude impermissible evidence from consideration as defined in the Grievance Procedure; and
- Clearly articulate principles for how UNCSA will determine which policies and procedures apply if not all such Complaints are handled under this institutional Grievance Procedure.

V. The Title IX Grievance Procedure for Allegations of Sex-Based Harassment
A. Filing a Complaint⁵

Who can make a Complaint?

- A Complainant (as defined in Section V(3) of this policy); or
- The Title IX Coordinator.

Note on Title IX Coordinator initiated Complaints: In the absence of a Complaint or the withdrawal of any or all of the allegations in a Complaint, and in the absence or termination of an informal resolution process, the Title IX Coordinator must determine whether to initiate a Complaint of Sex-Based Harassment. This determination is fact-specific, and the Title IX Coordinator must consider:

- The Complainant's request not to proceed with the initiation of a Complaint;
- The Complainant's reasonable safety concerns regarding initiation of a Complaint;
- The risk that additional acts of Sex-Based Harassment would occur if a Complaint is not initiated;
- The severity of the alleged Sex-Based Harassment, including whether the Sex-Based Harassment, if established, would require the removal of a Respondent from campus or imposition of another disciplinary sanction to end the Sex-Based Harassment and prevent its recurrence;
- The age and relationship of the Parties, including whether the Respondent is an employee of the recipient;
- The scope of the alleged Sex-Based Harassment, including information suggesting a pattern, ongoing Sex-Based Harassment, or Sex-Based Harassment alleged to have impacted multiple individuals;
- The availability of evidence to assist a decisionmaker in determining whether Sex-Based Harassment occurred; and
- Whether UNCSA could end the alleged Sex-Based Harassment and prevent its recurrence without initiating these grievance procedures.

If after considering these and other Relevant factors, the Title IX Coordinator determines that the conduct as alleged presents an imminent and serious threat to the health or safety of the Complainant or other person, or that the conduct as alleged prevents UNCSA from ensuring equal access on the basis of sex to its education program or activity, the Title IX Coordinator may initiate a Complaint.

If the Title IX Coordinator does initiate the Complaint after making this determination, the Title IX Coordinator must notify the Complainant prior to doing so and appropriately address reasonable concerns about the Complainant's safety or the safety of others, including by providing Supportive Measures as listed in Section VI of these procedures.

Is there a particular format that the Complaint needs to be in?

As defined in IV(4) of these procedures, a Complaint can be an oral or written request to UNCSA that objectively can be understood as a request for UNCSA to investigate and make a determination about alleged Sex-Based Harassment at the institution.

Who can I report a Complaint to?

Any reports of Sex-Based Harassment may be made directly to the Title IX Coordinator, whose contact information is listed at the beginning of this Grievance Procedure. There are other ways in which a Party may report a Complaint.

UNCSA requires that any employee who is not a Confidential Employee and who either has authority to institute corrective measures on behalf of UNCSA or has responsibility for administrative leadership, teaching, or advising in UNCSA's education program or activity must notify the Title IX Coordinator when the employee has information about conduct that reasonably may constitute sex discrimination, including Sex-Based Harassment.

All other employees at UNCSA who are not Confidential Employees and are not employees as identified above are required to notify the Title IX Coordinator when the employee has information about conduct that reasonably may constitute sex-discrimination, including Sex-Based Harassment about conduct that reasonably may constitute sex discrimination under this the Title IX Policy.

Note: If an employee has personally been subject to conduct that reasonably may constitute sex discrimination under Title IX or any institutional policy or this Grievance Procedure, these requirements do not apply to an employee reporting a personal Complaint.

*What is the timeframe for UNCSA to evaluate if the Title IX Coordinator is initiating an investigation under this Grievance Procedure?*⁶

The Title IX Coordinator must evaluate whether the Complaint falls under this Grievance Procedure within 15 business days after the Complaint is made, and must issue the Notice of Allegations as soon as practical after the Complaint is evaluated. If there are any delays or extensions, the Title IX Coordinator must appropriately notice the Parties in writing, on a case-by-case basis, with good cause and the rationale for the extension or delay.

⁶ 89 FR 33669.

*Can I make a Complaint and request initiation of the Grievance Procedure even if I have made a complaint to law enforcement?*⁷

Yes. UNCSA has an obligation to appropriately evaluate all Complaints, regardless of whether there is a concurrent Complaint before law enforcement. This process is an administrative process that is different from the criminal justice process.

B. Multi-Party Situations and Consolidation of Complaints⁸

UNCSA may consolidate Complaints alleging Sex-Based Harassment against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one Party against the other Party, where the allegations of Sex-Based Harassment arise out of the same facts or circumstances.

UNCSA can consider factors when making this fact-specific determination, which include, but are not limited to:⁹

- The facts and circumstances of the particular Complaints when deciding whether to consolidate, including the toll of separate proceedings on the Parties; and
- Any risks to the fairness of the investigation or outcome.

C. Dismissal of a Complaint¹⁰

Grounds for Dismissal

UNCSA may dismiss a Complaint of Sex-Based Harassment for any of the following reasons:

- UNCSA is unable to identify the Respondent after taking reasonable steps to do so;
- The Respondent is not participating in UNCSA's education program or activity and is not employed by UNCSA;
- The Complainant voluntarily withdraws any or all of the allegations in the Complaint, the Title IX Coordinator declines to initiate a Complaint through this Grievance Procedure, and UNCSA determines that, without the Complainant's withdrawn allegations, the conduct that remains alleged in the Complaint, if any, would not constitute Sex-Based Harassment under Title IX or this Grievance Procedure even if proven; or
- UNCSA determines that the conduct alleged in the Complaint, even if proven, would not constitute Sex-Based Harassment under Title IX or these procedures. **Note:** UNCSA must make reasonable efforts to clarify the allegations with the Complainant before dismissing under this basis.

⁷ 89 FR 33669.

⁸ 34 C.F.R. 106.45(e).

⁹ 89 FR 33690.

¹⁰ 34 C.F.R. 106.45(d); 34 C.F.R. 106.46(d).

Notice of Dismissal

If UNCSA dismisses a Complaint, UNCSA is required to promptly notify the Complainant of the basis for dismissal.

If the dismissal of the Complaint occurs before a Notice of Allegations is issued to the Respondent, the Title IX Coordinator does not need to notice the Respondent at that time. However, if the Complainant appeals the dismissal, the Respondent will need to be noticed of the Complaint allegations and given an opportunity to respond to the dismissal.¹¹ If the dismissal occurs after the Respondent has been notified of the allegations, then UNCSA must notify the Respondent and Complainant of the dismissal and the basis for the dismissal simultaneously in writing.

Appeal rights must also be outlined in any notification of dismissal of a Complaint, as included below under *Appeal of Dismissals*.

Appeals of Dismissals

UNCSA must notify the Complainant that a dismissal may be appealed and provide the Complainant with an opportunity appeal the dismissal of a Complaint on the following grounds:¹²

- ***Procedural irregularity***: procedural irregularity that affected the outcome of the matter (i.e., a failure to follow UNCSA's own policy to a degree that had material effect on the outcome of the matter);
- ***New evidence***: New evidence that would change the outcome and that was not reasonably available when the determination whether Sex-Based Harassment occurred or dismissal of the Complaint was made; and
- ***Bias or Conflict of Interest***: The Title IX Coordinator, investigator(s), or decisionmaker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that would change the outcome of the matter.

If the dismissal occurs after the Respondent has been notified of the allegations, then UNCSA must also notify the Respondent that the dismissal may be appealed on the grounds set out above.

The submission of appeal stays (or pauses) any sanctions for the pendency of an appeal.

Supportive Measures and remote learning opportunities remain available during the pendency of the appeal.

If a Party appeals, the institution will as soon as practicable notify the other Party in writing of the appeal, however the time for appeal shall be offered equitably to all Parties and shall not be extended for any Party solely because the other Party filed an appeal.

¹¹ 89 FR 33689.

¹² Per 106.46(i)(2), a post-secondary institution may offer an appeal to the Parties on additional grounds, so long as the procedures and additional grounds for appeal are equally available to all Parties.

Appeals may be no longer than 5 pages (including attachments). Appeals should be submitted in electronic form using TIMES NEW ROMAN, 12-point font, and single-spaced. Appeals should use footnotes, not endnotes. Appeals that do not meet these standards may be returned to the Party for correction, but the time for appeal will not be extended unless there is evidence that technical malfunction caused the appeal document not to meet these standards.

Appeals will be decided by the Vice Provost of Student Affairs who will be free of conflict of interest and bias, and will not serve as investigator, Title IX Coordinator, or hearing decisionmaker in the same matter.

Outcome of appeal will be provided in writing simultaneously to both Parties, and include rationale for the decision.

D. Allegations Potentially Falling Under Two Policies

If the alleged conduct, if true, includes conduct that would constitute covered sexual harassment and conduct that would not constitute covered sexual harassment, the Title IX Grievance Process will be applied in the investigation and adjudication of all of the allegations.

E. Notice of Allegations¹³

Upon initiating UNCSA's Grievance Procedure, the Title IX Coordinator shall provide a Notice of Allegations in writing to the Parties whose identities are known. Such notice will occur as soon as practicable after UNCSA receives a Complaint, if there are no extenuating circumstances. UNCSA will provide the Notice of Allegations within 15 business days after receiving a Complaint.

What does the Notice of Allegations Include?

The written Notice of Allegations must include:

- UNCSA's Grievance Procedure and Title IX Policy;
- Any other potential laws, regulations, or policies that may apply to the allegations;
- Sufficient information available at the time of the issuance of the Notice of Allegations to allow the Parties to respond to the allegations, which includes the identities of the Parties involved in the incident(s), the conduct alleged to constitute Sex-Based Harassment under the Grievance Procedure, and the date(s) and location(s) of the alleged incident(s), to the extent that information is available to UNCSA;
- A statement that the Parties are entitled to an equal opportunity to access the Relevant and not otherwise impermissible evidence; or
- A statement that the Respondent is presumed not responsible for the alleged Sex-Based Harassment until a determination is made at the conclusion of UNCSA's Grievance Procedure and that prior to the determination, the Parties will have an opportunity to present Relevant and not otherwise impermissible evidence to a trained, impartial decisionmaker;

¹³ 34 C.F.R. 106.45(c); 34 C.F.R. 106.46(c).

- Parties may have an advisor of their choice, and that the advisor may be, but is not required to be, an attorney;
- UNCSEA's code of conduct prohibits knowingly making false statements or knowingly submitting false information during UNCSEA's Grievance Procedure; and
- If, in the course of an investigation, UNCSEA decides to investigate additional allegations of Sex-Based Harassment by the Respondent toward the Complainant that are not included in the original written Notice of Allegations provided, UNCSEA is required to provide written notice of any additional allegations to the Parties whose identities are known.

What if UNCSEA decides to investigate additional allegations of Sex-Based Harassment?

If, in the course of an investigation, UNCSEA decides to investigate additional allegations of Sex-Based Harassment by the Respondent toward the Complainant that are not included in the original issued written Notice of Allegations, or that are included in a Complaint that is consolidated under this Grievance Procedure, UNCSEA shall provide notice of the additional allegations to the Parties whose identities are known.

What if I have safety concerns about a Notice of Allegations being issued to a Respondent?

To the extent that UNCSEA has reasonable concerns for the safety of any person as a result of providing a written Notice of Allegations, UNCSEA through the Title IX Coordinator, may reasonably delay providing the written Notice of Allegations in order to address the safety concern appropriately. Reasonable concerns must be based on individualized safety and risk analysis and not on mere speculation or stereotypes.

F. Advisor of Choice and Participation of Advisor of Choice¹⁴

A Party's advisor of choice may accompany the Party to any meeting or proceeding, and that UNCSEA cannot limit the choice of who that advisor may be or their presence for the Parties in any meeting or proceeding unless such advisor disruptive or does not follow UNCSEA's established rules of decorum and rules around participation.

G. Investigation¹⁵

General Rules of Investigations

The Title IX Coordinator and/or an investigator designated by the Title IX Coordinator will perform an investigation of the conduct alleged to constitute Sex-Based Harassment in a reasonably prompt timeframe, after issuing the Notice of Allegations.

UNCSEA, and not the Parties, have the burden to conduct an investigation that gathers sufficient evidence to determine whether Sex-Based Harassment occurred under this Grievance Procedure.

¹⁴ 34 C.F.R. 106.46(e)(2).

¹⁵ 34 C.F.R. 106.45(f); 34 C.F.R. 106.46(e).

This burden does not rest with either Party, and either Party may decide not to share their account of what occurred, or may decide not to participate in the investigation or hearing. This does not shift the burden of proof away from UNCSEA and does not indicate responsibility.

UNCSEA cannot access, consider, or disclose medical records without a waiver from the Party (or parent, if applicable) to whom the records belong, or of whom the records include information. UNCSEA will provide an equal opportunity for the Parties to present witnesses, including fact and expert witnesses, and other inculpatory or exculpatory evidence, as described below.

Notice of Participation

UNCSEA will provide written notice of the date, time, location, participants, and purpose of all meetings or proceedings with sufficient time for the Party to prepare to participate, if a Party is invited or expected to participate in any such meeting or proceeding.

Advisors of Choice and Participation of Advisors of Choice

UNCSEA will provide the Parties with the same opportunities to be accompanied to any meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney, and not limit the choice or presence of the advisor for the Complainant or Respondent in any meeting or proceeding. An advisor may not be disruptive during any proceedings. Additional information regarding the advisor role can be found in the UNCSEA College and High School Student Handbooks, UNCSEA Code of Conduct, The UNC Policy Manual 700.4.1.

Additional Support Persons Beyond Advisors of Choice

Parties may have persons other than the advisor of the Parties' choice present during any meeting or proceeding. The support person should not be someone who the Party intends to call as a witness in the case.

Expert Witnesses

Parties may present expert witnesses as part of an investigation.

While the expert witness will be allowed to testify, the decisionmaker will be instructed to afford lower weight to non-factual testimony of the expert relative to fact witnesses, and any expert testimony that is not directed to the specific facts that occurred in the case will be afforded lower weight relative to fact witnesses regardless of whether all Parties present experts as witnesses.

Character Witnesses

Character Witnesses are not allowed to testify during the hearing. A Party may submit a written statement from the Character Witness to the decisionmaker for consideration in the event there is a finding of a responsibility. The Character Witness written statement may be factored into the decision when determining a sanction if there is already a finding of a responsibility. The Character Witness statement may not be used during the determination of the actual allegations.

Access to and Review of the Investigative Report

The Title IX Coordinator and/or investigator designated by the Title IX Coordinator will provide each Party and their advisors of choice with a reasonable opportunity to respond to the investigative report. Both Parties will have the opportunity to respond to the investigative report prior to and during the live hearing.

UNCSA will take reasonable steps to prevent and address the Parties' and their advisors of choice's unauthorized disclosure of information and evidence obtained solely through this Grievance Procedure. Participating individuals who engage in the unauthorized disclosure of information and evidence obtained solely through this Grievance Procedure may be subject to UNCSA's Code of Conduct and other UNCSA regulations, policies, or procedures that may apply.

Note: Disclosures of information and evidence for purposes of administrative proceedings or litigation related to the Complaint of Sex-Based Harassment are authorized and not considered unauthorized disclosures potentially subject to other disciplinary action.

Review and Access to Relevant and Not Otherwise Impermissible Evidence

Each Party will have an equal opportunity to present fact witnesses and other inculpatory and exculpatory evidence that are Relevant and not otherwise impermissible to the Title IX Coordinator and/or investigator designated by the Title IX Coordinator. The Title IX Coordinator will review all evidence gathered through the investigation and determine what evidence is Relevant and what evidence is impermissible regardless of relevance, consistent with this Grievance Procedure.

Each Party and their advisors of choice will have an equal opportunity to review and access the evidence that is Relevant to the allegations of Sex-Based Harassment and not otherwise impermissible regardless of relevance prior to the conclusion of the investigation. The Title IX Coordinator and/or investigator designated by the Title IX Coordinator will provide each Party with a reasonable opportunity to respond to the evidence. Both Parties will have the opportunity to respond to the evidence prior to and during the live hearing.

Relevant Evidence¹⁶

Evidence is Relevant when it is related to the allegations of Sex-Based Harassment under investigation as part of this Grievance Procedure.

Questions are Relevant when they seek evidence that may aid in showing whether the alleged Sex-Based Harassment occurred, and evidence is Relevant when it may aid a decisionmaker in determining whether the alleged Sex-Based Harassment occurred.

¹⁶ 89 FR 33694: relevance determinations are made throughout an investigation. To avoid inadvertently excluding relevant evidence, an institution may need to revisit an earlier relevance determination and reconsider a witness or a piece of evidence that the recipient had previously excluded.

Impermissible Evidence

The following types of evidence, and questions seeking that evidence, are excluded as impermissible (i.e., must not be accessed or considered, except by UNCSA to determine whether an exception applies, must not be disclosed, and must not otherwise be used) regardless of whether they are Relevant:

- Evidence that is protected under a privileged as recognized by Federal or State law or evidence provided to a Confidential Employee, unless the person to whom the privilege or confidentiality is owed has voluntarily waived the privilege or confidentiality;
- A Party's or witness's records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to the Party or witness, unless UNCSA obtains that Party's or witness's voluntary, written Consent for use in UNCSA's Grievance Procedure; and
- Evidence that relates to the Complainant's sexual interests or prior sexual conduct, unless evidence about the Complainant's prior sexual conduct is offered to prove that someone other than the Respondent committed the alleged conduct or is evidence about specific incidents of the Complainant's prior sexual conduct with the Respondent that is offered to prove Consent to the alleged Sex-Based Harassment. Note: the fact of prior consensual sexual conduct between the Complainant and Respondent does not by itself demonstrate or imply the Complainant's Consent to the alleged Sex-Based Harassment or preclude determination that Sex-Based Harassment occurred.

Timeframes

An investigation shall take X school/calendar/business days to complete. If there are any delays or extensions, the Title IX Coordinator must appropriately notice the Parties in writing, as detailed below.

Extensions and Delays

UNCSA allows for the reasonable extension of timeframes on a case-by-case basis for good cause with written notice to the Parties that includes the reason for the extension or delay.

H. Adjudication in a Student Respondent Case

UNCSA will conduct the live hearing with the Parties physically present in separate locations, with technology enabling the decisionmaker and Parties to simultaneously see and hear the Party or the witness while that person is speaking.¹⁷ The live hearing may be conducted with the Parties physically present in the same geographic location at the request of the Parties, but both parties must agree in writing for this option prior to the hearing.

UNCSA shall create an audio or audiovisual recording or transcript of any live hearing and make it available to the Parties for inspection and review.

¹⁷ 34 C.F.R. 106.46(g).

Participants in the Hearing in Student Respondent Cases

Live hearings are not public, and the only individuals permitted to participate in the hearing are as follows:

Complainant and Respondent in Student Respondent Cases

If a Party chooses not to participate in the process or the hearing, the live hearing may still proceed in the absence of a Party, and UNCSCA may reach a determination of responsibility in their absence, including through any evidence gathered and other witness statements. UNCSCA will not threaten, coerce, intimidate or discriminate against any Party in an attempt to secure the Party's participation. The decisionmaker cannot draw an inference about the determination regarding responsibility based solely on a Party's absence from the live hearing, or a refusal to answer questions.

The Decisionmaker in Student Respondent Cases

The hearing body will consist of a single decisionmaker. No member of the hearing body will have served as the Title IX Coordinator, Title IX investigator, or advisor to any Party in the case, nor may any member of the hearing body serve on the appeals body in the case. For cases with a student Respondent, the decisionmaker will be the Director of Student Conduct. No member of the hearing body will have a conflict of interest or bias in favor of or against Complainants or Respondents generally, or in favor of or against the Parties to the particular case. The hearing body will be trained prior to serving during any hearing. The Parties will have an opportunity to raise any objections regarding a decisionmaker's actual or perceived conflicts of interest or bias at the commencement of the live hearing. If the Director of Student Conduct is unable to serve as the decisionmaker, a designee will be appointed by the Vice Provost of Student Affairs.

Advisor of Choice in Student Respondent Cases

The Parties have the right to select an advisor of their choice, who may be, but is not required to be, an attorney. The advisor of choice may accompany the Parties to any meeting or hearing they are permitted to attend but may not speak for the Party. An advisor of choice is not prohibited from being a witness in the hearing. Advisors of choice are subject to UNCSCA's rules of decorum and may be removed if disruptive to any proceedings.

The advisor of choice may accompany the Parties to any meeting or hearing they are permitted to attend, but may not speak for the Party, except for the purpose of cross-examination. In addition to selecting an advisor to conduct cross-examination, the Parties may select an advisor who may accompany the Parties to any meeting or hearing they are permitted to attend, but may not speak for the Party. The Parties are not permitted to conduct cross-examination; it must be conducted by the advisor of choice. As a result, if a Party does not select an advisor to serve in this role for the limited purpose of conducting cross-examination one will be appointed at no fee or charge to the Party. The advisor of choice is not prohibited from having a conflict of interest or bias in favor of or against Complainants or Respondents generally, or in favor or against the Parties to the particular case. If a Party does not attend the live hearing, the Party's advisor of choice may appear and conduct cross-examination on their behalf.

Witnesses in Student Respondent Cases

Witnesses cannot be compelled to participate in the live hearing and have the right not to participate in the hearing free from Retaliation.

Hearing Procedures in Student Respondent Cases

For all live hearings conducted, the decisionmaker will open and establish rules and expectations for the hearing. The Parties will each be given an opportunity to provide opening statements. Questioning of the Parties and witnesses will occur according to the procedures below.

Questioning Parties and Witnesses in Student Respondent Cases

During a live hearing, each Party's advisor is allowed to ask Relevant and not otherwise impermissible questions and follow-up questions of the Parties and witnesses through the decisionmaker. No questioning of another Party or witness will be conducted by a Party personally.

If a Party does not have an advisor to ask questions of their behalf, UNCSA will provide the Party with an advisor of UNCSA's choice, without charge to the Party, for the purpose of advisor-conducted questioning. Such an appointed advisor will not be a Confidential Employee and UNCSA may appoint, but is not required to appoint, an attorney to serve as an advisor.

Procedures for Decisionmaker's Evaluation of Questions and Limitation on Questions in Student Respondent Cases

The decisionmaker will determine whether a proposed question is Relevant and not otherwise impermissible as described in this Grievance Procedure, prior to the question being posed, and will explain any decision to exclude a question as not Relevant or otherwise impermissible.

If the decisionmaker determines that a Party's question is Relevant and not otherwise impermissible, then the question must be asked unless such question is unclear or harassing of the Party or witness being questioned. The decisionmaker must give a Party an opportunity to clarify or revise a question that the decisionmaker has determined is unclear or harassing and, if the Party sufficiently clarifies or revises a question so that it is no longer unclear or harassing, the question must be asked.

Refusal to Respond to Questions and Inferences Based on Refusal to Respond to Questions in Student Respondent Cases

A decisionmaker may choose to place less or no weight upon statements by a Party or witness who refuses to respond to questions deemed Relevant and not impermissible.

The decisionmaker must not draw an inference about whether Sex-Based Harassment occurred based solely on a Party's or witness's refusal to respond to such questions.

Rules of decorum equally to the Parties.

Continuances or Granting Extensions in Student Respondent Cases

UNCSA may determine that multiple sessions or a continuance (a pause on the continuation of the hearing until a later date or time) is needed to complete a hearing. If so, UNCSA will notify all

participants and endeavor to accommodate all participants' schedules and complete the hearing as promptly as practicable.

Newly discovered Evidence in Student Respondent Cases

As a general rule, no new evidence or witnesses may be submitted during the live hearing.

If a Party identifies new evidence or witnesses that were not reasonably available prior to the live hearing and could affect the outcome of the matter, the Party may request that such evidence or witnesses be considered at the live hearing.

The decisionmaker will consider this request and make a determination regarding (1) whether such evidence or witness testimony was actually unavailable by reasonable effort prior to the hearing, and (2) whether such evidence or witness testimony could affect the outcome of the matter. The Party offering the newly discovered evidence or witness has the burden of establishing these questions by the preponderance of the evidence.

If the decisionmaker answers in the affirmative to both questions, then the Parties will be granted a reasonable pause in the hearing to review the evidence or prepare for questioning of the witness.

I. Adjudication of Employee Respondent Cases¹⁸

UNCSA does not provide for a live hearing under this Grievance Procedure for cases involving faculty or staff Respondents. However, Title IX requires that there be live questioning to assess a Party's or witness's credibility to the extent credibility is both in dispute and Relevant to evaluating one or more allegations of Sex-Based Harassment.

The investigator/decisionmaker will question Parties and witnesses to adequately assess a Party's or witness's credibility to the extent credibility is both in dispute and Relevant to evaluating one or more allegations of Sex-Based Harassment. This will occur during individual meetings with a Party or witness.

Each Party shall have the opportunity to propose questions that the Party wants asked of any Party or witness and have those questions asked by the investigator/decisionmaker during one or more individual meetings, including follow-up meetings, with a Party or witness, subject to the appropriate procedures outlined below regarding the decisionmaker's advance evaluation of all questions. Each Party will be provided with an audio or audiovisual recording or transcript with enough time for the Party to have a reasonable opportunity to propose follow-up questions.

The Title IX Coordinator or designee will conduct the investigation and make a finding of whether or not the Title IX Policy, and other related policies, were violated. The investigation, including determination, will be concluded in the Title IX Office and referred to the

¹⁸ 34 C.F.R 106.46(f)(i)

Respondent's immediate supervisor or manager. The Respondent's manager will make a determination on the sanction or disciplinary action for the Respondent.

Employees may have additional rights, procedures, and policies that apply to disciplinary action, adjudication, and available appeals.

Faculty: [UNCSA Faculty Manual 8.0 Employment Policies and Procedures for Faculty](#)

EHRA: [Grievance \(SAAO-II and other EHRA\) Policy 614](#)

SHRA: [Grievance \(SHRA\) Policy 615](#)

A. Determination Regarding Responsibility¹⁹

Standard of Proof

UNCSA uses the preponderance of the evidence standard of proof to determine whether or not Sex-Based Harassment occurred. This means that the investigation and hearing determine whether it is more likely than not that a violation of the Grievance Procedure occurred.

General Considerations for Evaluating Evidence and Testimony

The decisionmaker is required to evaluate Relevant and not otherwise impermissible evidence for its persuasiveness. If the decisionmaker is not persuaded under the applicable standard by the evidence that Sex-Based Harassment occurred, whatever the quantity of the evidence is, the decisionmaker must not determine that Sex-Based Harassment occurred.

Determinations regarding responsibility may be based in part, or entirely, on documentary, audiovisual, and digital evidence, as warranted in the reasoned judgment of the decisionmaker. Decisionmakers shall not draw inferences regarding a Party or witness' credibility based on the Party or witness' status as a Complainant, Respondent, or witness, nor shall it base its judgments in stereotypes about how a Party or witness would or should act under the circumstances.

Generally, credibility judgments should rest on the demeanor of the Party or witness, the plausibility of their testimony, the consistency of their testimony, and its reliability in light of corroborating or conflicting testimony or evidence. However, credibility judgments should not rest on whether a Party or witness' testimony is non-linear or incomplete, or if the Party or witness is displaying stress or anxiety.

Decision makers will afford the highest weight relative to other testimony to first-hand testimony by Parties and witnesses regarding their own memory of specific facts that occurred. Both inculpatory and exculpatory (i.e. tending to prove and disprove the allegations) evidence will be weighed in equal fashion.

¹⁹ 34 C.F.R. 106.45(h); 34 C.F.R. 106.46(h).

A witness' testimony regarding third-Party knowledge of the facts at issue will be allowed, but will generally be accorded lower weight than testimony regarding direct knowledge of specific facts that occurred.

Expert Witnesses

Parties may present expert witnesses as part of an investigation.

Parties are allowed to call "expert witnesses" for direct examination and credibility assessment by the decisionmaker. While the expert witness will be allowed to testify, the decisionmaker will be instructed to afford lower weight to non-factual testimony of the expert relative to fact witnesses, and any expert testimony that is not directed to the specific facts that occurred in the case will be afforded lower weight relative to fact witnesses regardless of whether all Parties present experts as witnesses.

Character Witnesses

Character Witnesses are not allowed to testify during the hearing. A Party may submit a written statement from the Character Witness to the decisionmaker for consideration in the event there is a finding of a responsibility. The Character Witness written statement may be factored into the decision when determining a sanction if there is already a finding of a responsibility. The Character Witness statement may not be used during the determination of the actual allegations.

Witness Behavior

Where a Party or witness' conduct or statements demonstrate that the Party or witness is engaging in retaliatory conduct, including without limitation, witness tampering and intimidation, the decisionmaker may draw an adverse inference as to that Party or witness' credibility.

Communication of the Determination in Writing

All determinations on whether Sex-Based Harassment occurred will be communicated to the Parties in writing, simultaneously.

The written determination will include:

- A description of the alleged Sex-Based Harassment;
- Information about the policies and procedures that UNCSA used to evaluate the allegations;
- The decisionmaker's evaluation of the Relevant evidence and determination on whether Sex-Based Harassment occurred;
- Any Disciplinary Sanctions UNCSA will impose on the Respondent, whether Remedies other than the imposition of Disciplinary Sanctions will be provided by UNCSA to the Complainant, and, to the extent appropriate, other Students identified by UNCSA to be experiencing the effects of Sex-Based Harassment, if there is a finding that Sex-Based Harassment occurred; and
- UNCSA's procedures for Complainant and Respondent to appeal.

Timeline of Determination Regarding Responsibility

If there are no extenuating circumstances, the determination regarding responsibility will be issued by UNCSA within 15 business days of the completion of the hearing.

Finality of Determination

The determination regarding responsibility becomes final either on the date that UNCSA provides the Parties with the written determination of the result of any appeal, or, if no Party appeals, the date on which an appeal would no longer be considered timely.

B. Sanctions

If a decisionmaker finds a Respondent responsible for violating the Title IX Policy after going through the Grievance Procedure, there are a range of sanctions that may be assigned depending on the factors related to the case. Below are a list of potential sanctions that may be implemented based on the findings by the decisionmaker:

Sex-Based Harassment – Probation, Deferred Suspension, Suspension, Expulsion, Termination, Community Service, Reflection or Research Assignment or other Educational Outcome, Behavioral Contract, Mediation. If separable outcome: Enter into UNC Suspension & Expulsion (S&E) database.

Sexual Assault – Deferred Suspension, Suspension, Expulsion, Termination. If re-entering after suspension: Community Service, Reflection or Research Assignment or other Educational Outcome, Behavioral Contract, Mediation. If separable outcome: Enter into UNC Suspension & Expulsion (S&E) database.

Dating Violence – Deferred Suspension, Suspension, Expulsion, Termination. If re-entering after suspension: Community Service, Reflection or Research Assignment or other Educational Outcome, Behavioral Contract, Mediation. If separable outcome: Enter into UNC Suspension & Expulsion (S&E) database.

Domestic Violence – Deferred Suspension, Suspension, Expulsion, Termination. If re-entering after suspension: Community Service, Reflection or Research Assignment or other Educational Outcome, Behavioral Contract, Mediation. If separable outcome: Enter into UNC Suspension & Expulsion (S&E) database.

Stalking – Probation, Deferred Suspension, Suspension, Expulsion, Termination, Community Service, Reflection or Research Assignment or other Educational Outcome, Behavioral Contract, Mediation. If separable outcome: Enter into UNC Suspension & Expulsion (S&E) database.

C. Appeals²⁰

Each Party may appeal a determination regarding responsibility. To appeal, a Party must submit their written appeal within 5 (five) business days of being notified of the decision, indicating the grounds for appeal.

²⁰ 34 C.F.R. 106.45(i); 34 C.F.R 106.46(i).

For appeals resulting from dismissal of a Complaint, please see the section on *Dismissal of Complaints*.

Grounds for Appeal

The limited grounds for appeal available are as follows:

- Procedural irregularity that would change the outcome;
- New evidence that would change the outcome and that was not reasonably available when the determination whether Sex-Based Harassment occurred or dismissal was made; and
- The Title IX Coordinator, investigator, or decisionmaker had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that would change the outcome.
- A violation of due process.
- A material deviation from the Minimum Substantive and Procedural Standards for Student Disciplinary Procedures, Section 700.4.1 of the UNC Policy Manual.

Additional Procedures for Appeal Process

UNCSA will notify the Parties of any appeal, provide the Parties a reasonable and equal opportunity to make a statement in support of, or challenging, the outcome, and will notify the Parties of the result of the appeal and the rationale for the result.

The submission of an appeal stays (or pauses) any sanctions for the period during which an appeal determination is being assessed. Supportive Measures and remote learning opportunities remain available while an appeal is being deliberated and before a final decision has been made.

Appeals will be decided by the Chancellor or a designee, who will be free of conflict of interest and bias, and will not serve as investigator, Title IX Coordinator, or hearing decisionmaker in the same matter.

D. Informal Resolution²¹

Procedures for Entering and Exiting Informal Resolution Process

At any time prior to determining whether Sex-Based Harassment occurred under this Grievance Procedure, including prior to making a Complaint,²² Parties may instead seek UNCSA's assistance to resolve allegations of Sex-Based Harassment, and may elect to enter the informal resolution process. The Parties may voluntarily elect to enter the UNCSA's informal resolution process at any time through an informed written Consent. This informed written Consent will include all terms of the elected informal process, including a statement that any agreement reached through the process is binding on the Parties.

²¹ 34 C.F.R. 106.44(k); 34 C.F.R. 106.45(k); 34 C.F.R. 106.46(j).

²² 89 FR 33624-25.

No Party may be required to participate in informal resolution, and UNCSEA may never condition enrollment, employment, or enjoyment of any other right or privilege upon agreeing to informal resolution.

The Parties may elect to leave the informal resolution process at any point until the informal resolution process is concluded. If a Party elects to leave the informal resolution process, the Grievance Procedure that the Parties paused will continue. In participating in the informal resolution process, the Parties understand that the timeframes governing the Grievance Procedure will temporarily cease, and only reinstate upon reentry into the Grievance Procedure.

Supportive Measures will be available, or continue to be available if already provided, during an informal resolution process, if elected to proceed. The Title IX Coordinator will also, to the extent necessary, take other appropriate prompt and effective steps to ensure that Sex-Based Harassment does not continue or recur within UNCSEA's Education Program or Activity.

Notice Prior to Entry Into Informal Resolution Process

Before the initiation of an informal resolution process, the Title IX Coordinator must provide to the Parties a written notice that explains:

- The allegations;
- The requirements of the informal resolution process;
- That, prior to agreeing to a resolution, any Party has the right to withdraw from the informal resolution process and to initiate or resume UNCSEA's Grievance Procedure;
- That the Parties' agreement to a resolution at the conclusion of the informal resolution process would preclude the Parties from initiating or resuming UNCSEA's Grievance Procedure arising from the same allegations;
- The potential terms that may be requested or offered in an informal resolution agreement, including notice that an informal resolution agreement is binding only on the Parties; and
- What information UNCSEA will maintain and whether and how UNCSEA could disclose such information for use in its Grievance Procedure if they are initiated or resumed.

Determination to Approve Entry into Informal Resolution Process²³

Even where the Parties agree to submit a matter to informal resolution, the Title IX Coordinator or other designated official must approve the decision to move the matter to the informal resolution process and may determine that informal resolution is not appropriate under the circumstances.

Factors that the Title IX Coordinator may weigh in considering the appropriateness of the informal resolution process include, but are not limited to, the gravity of the allegations, whether there is an ongoing threat of harm or safety to the campus, whether the Respondent is a repeat offender, whether the alleged conduct would present a future risk of harm to others, and whether the Parties are participating in good faith. This determination is not subject to appeal.

²³ 34 C.F.R. § 106.44(k)(1)(i) provides that the institution has discretion to determine whether it's appropriate to offer.

Informal resolution processes are not appropriate where the allegations include Sexual Assault: penetration or the equivalent.

At any time after the commencement of the informal resolution process, the Title IX Coordinator or other designated official may determine that the informal resolution process is not an appropriate method for resolving the matter, and may require that the matter be resolved through the Grievance Procedures. This determination is not subject to appeal.

If informal resolution is approved or denied, UNCSA will provide the outcome in writing simultaneously to the Parties. If informal resolution is approved, the Title IX Coordinator shall also provide the information of the facilitator in writing to the Parties in a reasonable timeframe once the facilitator is assigned.

Role of the Facilitator

Informal resolution processes are managed by trained facilitators. All facilitators must not be the same person as the investigator or the/a decisionmaker(s) in UNCSA's Grievance Procedure. Any person designated to facilitate informal resolution must not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent. The Title IX Coordinator may serve as the facilitator, subject to these restrictions.

All facilitators must have specialized training, required by law and regulation. Such training includes:

- UNCSA's obligation to address sex discrimination, including Sex-Based Harassment, in its Education Program or Activity;
- The scope of conduct that constitutes sex discrimination, including Sex-Based Harassment, under Title IX, including the definition of Sex-Based Harassment;
- All applicable notification and information requirements related to parental, family, or marital status, including pregnancy and related conditions, and UNCSA's response to sex discrimination;
- The rules and practices associated with UNCSA's informal resolution process; and
- How to serve impartially, including by avoiding conflicts of interest and bias.

Contents of Informal Resolution Agreements

Potential terms that may be included in an informal resolution agreement between the Parties include but are not limited to:

- Restrictions on contact; and
- Restrictions on the Respondent's participation in one or more of UNCSA's education programs or activities or attendance at specific events, including restrictions UNCSA could have imposed as Remedies or Disciplinary Sanctions had UNCSA determined at the conclusion of the Grievance Procedure that Sex-Based Harassment occurred.

Breach of Informal Resolution Agreements²⁴

If a Party breaches the resolution or if UNCSA has other compelling reasons, such as if it learns of any fraud by a Party in entering into the agreement, UNCSA may void the agreement and initiate or resume the Grievance Procedure.

Confidentiality

In entering the informal resolution process, the Parties agree that any testimony and evidence (including admissions of responsibility) they share or receive during the informal resolution process concerning the allegations of the Complaint is confidential. No evidence concerning the allegations obtained within the informal resolution process may be disseminated to any person, provided that any Party to the informal resolution process may generally discuss the allegations under investigation with a parent, friend, advisor, or other source of emotional support, or with an advocacy organization. As a condition of entering the informal resolution process, any evidence shared or received during the informal resolution process may not be used in any subsequent Grievance Procedure or institutional appeal.

Informal Resolution Options

UNCSA offers the following informal resolution procedures for addressing Complaints of Sex-Based Harassment described under this Grievance Procedure:

Administrative Resolution

Should the Parties mutually determine to enter the informal resolution process, and the Respondent elects to accept responsibility for the allegations of the Complaint at any point during the informal resolution process, the institution may administratively resolve the Complaint.

Where the Respondent admits responsibility, the Parties will receive simultaneous written notification of the acceptance of responsibility, and a decisionmaker will convene to determine the Respondent's sanction and other Remedies, as appropriate and consistent with institutional policy. The Parties will be given an opportunity to be heard at the sanctions hearing, including without limitation, the submission of impact statements, and the Parties may be accompanied by their Advisor, but questioning of Parties or witnesses will not be permitted. The Parties will receive simultaneous written notification of the decision regarding sanctions and Remedies, which may be appealed according to the process described.

Mediation

The purpose of mediation is for the Parties who are in conflict to identify the implications of a Student's actions and, with the assistance of a trained facilitator, identify points of agreement and appropriate Remedies to address them. Either Party can request mediation to seek resolution; mediation will be used only with the Consent of both Parties, who will be asked not to contact one another during the process. The Title IX Office or designee will also review any request for

²⁴ 89 FR 33625.

mediation, and may decline to mediate based on the facts and circumstances of the particular case. Either Party has the right to terminate the mediation process and choose or resume another option for resolution at any time.

The mediation process will typically commence within 15 days after the Title IX Office receives Consent to mediate from both Parties and has made its determination to allow informal resolution to go forward. Mediation will continue until concluded or terminated by either Party, the facilitator, or the Title IX Office. During mediation, any potential investigation will halt, and calculations for time frames will be stayed. If the mediation results in a resolution, the disciplinary process will be concluded, and the matter will be closed. If a resolution cannot be reached, the matter will be referred to the Title IX Coordinator to re-evaluate other options for resolution, including investigation or proceeding forward with the Grievance Procedure.

During mediation, a facilitator will guide a discussion between the Parties. In circumstances where the Parties do not wish to meet face to face, either Party can request “caucus” mediation, and the facilitator will conduct separate meetings. Whether or not the Parties agree to meet face to face, each Party will be permitted to bring an advisor of their choice to any meetings who may be, but is not required to be, an attorney.

At the conclusion of the mediation, the facilitator will memorialize the agreement that was reached between the Parties. The Title IX Office will monitor adherence to the proposed solution and close the matter when compliance is satisfactory.

Restorative Justice

A restorative justice (“RJ”) Conference is a dialogue, facilitated by an informal resolution facilitator with appropriate training, intended to restore relationships and repair harm after a conflict has occurred. Both the responsible Party and the individuals affected by the conflict come together to identify what harm was caused and, collaboratively, determine how conflict and trust might be, respectively, resolved and repaired.

A Party may request to engage in RJ at any stage of the disciplinary process, however, restorative justice may not be an appropriate mechanism for all conflicts. To qualify for RJ, the Student accused of wrongdoing must accept responsibility and express remorse for the harm that was caused. The harmed Party must also be willing to accept an apology offered by the Student accused of wrongdoing. Additionally, all involved Parties must agree to and abide by measurable and timely actions within the scope of this Policy and directives. The Title IX Office will review any request for RJ, and may decline to initiate RJ based on the facts and circumstances of the particular case.

The RJ Conference proceeds only if all Parties agree to participate willingly. Upon doing so, the RJ process typically commences within 15 days after the Title IX Office receives written agreements from all involved Parties. The conference will continue until the conference is successfully concluded or until the Title IX Office determines that the conference will not be

successful. If successful, an agreeable resolution is reached by all involved Parties, at which time the process is concluded, and the matter is resolved. If a resolution cannot be reached, the matter will be referred to the Title IX Office to re-evaluate other options for resolution.

The Title IX Coordinator or designee will monitor the Parties' adherence to their proposed solution and reserves the right to close the matter when compliance is satisfactory.

VI. Retaliation²⁵

When UNCSEA has information about conduct that reasonably may constitute Retaliation under Title IX or its Grievance Procedure, UNCSEA is obligated to initiate its Grievance Procedure or, as appropriate, UNCSEA's informal resolution process.

UNCSEA will keep the identity of any individual who has made a report or Complaint of sex discrimination confidential, including the identity of any individual who has made a report or filed a Complaint of Sex-Based Harassment or sex discrimination under UNCSEA's Title IX Grievance Procedure, any Complainant, any individual who has been reported to be the perpetrator of sex discrimination, any Respondent, and any witness, except as permitted by the FERPA statute, 20 U.S.C. 1232g, or FERPA regulations, 34 CFR part 99, or as required by law, or to carry out the purposes of 34 CFR part 106, including the conduct of any investigation, hearing, or judicial proceeding under UNCSEA's Title IX Grievance Procedure.

No person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX of the Education Amendments of 1972 or its implementing regulations.

No person may intimidate, threaten, coerce, or discriminate against any individual because the individual has made a report or Complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding or hearing under UNCSEA's Grievance Procedure.

Any intimidation, threats, coercion, or discrimination, for the purpose of interfering with any right or privilege secured by Title IX, or its implementing regulations constitutes Retaliation. This includes any charges filed against an individual for Code of Conduct violations that do not involve sex discrimination or Sex-Based Harassment, but that arise from the same facts or circumstances as a report or Complaint of sex discrimination or a report or Complaint of Sex-Based Harassment.

Complaints alleging Retaliation may be filed according to the [Prohibited Discrimination, Harassment, and Related Misconduct Regulation #121](#).

Definitions

²⁵ 34 C.F.R. 106.71.

1. *Admission* means selection for part-time, full-time, special, associate, transfer, exchange, or any other enrollment, membership, or matriculation in or at an education program or activity operated by UNCSA.
2. *Consent* means a knowing, voluntary, and mutual decision among all participants to engage in mutually acceptable sexual activity freely given by clear actions or words. Consent may not be inferred from silence, passivity, or lack of resistance alone. A current or previous dating or sexual relationship is not sufficient to constitute consent, and consent to one form of sexual activity does not imply consent to other forms of sexual activity.
3. *Complainant* means:
 - (1) a Student or employee who is alleged to have been subjected to conduct that could constitute Sex-Based Harassment as defined in this Title IX Policy and who was participating or attempting to participate in UNCSA's Education Program or Activity; or
 - (2) a person other than a Student or employee who is alleged to have been subjected to conduct that could constitute Sex-Based Harassment under this Title IX Policy and who was participating or attempting to participate in UNCSA's Education Program or Activity at the time of the alleged Sex-Based Harassment.
4. *Complaint* means an oral or written request to UNCSA that objectively can be understood as a request for UNCSA to investigate and make a determination about alleged Sex-Based Harassment at the institution.
5. *Confidential Employee* means:
 - (1) an employee of UNCSA whose communications are privileged under Federal or State law. The employee's confidential status is only with respect to information received while the employee is functioning within the scope of their duties to which privilege or confidentiality applies;
 - (2) an employee of UNCSA whom the institution has designated as confidential for the purpose of providing services to persons related to Sex-Based Harassment. If the employee also has a duty not associated with providing those services, the employee's confidential status is only with respect to information received about Sex-Based Harassment in connection with providing those services; or
 - (3) an employee of UNCSA who is conducting an Institutional Review Board-approved human-subjects research study designed to gather information about Sex-Based Harassment. The employee's confidential status is only with respect to information received while conducting the study.

6. *Disciplinary Sanctions* means consequences imposed on a Respondent following a determination under the Grievance Procedure that the Respondent violated UNCSA's prohibition Sex-Based Harassment.
7. *Education Program or Activity* means any academic, extracurricular, research, occupational training or other Education Program or Activity operated by UNCSA that receives Federal financial assistance.
8. *Party* means Complainant or Respondent.
9. *Peer Retaliation* means Retaliation by a Student against another Student.
10. *Relevant* means related to the allegations of Sex-Based Harassment under investigation as part of this Grievance Procedure. Questions are Relevant when they seek evidence that may aid in showing whether the alleged Sex-Based Harassment occurred, and evidence is Relevant when it may aid a decisionmaker in determining whether the alleged Sex-Based Harassment occurred.
11. *Remedies* means measures provided, as appropriate, to a Complainant or any other person UNCSA identifies as having had their equal access to UNCSA's Education Program or Activity limited or denied by Sex-Based Harassment. These measures are provided to restore or preserve that person's access to UNCSA's Education Program or Activity after UNCSA determines that Sex-Based Harassment occurred.
12. *Report* refers to information brought to the Title IX Office alleging conduct prohibited under this Title IX Policy; a report is not considered to be a formal complaint. A party may bring a report and then subsequently file a formal complaint.
13. *Respondent* means a person who is alleged to have violated UNCSA's prohibition on Sex-Based Harassment.
14. *Retaliation* means intimidation, threats, coercion, or discrimination by any person, by UNCSA, a Student, or an employee or other person authorized by UNCSA to provide aid, benefit, or service under UNCSA's Education Program or Activity, for the purpose of interfering with any right or privileged secured by Title IX, or because the person has reported information, made a Complaint, testified, assisted or participated or refused to participate in any manner in an investigation, proceeding, or hearing.
15. *Sex-Based Harassment* means sexual harassment and other harassment on the basis of sex, including harassment because of gender identity, sexual orientation, sex characteristics, sex stereotypes, and/or pregnancy and other conditions, that is:

(1) *Quid pro quo harassment*. An employee, agent or other person authorized by UNCSEA's Education Program or Activity explicitly or impliedly conditioning the provision of such an aid, benefit, or service on a person's participation in unwelcome sexual conduct;

(2) *Hostile Environment harassment*. Unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from UNCSEA's Education Program or Activity (i.e., creates a Hostile Environment). Whether a Hostile Environment has been created is a fact-specific inquiry that includes consideration of the following: (i) the degree to which the conduct affected the Complainant's ability to access UNCSEA's Education Program or Activity; (ii) the type, frequency, and duration of the conduct; (iii) the Parties' ages, roles within UNCSEA's Education Program or Activity, previous interactions and other factors about each Party that may be Relevant to evaluating the effects of the conduct; (iv) the location of the conduct and the context in which the conduct occurred; and (v) other Sex-Based Harassment in UNCSEA's Education Program or Activity;

(3) *Sexual Assault* (as defined in the Clery Act, 20 U.S.C. 1092(f)) means any sexual act directed against another person, without the Consent of the victim, including instances where the victim is incapable of giving Consent;

(4) *Dating Violence* (as defined in the Violence Against Women Act (VAWA) Reauthorization of 2022 and the VAWA Amendments to the Clery Act) means any violence committed by a person: (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (B) Where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) The length of the relationship; (ii) the type of relationship; and (iii) the frequency of interaction between the persons involved in the relationship.

(5) *Domestic Violence* means any felony or misdemeanor crimes committed by a person who: (A) is a current or former partner of the victim under the family or Domestic Violence laws of North Carolina or a person similarly situated to a spouse of the victim; (B) is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner; (C) shared a child in common with the victim; or (D) commits acts against a youth or adult victim who is protected from those acts under the family or Domestic Violence laws of North Carolina.

(6) *Stalking* means engaging in a course of conduct directed at a specific person that would cause a reasonable person to: (A) fear for the person's safety or the safety of others; or (B) suffer substantial emotional distress.

16. *Student* means a person who has gained Admission.

17. *Supportive Measures* means individualized measures offered as appropriate, as reasonably available, without unreasonably burdening a Complainant or Respondent, not for punitive

or disciplinary reasons, and without fee or charge to the Complainant or Respondent to: (1) restore or preserve that Party's access to UNCSEA's Education Program or Activity, including measures that are designed to protect the safety of the Parties or UNCSEA's educational environment; or (2) provide support during UNCSEA's Grievance Procedure for Sex-Based Harassment or during the informal resolution process.

18. Third Party refers to any individual who is not a University student, member of faculty or staff, (e.g., vendors, alumni/ae, or local residents).
19. Witness refers to any individual who shares information relating to an allegation of prohibited conduct under this policy.

Sex Offender Registration

The North Carolina General Assembly created the North Carolina Sex Offender and Public Protection Registry in January 1996. This law outlines registration requirements for persons living in North Carolina, non-resident students and non-resident workers. The registry serves as a resource to help protect and inform the public.

A list of registered sex offenders is made available by the state authorities to the local law enforcement agency (Winston-Salem Police Department) that has jurisdiction where the institution of higher education is located. For information about registered sex offenders in the State of North Carolina, you may visit the website for the [North Carolina Offender Registry](#) and the [U.S. Department of Justice National Sex Offender website](#).

Annual Disclosure of Crime Statistics

The Clery Act requires colleges and universities across the United States to disclose information about crime on and around their campuses. The UNCSA Police maintains a close relationship with all police departments where UNCSA owns or controls property to ensure that crimes reported directly to these police departments that involve the University are brought to the attention of the UNCSA Police.

The UNCSA Police collects the crime statistics disclosed in the charts through a number of methods. Police dispatchers and officers enter all reports of crime incidents made directly to the department through an integrated computer-aided dispatch system and records management system. After an officer enters the report in the system, a department administrator reviews the report to ensure it is appropriately classified in the correct crime category. The department periodically examines the data to ensure that all reported crimes are recorded in accordance with the crime definitions outlined in the FBI Uniform Crime Reporting Handbook and the FBI National Incident-Based Reporting System Handbook (sex offenses only).

In addition to the crime data that the UNCSA Police maintains, the statistics below also include crimes that are reported to various Campus Security Authorities, as defined in this report. The statistics reported here generally reflect the number of criminal incidents reported to the various authorities. The statistics reported for the sub categories on liquor laws, drug laws and weapons offenses represented the number of people arrested or referred to campus judicial authorities for respective violations, not the number of offenses documented.

Clery Act Qualifying Crime Definitions

These definitions are taken from the FBI Uniform Crime Reporting (UCR) handbook and are required to be used for the classification of Clery Crimes and Incidents.

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

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.

Burglary: The unlawful entry of a structure (four walls, a roof, and a door) to commit a felony or theft (includes forced and non-forced entry).

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 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 the purposes of this definition:

- Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- Dating violence does not include acts covered under the definition of domestic violence.

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

- a. by a current or former spouse or intimate partner of the victim;
- b. by a person with whom the victim shares a child in common;
- c. by a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- d. 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
- e. 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.

Motor Vehicle Theft: The theft or attempted theft of a motor vehicle (does not include air or water craft).

Murder/Manslaughter: The willful (non-negligent) killing of one human being by another.

Negligent Manslaughter: The killing of another person through gross negligence.

Robbery: The 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.

Sex Offenses: 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:* 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.
- 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 or physical incapacity.
- c. *Incest:* Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- d. *Statutory Rape:* Non-forcible sexual intercourse with a person who is under the statutory age of consent.

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

- a. Fear for the person's safety or the safety of others; or
- b. Suffer substantial emotional distress.

For the purposes of this definition:

- Course of conduct means two or more acts, including, but not limited to, acts 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.

Hate Crime: includes all of the crimes listed that manifest evidence that the victim was chosen based on one of the categories of bias listed below, plus the following crimes:

- a. *Larceny/Theft*: includes, pocket picking, purse snatching, shoplifting, theft from building, theft from motor vehicle, theft of motor vehicle parts or accessories, and all other larceny.
- b. *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.
- c. *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.
- d. *Destruction/Damage/Vandalism or 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.

Categories of Prejudice:

- *Race*: A preformed negative attitude toward a group of persons who possess common physical characteristics genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind.
- *Gender*: A preformed negative opinion or attitude toward a group of persons because those persons are male or female.
- *Gender Identity*: A preformed negative opinion or attitude toward a group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender nonconforming individuals. Gender non-conforming describes a person who does not conform to the gender-based expectations of society, e.g., a woman dressed in traditionally male clothing or a man wearing makeup. A gender nonconforming person may or may not be a lesbian, gay, bisexual, or transgender person but may be perceived as such.
- *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.
- *Sexual Orientation*: A preformed negative opinion or attitude toward a group of persons based on their sexual attraction toward, and responsiveness to, members of their own sex or members of the opposite sex.
- *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.
- *National Origin*: A preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth.
- *Disability*: A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments/ challenges, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

Drug/Narcotic Violations: The unlawful possession, distribution, sale, purchase, use, transportation, importation, cultivation, and/or manufacturing of any controlled drug or narcotic substance and the equipment or devices utilized in their preparation and/or use.

Liquor Law Violations: The unlawful possession, sale, transportation, manufacturing, furnishing alcohol to a minor (under 21 years), or maintaining an unlawful drinking place. The Clery Act does not require reporting “public drunkenness” or “DUI/DWI offenses”

Illegal Weapon Violations: The unlawful possession or control of any firearm, deadly weapon, illegal knife, or explosive device while on property of UNCSCA except as required in the lawful course of business (i.e. sworn law enforcement personnel).

Hate Crime Statistics

UNCSCA strives to foster a safe and healthy learning environment that embodies diversity and inclusion of all members of the community. The hate crime statistics are separated by category of prejudice.

The numbers for most of the specific crime categories are part of the overall statistics reported for each year. The only exceptions to this are the addition of Simple Assault, Intimidation, and any other crime that involves bodily injury that is not already included in the required reporting categories. If a Hate Crime occurs where there is an incident involving Intimidation, Vandalism, Larceny, Simple Assault or other bodily injury, the law requires that the statistics be reported as a hate crime even though there is no requirement to report the crime classification in any other area of the compliance document. Note: a hate and bias related crime is not a separate, distinct crime, but is the commission of a criminal offense which was motivated by the offender's bias. For example, a subject assaults a victim, which is a crime. If the facts of the case indicate that the offender was motivated to commit the offense because of his/her bias against the victim's race, sexual orientation, gender, religion, ethnicity, national origin, gender identity or disability, the assault is then also classified as a hate/bias crime.

2023: One on-campus Destruction/Damage/Vandalism of property characterized by sexual orientation.

2022: No Hate Crimes Reported.

2021: No Hate Crimes Reported.

UNCSA Crime Statistics Chart

Clery Crime	Year	On Campus	Residence Halls*	Non-Campus**	Public Property	Total	Unfounded Crimes***
Murder / Non-Negligent Manslaughter	2023	0	0	0	0	0	0
	2022	0	0	0	0	0	0
	2021	0	0	0	0	0	0
Manslaughter by Negligence	2023	0	0	0	0	0	0
	2022	0	0	0	0	0	0
	2021	0	0	0	0	0	0
Rape	2023	4	4	0	0	4	0
	2022	0	0	0	0	0	0
	2021	1	1	0	0	1	0
Fondling	2023	4	1	0	0	4	0
	2022	2	1	0	0	2	0
	2021	1	1	0	0	1	0
Incest	2023	0	0	0	0	0	0
	2022	0	0	0	0	0	0
	2021	0	0	0	0	0	0
Statutory Rape	2023	0	0	0	0	0	0
	2022	0	0	0	0	0	0
	2021	0	0	0	0	0	0
Robbery	2023	0	0	0	0	0	0
	2022	0	0	0	0	0	0
	2021	0	0	0	0	0	0
Aggravated Assault	2023	0	0	0	0	0	0
	2022	0	0	0	0	0	0
	2021	0	0	0	0	0	0
Burglary	2023	0	0	0	0	0	0
	2022	1	0	0	0	1	0
	2021	0	0	0	0	0	0
Motor Vehicle Theft	2023	3	0	0	0	3	0
	2022 ¹	0	0	0	1	1	0
	2021	0	0	0	0	0	0
Arson	2023	0	0	0	0	0	0
	2022	0	0	0	0	0	0
	2021	0	0	0	0	0	0
Domestic Violence	2023	0	0	0	0	0	0
	2022	0	0	0	0	0	0
	2021	0	0	0	1	1	0
Dating Violence	2023	3	2	0	0	3	0
	2022	2	2	0	0	2	0
	2021	0	0	0	0	0	0
Stalking	2023	0	0	0	0	0	0
	2022	2	1	0	0	2	0
	2021	0	0	0	0	0	0
Liquor Law Arrests	2023	0	0	0	0	0	0
	2022	0	0	0	0	0	0
	2021	0	0	0	1	1	0
Drug Related Arrests	2023	1	0	0	0	1	0
	2022	1	0	0	2	3	0
	2021	1	0	0	7	8	0
Weapons Arrests	2023	0	0	0	1	1	0
	2022	1	0	0	0	1	0
	2021	0	0	0	0	0	0
Liquor Law Disciplinary	2023	5	1	2	2	5	0
	2022	9	9	0	2	11	0
	2021	9	6	0	2	11	0
Drug Related Disciplinary	2023	5	3	0	0	5	0
	2022	10	10	0	2	12	0
	2021	12	12	0	4	16	0
Weapons Disciplinary	2023	0	0	0	0	0	0
	2022	1	1	0	0	1	0
	2021	2	1	0	0	2	0

*Residence Hall Crime Statistics are a subset of the On-Campus Category

**Non-Campus Category includes locations owned or controlled by the institution away from campus for institutionally-sponsored trips for a duration of longer than one nights' stay.

***This number represents crimes investigated by Sworn Law Enforcement and determined to be 'Unfounded'; meaning there was evidence the reported crime did not occur.

¹One Motor Vehicle Theft on public property was inadvertently left off the 2022 Crime Statistics. This crime statistic has been adjusted to include this omission.



² Artist Village Residence Hall opened in 2022, and A-F Residence Halls closed in 2022.

Annual Fire Safety Report

The Higher Education Opportunity Act enacted on August 14, 2008, requires institutions that maintain on-campus student housing facilities to publish an annual fire safety report that contains information about campus fire safety practices and standards of the institution. The following report details all information required by this act for UNCSA.

Definitions

The following terms are used within this report. Definitions have been obtained from the Higher Education Opportunity Act:

- ***On-Campus Student Housing:*** A student housing facility that is owned or controlled by the institution or is located on property that is owned or controlled by the institution, and is within a reasonable contiguous area that makes up the campus.
- ***Fire:*** Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.

Description of On-Campus Student Housing Fire Safety Systems-Residence Halls

UNCSA Residential Facilities		Sprinkler System	Smoke Detectors	Heat Detectors	Fire Extinguishers	Evacuation Plans/Placards	Number of fire drills in 2023
Artist Village	1412 Spangler Way	YES	YES	YES	YES	YES	3
Center Stage Apts. 1000	1000 Center Stage Court	YES	YES	YES	YES	YES	2
Center Stage Apts. 2000	2000 Center Stage Court	YES	YES	YES	YES	YES	2
Moore Residence Hall	1868 DeMille Drive	YES	YES	YES	YES	YES	2
Sanford Residence Hall	1888 DeMille Drive	YES	YES	YES	YES	YES	2

Fire Safety Policies

[Fire Safety policies for UNCSA Office of Housing and Residence Life \(Residence Halls\).](#)

Smoking: Smoking is prohibited in all campus buildings and university owned vehicles and smoking is further limited to 50 feet from the perimeter of any university building's entrance or air intake. [UNCSA Smoking Regulation #703](#).

Electrical Appliances: Electrical appliances brought to residence halls are governed by university policy which restricts the use of certain items. Space Heater use is prohibited in residence halls. In general appliances must be UL Listed to be used in residence halls.

Most appliances for cooking are not permitted in student rooms for health and safety reasons. The only appliances permitted are coffee makers, microwave ovens (no larger than 1100 watts) and small refrigerators

(no larger than 4.6 cubic feet). Toaster ovens, hot plates or any other appliances with an open heating element are not permitted. The number of appliances plugged in may not exceed the number of outlets in the room.

Open Flame: Possessing open flames, candles, incense, heating coils, halogen lamps, any combustible materials or any open flame devices are not permitted.

Here is additional information on [specific items prohibited and allowed in residence halls](#).

Decorations: [Decorations that may obstruct traffic or present a fire hazard](#) (e.g. live Christmas trees) are not permitted in rooms, hallways, or suite corridors. Decorations may not be placed within two feet of a fire protection system component (e.g., manual pull station, smoke detector, bell/horn/strobe, sprinkler, fire extinguisher, exit sign, emergency lighting, and egress doorway).

Fire Evacuation and Residence Hall Fire Drills

Fire drills are conducted in all on-campus residence halls, once per semester, during the school year to allow occupants to become familiar with and practice their evacuation skills. The drills are conducted by the Resident Hall Coordinators, Resident Assistants, Housing Management and UNCSCA Police. The University requires a complete evacuation of buildings during a fire drill. Individuals who ignore fire alarms and required evacuations may face disciplinary action.

Each test/drill of emergency response will be documented to include a description of the exercise, the date and time, and whether it was announced or unannounced. This documentation is kept by the Director of Student Affairs Operations/Chief Housing Officer.

In the event of a fire, UNCSCA expects that all university community members will evacuate by the nearest exit, closing doors and activating the fire alarm system (if one is present) as they leave. Once safely outside a building, it is appropriate to contact 911 and the UNCSCA Police by dialing 336-770-3362 or using one of the emergency call boxes. Students and/or staff are informed where to relocate to by staff if circumstance warrants at the time of the alarm. In the event fire alarms sound, UNCSCA policy requires that all occupants must evacuate from the building, closing doors as they leave. No training is provided to students or employees in firefighting or suppression activity as this is inherently dangerous and each community member's only duty is to exit safely and quickly, shutting doors along the exit path as they go to contain the spread of flames and smoke, and to activate the alarm as they exit. At no time should the closing of doors or the activation of the alarm delay the exit from the building.

High School Residence Hall Fire Evacuation Safe Zones	
Moore Hall	Daniels Plaza and gather by individual residence hall floors in sequential room order.
Sanford Hall	Proceed to the Sanford (hillside) parking lot and gather by individual residence hall floors in sequential room order.
College Residence Hall Fire Evacuation Safe Zones	
Artist Village	Welcome Center Parking Lot and Lot M
Center Stage Apartments	Small Parking Lot near Center Stage Office

Fire Safety Education and Training Programs

UNCSCA takes fire safety very seriously and continues to enhance its programs to the university community through education, engineering and enforcement. All on-campus students are required to attend a mandatory hall meeting at the beginning of the semester. The topic of the meeting is fire safety education and evacuation

training. Educational programs are presented throughout the year to faculty, staff and students so they are aware of the rules and safe practices. These programs, which are available at all campus locations, include identification and prevention of fire hazards, actual building evacuation procedures and drills, specific occupant response to fire emergencies and hands-on use of fire extinguishers.

Topics addressed during this training include:

- Fire prevention in the residence hall
- What to do in the event of a fire
- How to report a fire or other emergency
- How residence hall fire safety systems operate

Resident Assistants coordinate additional fire safety training and education programs for residence hall students. All university residence halls have emergency evacuation plans and conduct fire drills once a semester during the school year to allow occupants to become familiar with and practice their evacuation skills.

UNCSA has been a leader in ensuring the safety of students, faculty, staff and visitors who live and work in university operated residences. All university operated residence halls and apartments are provided with automatic sprinkler systems, smoke detectors and building fire alarm systems to provide early detection and warning of a possible fire emergency. Additionally, staff members are trained on the use of fire extinguishers and emergency procedures in the event of a fire.

The university maintains and tests all fire alarms and automatic fire suppression systems in accordance with the appropriate National Fire Protection Association Standard to insure system readiness and proper operation in the event of a fire emergency.

Additional protection is provided by UNCSA police officers who are trained for initial response to fire incidents occurring at university facilities. Officers provide assistance in building evacuation and extinguishment / confinement of small fires.

Fire Incident Reporting

Students, faculty and staff are instructed to call 911 or 336-770-3362 to report a fire emergency. Non-emergency notifications (e.g. evidence that something burned) are made to the UNCSA Police at 336-770-3321.

Plans for Future Improvements in Fire Safety

UNCSA continues to monitor trends related to residence hall fire incidents and alarms to provide a safe living environment for all students. New programs and policies are developed as needed to help ensure the safety of all students, faculty and staff.

Inspections and Prohibited Items

The Office of Housing Residence Life performs Residence Hall Health and Safety Inspections four to five times a year in the Fall, Spring, and Summer semesters. Inspections may be at random or announced. Residence Life inspections are primarily designed to find and eliminate safety violations. Students are required to read and comply with all Housing and Residence Life Housing Policies, which include inspection and other rules and regulations for residential buildings. The inspections include, but are not limited to, a visual examination of electrical cords, sprinkler heads, smoke detectors, fire extinguishers and other life safety systems.

In addition, each room will be examined for the presence of [prohibited items](#) (e.g., sources of open flames, such as candles; non-surge protected extension cords; halogen lamps; portable cooking appliances in non-kitchen areas; etc.) or prohibited activity (e.g., smoking in the room; tampering with life safety equipment; possession of pets; etc.). Also prohibited is the use or storage of any potential fire hazard such as propane, charcoal, or electric grills on apartment balconies or inside rooms.

Fire Statistics & Related Information

UNCSA Residential Facilities	Year	Total Fires in Each Building	Fire Number	Date	Time	Cause of Fire	Number of Injuries Requiring Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire
Artist Village 1412 Spangler Way	2023	0	0	N/A	N/A	N/A	N/A	N/A	N/A
	2022	0	0	N/A	N/A	N/A	N/A	N/A	N/A
A Residence Hall ³ 1789 Kenan Dr	2023	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	2022	0	0	N/A	N/A	N/A	N/A	N/A	N/A
	2021	0	0	N/A	N/A	N/A	N/A	N/A	N/A
B Residence Hall 1789 Kenan Dr	2023	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	2022	0	0	N/A	N/A	N/A	N/A	N/A	N/A
	2021	0	0	N/A	N/A	N/A	N/A	N/A	N/A
C Residence Hall 1749 Kenan Dr	2023	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	2022	0	0	N/A	N/A	N/A	N/A	N/A	N/A
	2021	0	0	N/A	N/A	N/A	N/A	N/A	N/A
D Residence Hall 1749 Kenan Dr	2023	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	2022	0	0	N/A	N/A	N/A	N/A	N/A	N/A
	2021	0	0	N/A	N/A	N/A	N/A	N/A	N/A
E Residence Hall 1709 Kenan Dr	2023	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	2022	0	0	N/A	N/A	N/A	N/A	N/A	N/A
	2021	0	0	N/A	N/A	N/A	N/A	N/A	N/A
F Residence Hall 1709 Kenan Dr	2023	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	2022	0	0	N/A	N/A	N/A	N/A	N/A	N/A
	2021	0	0	N/A	N/A	N/A	N/A	N/A	N/A
Center Stage Apartments 1000 Center Stage Ct	2023	0	0	N/A	N/A	N/A	N/A	N/A	N/A
	2022	0	0	N/A	N/A	N/A	N/A	N/A	N/A
	2021	0	0	N/A	N/A	N/A	N/A	N/A	N/A
Center Stage Apartments 2000 Center Stage Ct	2023	0	0	N/A	N/A	N/A	N/A	N/A	N/A
	2022	0	0	N/A	N/A	N/A	N/A	N/A	N/A
	2021	0	0	N/A	N/A	N/A	N/A	N/A	N/A
Moore Residence Hall 1868 DeMille Dr	2023	0	0	N/A	N/A	N/A	N/A	N/A	N/A
	2022	0	0	N/A	N/A	N/A	N/A	N/A	N/A
	2021	0	0	N/A	N/A	N/A	N/A	N/A	N/A
Sanford Residence Hall 1888 DeMille Dr	2023	0	0	N/A	N/A	N/A	N/A	N/A	N/A
	2022	0	0	N/A	N/A	N/A	N/A	N/A	N/A
	2021	0	0	N/A	N/A	N/A	N/A	N/A	N/A

³ Artist Village Residence Hall opened in 2022, and A-F Residence Halls closed in 2022.