

## **Part 12: Sexual Misconduct, Relationship-Violence, and Stalking Policy**

William Peace University is committed to complying with all requirements as set forth by Title IX of the Education Amendment of 1972 (“Title IX”). As such, discrimination on the basis of sex or gender will not be tolerated in any of William Peace’s education programs or activities. Such discrimination includes, but is not limited to: sexual harassment; sexual violence; sexual assault, sex or gender-based bullying/cyber-bullying, hazing, stalking, relationship violence, retaliation and failure to provide equal opportunity in admissions, employment or athletics. Whether misconduct takes place on or off campus, the University assumes jurisdiction over the incident if it has the potential to interfere with the educational mission of the University or to create a hostile environment on campus or within a University program.

The William Peace University Title IX Coordinator will be informed of, and oversee, all complaints of sex discrimination and is responsible for identifying and addressing any patterns or systemic problems that arise during the review of such complaints. The Deputy Title IX Coordinator will assist the Title IX Coordinator with various Title IX training and education programs, prevention and awareness campaigns, and review and creation of all policies and procedures pertaining to sexual misconduct to ensure consistency and compliance. The Deputy Title IX Coordinator also receives reports of sex discrimination and sexual misconduct and oversees the Community code of conduct, providing complainants and respondents with information about the code of conduct, investigation, and adjudication processes. Lastly, the Deputy Title IX Coordinator serves as the primary communicator to the respondent and complainant and ensures that all students involved are treated appropriately and equitably.

Questions or concerns regarding William Peace and Title IX may be directed to one or more of the following resources:

William Peace University Title IX Coordinator  
Kathy Lambert  
Associate Vice President for Human Resources  
Phone: 919.508.2028  
Email: [kplambert@peace.edu](mailto:kplambert@peace.edu)

William Peace University Deputy Title IX Coordinator  
Bobbie Cole  
Director of Residence Life and Housing  
Phone: 919.508.2078  
Email: [BDCole@peace.edu](mailto:BDCole@peace.edu)

William Peace will make every effort to successfully complete the grievance process for complaints of sex discrimination in a timely matter. In cases where a student makes an allegation of sex discrimination against any member of the William Peace University or any third party,, the process and timelines utilized will be identical to the investigation procedures outlined in Part 6, Subsection VII of this document. All parties involved are entitled to periodic status updates on the progress of the complaint and any subsequent appeals. During the investigation and/or

grievance process for complaints of sex discrimination, the University may take a number of interim actions in order to ensure the preservation of a complainant's or respondent's school experience and the overall university environment. These actions may include, but are not limited to: issuance of an University no contact order on the accused individual; residence hall room change for one or more involved parties; changes in academic schedules or assignments for one or both parties; and interim suspension of the accused student/respondent.

To read more about Title IX of the Education Amendment of 1972, please visit: [www.dol.gov/oasam/regs/statutes/titleix.htm](http://www.dol.gov/oasam/regs/statutes/titleix.htm).

### **Part 13: Sexual Misconduct Policy**

William Peace University maintains a policy of zero tolerance for sexual misconduct. Members of the University community, guests, and visitors have the right to be free from sexual violence. When an allegation of sexual misconduct is brought to the administration, and an accused student/respondent is found to have violated this policy, serious sanctions will be imposed to ensure that such actions are not repeated. All members of the University community are expected to conduct themselves in a manner that does not infringe upon the rights of others. The William Peace sexual misconduct policy has been developed to reaffirm these principles and to provide recourse for those individuals whose rights have been violated.

This policy has dual purposes: 1) it serves as a measure to determine, after-the-fact, if behaviors trespassed on community values and 2) as a guide for students on the expectations William Peace has, preventatively, for sexual communication, responsibility, and respect. While the policy below is quite detailed and specific, the expectations of the William Peace University community can be summarized in this simple sentence: Individuals who choose to engage in sexual activity of any type with each other must first obtain clear consent.

- What is Consent?
  - William Peace defines consent as clear sexual permission that can only be given when all participants have the capacity to consent and agree to sexual activity.
    - What is capacity?
      - Consent cannot be given by someone who is asleep, drugged, intoxicated, unconscious, under 16 years of age, mentally/psychologically disabled, and/or harassed, coerced, threatened, or forced into sexual activity.
      - Individuals who consent to sex must be able to fully understand what they are doing. For example, when alcohol or other drugs are used, a person will be considered unable to give valid consent if the person cannot appreciate the who, what, where, when, why, or how of a sexual interaction. In addition, silence—without clear actions demonstrating permission—cannot be assumed to indicate consent. Finally, there is a difference between seduction and coercion; coercion is unreasonable pressure for sexual activity and may constitute a violation of this policy.

- Consent can be given by word or action, but non-verbal consent is more ambiguous than explicitly stating one's wants and limitations. Consent to one form of sexual activity should not, and cannot, be taken as consent to any other sexual activity.

## **I. Violations of the University Sexual Misconduct Policy**

Sexual misconduct is a serious offense. Such violations are subject to any combination of conduct sanctions as described in Part 6: Conduct Procedures. Individuals found responsible for the violation of nonconsensual sexual activity are subject to recommended sanctions of Housing expulsion, University suspension, or University expulsion.

A partial list of William Peace sexual conduct policy violations is listed below:

- A. *Sexual Harassment*: Gender-based verbal or physical conduct that has the effect of unreasonably interfering with an individual's work or academic performance or creates an intimidating, hostile, or offensive working or educational environment. Sexual harassment can include the following:
  - B. *Hostile Environment* includes situations in which there is harassing conduct that is sufficiently severe, pervasive/persistent such that it alters the conditions of education or employment. The determination of whether an environment is "hostile" must be based on all the circumstances. These circumstances may include, but are not limited to:
    1. The frequency of the speech or conduct;
    2. The nature and severity of the speech or conduct;
    3. Whether the conduct was physically threatening;
    4. Whether the speech or conduct was humiliating;
    5. The effect of the speech or conduct on the alleged victim's mental and/or emotional state;
    6. Whether the speech or conduct was directed at more than one person;
    7. Whether the speech or conduct arose in the context of other discriminatory conduct;
    8. Whether the speech or conduct unreasonably interfered with the alleged victim's educational or work performance;
    9. Whether a statement is a mere utterance of an epithet which engenders offense in an employee or a student or offends by mere discourtesy or rudeness; and/or
    10. Whether the speech or conduct deserves the protections of academic freedom.
- C. *Quid Pro Quo* sexual harassment exists when there are unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature and submission to, or rejection of, such conduct results in, or is thought to result in, educational or employment action.
- D. *Nonconsensual Sexual Intercourse* (or attempt to commit same) ): Any anal or vaginal penetration , however slight, with any object or body part, by a person upon another

person, without consent, or any oral penetration, however slight, with a sexual body part, by a person upon another person, without consent.

- E. *Nonconsensual Sexual Contact* (or attempt to commit same): Any intentional sexual touching, however slight, with any object, by person upon another person, without consent.
- F. *Sexual Exploitation*: Taking nonconsensual or abusive sexual advantage of another for one's own advantage or benefit, or to benefit a person other than the one being exploited. Examples of sexual exploitation include, but are not limited to:
  - 1. Prostituting another student;
  - 2. Non-consensual video or audio recording of sexual activity or the non-consensual distribution of such a recording, even if consensually made ;
  - 3. Exceeding the boundaries of explicit consent, such as allowing friends to hide in a closet to be witness to one's consensual sexual activity;
  - 4. Engaging in voyeurism (Peeping Tommerly); and/or
  - 5. Knowingly transmitting a sexually transmitted disease/infection or HIV to another student.
- G. *Relationship Violence*: Violence committed by a person who is or has been in a social relationship or a romantic or intimate relationship with the complainant. Relationship violence includes but is not limited to, sexual or physical abuse or the threat of such abuse.
- H. *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 sake of this policy, a course of conduct is: Two or more acts where the stalker directly or indirectly, even through third parties, by any action, method or device, follows, monitors, threatens, observes, surveils, or communicates to a person.
- I. *Gender-based harassment or discrimination*: Acts of a verbal or nonverbal nature or physical aggression, intimidation, or hostility based upon sex/gender or sex/gender-stereotyping that is sufficiently serious that it has the potential to limit or deny an individual the ability to participate in or benefit from University events, programs, and activities.
- J. *Retaliation*: When an individual harasses, intimidates or takes other adverse action(s) against a person because of the person's participation in an investigation of discrimination or sexual misconduct. Harassment or intimidation includes, but is not limited to, threats or actual violence against the person or their property, adverse educational or employment consequences, ridicule, taunting, bullying, or ostracism. The University will impose sanctions on any faculty, student, or staff member found to be engaging in retaliation.

## II. Confidentiality and Reporting Sexual Misconduct

University officials, depending on their roles at the University, have varying reporting responsibilities and abilities to maintain confidentiality. In order to make informed choices, you should be aware of confidentiality and mandatory reporting requirements when consulting campus resources. On campus, some resources may maintain complete confidentiality, offering options and advice without any obligation to inform an outside agency or individual unless the individual reporting has requested information to be shared. Other resources exist for reporting crimes and policy violations and these resources will take action when reports of victimization are received.

A. *Confidential Reporting*: If an individual would like the details of an incident to be kept confidential, they may speak with a mental health counselor, health service providers, off-campus rape crisis resources, or members of the clergy/chaplains who will maintain confidentiality. Due to the dual role of the University Chaplain, the Chaplain may be considered a non-confidential resource if they are responding to a situation as a faculty member and not in the clergy role. A campus counselor is available to help free of charge and can be seen on an emergency basis during normal business hours.

B. *Non-Confidential Reporting/Responsible Employee Obligations*

A “Responsible Employee” is an employee of the University who has the obligation to report to the Title IX Coordinator as soon as reasonably possible any reports or allegations or firsthand observations of Sexual Misconduct. All non-student University employees not designated as Strictly Confidential Resources in II.A of this Policy are Responsible Employees. **Please note that Responsible Employees are REQUIRED to relay allegations of Sexual Misconduct to the Title IX Coordinator for investigation and resolution.**

Individuals are encouraged to speak to University officials, such as the Title IX Coordinator, Student Conduct Administrator, Public Safety, Residence Hall staff, or Deans to make formal reports of incidents of sexual misconduct. Individuals may also seek advice from other resources on campus such as faculty and staff who do not have direct supervisory responsibility or remedial authority to address sexual misconduct. THESE INDIVIDUALS, HOWEVER, ARE CONSIDERED RESPONSIBLE PARTIES AND ARE REQUIRED TO REPORT ALLEGATIONS OF SEXUAL MISCONDUCT FOR INVESTIGATION AND RESOLUTION. If an individual is unsure of someone’s duties and ability to maintain their privacy, they should ask them before sharing information. They will share their reporting responsibilities and can help individuals make decisions about who can best help. Individuals have the right, and can expect, to have incidents of sexual misconduct taken seriously by the University when formally reported, and to have those incidents investigated and properly resolved through administrative procedures. Formal reporting does not mean that the report will not be confidential, but it does mean that people who need to know will be told, and information will be shared as necessary with investigators, witnesses, and the accused student/respondent. The circle of people with this knowledge will be kept as tight as possible to preserve rights and privacy.

Reports may be made in person, via email, or by phone. Contact information for the Title IX Coordinator and Deputy Coordinator is:

William Peace University Title IX Coordinator  
Kathy Lambert  
Associate Vice President for Human Resources  
Phone: 919.508.2028  
Email: [kplambert@peace.edu](mailto:kplambert@peace.edu)

William Peace University Deputy Title IX Coordinator  
Bobbie Cole  
Director of Residence Life and Housing  
Phone: 919.508.2078  
Email: [BDCole@peace.edu](mailto:BDCole@peace.edu)

Victims are encouraged to report potential crimes of sexual assault to law enforcement in addition to the University. The Title IX Coordinator/Deputy is available to assist an individual in notifying law enforcement. Criminal and school investigations are separate and may be conducted simultaneously. Although the University strongly encourages all members of its community to report criminal sexual misconduct to law enforcement, it is the victim's choice whether or not to make such a report and victims have the right to decline involvement with the police.

### **III. Federal Timely Warning Obligations**

Victims of sexual misconduct should be aware that University administrators must issue timely warnings for incidents reported to them that pose a substantial threat of bodily harm or danger to members of the campus community. The University will make every effort to ensure that a victim's name and other identifying information is not disclosed, while still providing enough information for community members to make safety decisions in light of the danger.

## **Part 6: Conduct Procedures**

### **I. Special Procedures and Provision for Cases of Alleged Sexual Misconduct**

Due to the very personal and private nature of an alleged sexual assault/misconduct investigation, William Peace University acknowledges the need for special procedures and policies to investigate and resolve such complaints. Any student who reports allegations of sex discrimination, sexual harassment, sexual assault, sexual misconduct, domestic violence, dating violence, stalking, or other Title IX related allegations, either as a complainant or a third party witness, will not be subject to disciplinary action by the university for using and/or consuming alcohol or drugs at or near the time of the alleged incident, provided that any such alcohol or drug use did not, and do not, place the health or safety of any person at risk.

For the sake of this policy, please note the following definitions:

- a. Respondent: the alleged offender/accused; a person alleged to have engaged in any of the conduct prohibited in the Sexual/Gender Discrimination Policy
- b. Complainant: the party who makes the complaint; who alleges to have been subjected to any of the conduct prohibited in the Sexual/Gender Discrimination Policy

The Title IX Coordinator will appoint one or more Title IX Investigators to assume responsibility for the investigation of alleged cases of sexual misconduct where a student is the respondent. The Title IX Investigator will be responsible for assuring that the Title IX Coordinator is appropriately informed about each step of the investigation and resolution of a sexual misconduct case.

The Title IX Investigator will serve as primary investigator or appoint an investigator to investigate and resolve the complaint. The appointment of investigators must be approved by the Title IX Coordinator. The investigator(s) will take the following steps, if not already completed by the Coordinator or designee:

#### **A. Receipt of Complaint**

In coordination with the Deputy Title IX Coordinator,

- Initiate any necessary remedial actions such as no-contact orders, housing and academic accommodation, and interim suspensions to ensure safety and security of all students involved.
- Determine the identity and contact information of the complainant. While anyone may report an alleged incident of sexual violence, for the purposes of a Title IX sexual assault case, the alleged victim of the sexual assault is considered the complainant. In the event the complainant does not wish to participate in the investigation or resolution, the university may itself serve as the complainant.
- Inform all students involved of their rights and responsibility as it relates to the process, investigation, and potential adjudication as well as share support resources for students such as the Wellness Center and Campus Counseling services.

## **B. Preliminary Investigation**

Conduct an immediate preliminary investigation to identify potential policy violations, to review the history of the parties, the context of the incident(s), any potential patterns, and the nature of the complaint;

1. If the complainant is reluctant to pursue the complaint, determine whether the complaint should still be pursued and whether sufficient independent evidence could support the complaint without the participation of the complainant;
2. Notify the complainant of whether the University intends to pursue the complaint regardless of their involvement, and inform the complainant of their rights in the process and option to become involved if they so choose;
3. During the preliminary investigation phase the university may but is not required to interview the respondent prior to finalizing or determining charges;
4. Preliminary investigation usually takes one day to one week to complete.

Pending a hearing or other disposition of the allegations against a student, if the continuing presence of the respondent is a potential danger to persons or property or a potential threat of disrupting the academic process or any activity authorized by the University, the University may take such immediate interim disciplinary action, such as an interim suspension (Part 7 Section II) or restricting access to specific areas of University owned or operated property, as is appropriate to the circumstances.

If the accused individual is a member of the University community, a no contact letter may be given by the University to all parties involved until the conclusion of the investigation. This will prohibit communication between the parties, including contact verbally, in writing, through technology or third parties. Violations of institutional no contact orders will be handled as separate violations of the Honor Code and the University reserves the right to resolve those charges prior to the completion of the investigation into the sexual misconduct or interpersonal violence complaint. If the accused is not a member of the University community, the University may issue an order barring the individual from campus facilities.

Victims of domestic or dating violence, stalking, or sexual abuse may also want to consider obtaining an order of protection from the State of North Carolina. The University can assist victims with navigating the procedures for obtaining a protective order.

The University also can provide interim support to both complainants and respondents as appropriate. Supportive measures may include academic accommodations, class schedule changes, housing reassignments, the issuance of a no-contact order, and counseling.



A student who has received interim disciplinary action may request a meeting with the Deputy Title IX Coordinator to contest the interim disciplinary action taken by the University. A meeting request must be submitted to the Deputy Title IX Coordinator in writing within three business days of interim disciplinary action being taken. If requested by a student, the meeting will generally take place within ten (10) business days after the request was received.

During this meeting with the Deputy Title IX Coordinator, the student may present documentation or other evidence for review in consideration of lifting or altering the interim disciplinary action. The Deputy Title IX Coordinator shall issue a written decision within five business days of the meeting regarding whether the University's decision to take interim disciplinary action should be reversed, altered, or otherwise left unchanged.

### **C. Comprehensive Investigation**

A comprehensive investigation usually takes one to two weeks. The order of the following steps are at the discretion of the investigator. Given the nature of a sexual misconduct complaint, it is not uncommon for witnesses to be interviewed or evidence to be presented at varying times in the investigation as parties often only recall details during interviews and when prompted by certain questions. The investigator should take steps to minimize the number of interviews conducted with each party. However, the investigator may interview each party multiple times. It is not unusual for the complainant and respondent to each have an initial and follow-up interview.

1. As necessary, conduct additional interviews with complainant and respondent;
2. Interview all relevant witnesses, obtain statements from each, and have each witness sign their statements to verify them;
3. Obtain all documentary evidence and information that is available;
4. Obtain all physical evidence that is available;
5. Complete the investigation promptly by analyzing all available evidence without unreasonable deviation from the intended timeline;

### **D. Notice of Charge**

If there is insufficient evidence through the comprehensive investigation to support reasonable cause, the grievance will be closed with no further action. If there is sufficient evidence to proceed, the investigator will determine what specific policy violations should be listed in the Notice of Charge. The Notice of Charge will be provided to both the respondent and the complainant.

### **E. Adjudication**

Once a comprehensive investigation has been conducted the investigator will turn over all documents to the Deputy Title IX Coordinator or designee. The Deputy Title IX Coordinator or Designee will then review all facts and information obtained from the investigation. The Deputy Title IX Coordinator will then meet with the complainant and

respondent separately to discuss Adjudication Process. The Adjudication Procedures for cases involving alleged sexual misconduct are as follows:

## **1. Administrative Disposition**

An Administrative Disposition shall be conducted by the Deputy Title IX Coordinator or Designee. The Deputy Title IX Coordinator shall meet with the respondent to review responsibility of policy violations and applicable sanctions.

- a) In cases where the respondent accepts responsibility for the policy violations and agrees to the proposed sanctions, the administrative disposition shall be final and there shall be no further appeal of responsibility or sanctions by the respondent. Once a respondent has accepted responsibility for the policy violations and agreed to the proposed sanctions, the Deputy Title IX Coordinator or Designee shall, subject to Federal Educational Rights and Privacy Act (FERPA) and other applicable law, inform the Title IX Coordinator and the complainant of the outcome. The complainant shall have the right to request for the case to be heard by a panel hearing or right to appeal proposed sanctions.
- b) In cases where the respondent accepts responsibility for the policy violations but does not agree to the proposed sanctions, the respondent shall have the right to request for the case to be heard by a panel hearing or right to appeal proposed sanctions. The Deputy Title IX Coordinator or Designee shall subject to Federal Educational Rights and Privacy Act (FERPA) and other applicable law inform the Title IX Coordinator and the complainant of the respondent's decision. The complainant shall have the right to request for the case to be heard by a panel hearing or right to appeal proposed sanctions of the respondent's appeal decision.
- c) In cases where the respondent disputes responsibility for policy violations the case shall be assigned to a panel hearing. The Deputy Title IX Coordinator or Designee shall subject to Federal Educational Rights and Privacy Act (FERPA) and other applicable law inform the Title IX Coordinator and the complainant of the respondent's decision.

## **2. Panel Hearing**

A hearing panel shall be comprised of no less than one University Hearing Officer and two faculty/staff members. All members of the hearing panel will receive annual training in their responsibilities that draws on professional and expert resources. The hearing panel will review all information gathered from the investigation, hear statements from the complainant, respondent, and witnesses as appropriate. The panel will ask clarifying questions and make a determination of responsibility based on a preponderance of the evidence, i.e. whether it is more likely than not that the respondent committed a policy violation. The panel shall, subject to Federal Educational Rights and Privacy Act (FERPA) and other applicable law, inform the Title IX Coordinator and the complainant of the determination of the hearing.

- Based on the determination of the panel hearing, the Title IX Coordinator will impose sanctions as appropriate to the findings. The Title IX Coordinator will

present the investigation report, findings, and determination to the respondent and complainant separately. During this time, both the respondent and complainant will receive instructions for the appeal process and given three business days to request an appeal.

## **F. Appeals**

Each party has three business days from the date of notification of the findings, investigation report, and sanctions to submit an appeal. Dissatisfaction with the outcome is not sufficient grounds for an appeal. The only permissible grounds for an appeal are:

1. An error in the process that substantially prejudiced the outcome to such an extent that the appealing party was denied a fundamentally fair process as a result; or
2. The emergence of new evidence that could not have been discovered previously by the exercise of due diligence and would have substantially impacted the original decision of the panel.
3. The sanctions were inappropriate for the level of misconduct.

All requests for an appeal must be submitted in writing to the Deputy Title IX Coordinator; as indicated in the Determination of Hearing. Upon receipt of an appeal, the Deputy Title IX Coordinator will provide the other party notice of an appeal and a copy of the appeal. The other party has three business days from receipt of notice to respond in writing to the appeal. In the event that both parties initially appeal the findings, each party will be provided notice and a copy of the other party's appeal. Each party will be given three business days from notice to respond in writing to the appeal.

If the indicated Deputy Title IX Coordinator finds that the appeal was made on permissible grounds, an appeals hearing will be held by an Appeal Panel and both the complainant and respondent will be notified of an appeal hearing date within five business days. The Appeal Panel will be comprised of the Title IX Coordinator, a trained Title IX hearing panelist (must not have participated in original panel hearing of the case) and Vice President (VP) of Student Services or Designee. During this appeal hearing, the Appeal Panel will review all documentation associated with the case and any new evidence submitted that was not available during the original adjudication. The Appeal Panel has the authority to modify, lower, maintain, or increase the original decision. Only one appeal is allowed; therefore, the decision of the Appeal Panel is considered final and no further appeals will be considered. The Deputy Title IX Coordinator will inform both parties separately of the Appeal Panel decision. After the appeal hearing, students may request a meeting with the Deputy Title IX Coordinator or VP of Student Services if they wish to receive clarification or additional information on the process.

A copy of the final case record is provided to the Title IX Coordinator. The appeal process typically takes one and two weeks.

## **G. Other Special Provisions**

The past sexual history or sexual character of a party will not be admissible by the other parties in hearings unless such information is determined to be highly relevant by the investigator.

While disciplinary history of the complainant and respondent generally is not relevant, the Student Conduct Administrator or Deputy Title IX Coordinator may supply such information to the investigator if the following criteria is met:

1. The respondent was subject to a previous credible allegation and/or previously found responsible for a policy violation; or
2. The information indicates a pattern of behavior by the complainant or respondent.

Regardless of the willingness of the complainant to participate in the investigation process, the complainant in any complaint alleging sexual misconduct will: be notified in writing of the outcome of a hearing and any sanctions assigned; have the right to a review if the appeal criteria is met; and be kept apprised of the status of any review requests filed by the accused student/respondent.

## **H. Student Responsibilities and Rights**

### **1. Student Responsibilities**

- a. To know and adhere to the William Peace University (WPU) Community Code of Conduct and Student Handbook.
- b. To attend all meetings or hearings in a timely manner.
- c. To provide a list of proposed witnesses and any documentary evidence to the Deputy Title IX Coordinator.
- d. To complete any imposed sanctions on time and consistent with the decision in the case (for respondents).
- e. To comply with all interim measures, including but not limited to, no contact orders, housing reassignments, and other administrative remedies assigned by the university.
- f. To participate in a manner that is civil and respectful.
- g. To submit an explanatory or explicative challenge to the selection of designated investigators or adjudicators if perceived conflict of interest exists. The Deputy Title IX Coordinator or designee will approve or deny any challenges.

### **2. Student Rights**

- a. To an investigation and appropriate resolution of all credible complaints of gender-based/sexual misconduct made in good faith to responsible employees.
- b. To select and provide for his or her self an advisor of choice who may accompany the student at each stage of the process. Note that the advisor's role is to provide support to the student, and not to interfere with the meeting or to speak for or on behalf of any party.

- c. If a decision is made that a panel hearing will occur, the student has the right:
  - i. To a pre-hearing meeting with the Deputy Title IX Coordinator where rights, responsibilities and procedures are explained.
  - ii. To review all available information and documents that will be considered by the panel.
  - iii. To appear in person, hear all testimony and present relevant information; submit questions to be asked of any witnesses at the hearing in the discretion of the panel.
  - iv. To a closed hearing. A closed hearing is closed to the general public.
  - v. To refuse to answer any questions or make a statement; however, the hearing panel shall make a decision solely on the basis of information presented at the hearing.
  - vi. To have all statements, information or comments given during the hearing held in the strictest of confidence by the hearing panel before, during and after deliberation.
  - vii. To be informed in writing of the outcome and any imposed sanctions.
  - viii. To have the right to appeal the outcome and any imposed sanctions.

### **Alternative Testimony Options**

For gender-based/sexual misconduct complaints, the hearing panel may elect to separate the alleged victim and respondent, including but not limited to placing a privacy screen between the parties, or allowing the parties to listen to one another remotely via speakerphone or other device.

### **Impact on Student Enrollment**

If a case is assigned for a formal investigation, the university reserves the right to place an encumbrance on the respondent's registration and transcript, including awarding of grades for the current semester, until such time that the investigation and any associated charges are resolved.

### **Off Campus Resources**

InterAct is a private, non-profit, United Way agency that provides safety, support, and awareness to victims and survivors of domestic violence and rape/sexual assault:

Main Office Line: 919-828-7501

24 Hour Domestic Violence Crisis Line: 919-828-7740

24 Hour Sexual Assault Crisis Line: 919-828-3005

Solace Center: 919-828-3067

U.S. Department of Education's Office of Civil Rights:

Washington DC (Metro)  
Office for Civil Rights  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-1475  
Telephone: 202-453-6020  
FAX: 202-453-6021; TDD: 800-877-8339  
Email: [OCR.DC@ed.gov](mailto:OCR.DC@ed.gov)

Visa and immigration assistance:

U.S. Department of Homeland Security. <https://studyinthestates.dhs.gov/students>

Legal assistance:

Legal Aid of North Carolina: 1-866-219-LANC