



**COMPLAINANT/REPORTING PARTY
AND RESPONDENT
RESOURCE
GUIDE**



Western
Carolina
UNIVERSITY

Student
Affairs

As a University community, we strive to create an appropriate balance between holding students accountable for their behavior and providing them with support. In many instances, we serve in both roles at the same time.

This brochure is intended to provide complainants, respondents, reporting parties, and others with basic information and resources that can assist them as they navigate through challenging (at times traumatic) experiences.

Although questions will vary based upon specific circumstances, the following are common for complainants and respondents:

I am the complainant/reporting party of sexual misconduct or violence. What should I do?

Contact the WCU Police Department. Early communication allows access to critical resources, and is essential for the investigation process. Talking to the WCU Police does not mean criminal charges will be pursued.

Contact the Associate Vice Chancellor/Dean of Students. Enforcement of the Code of Student Conduct (Code) and/or the Title IX Sexual Harassment Policy is different than pursuing criminal charges.

In addition to procedural matters, the Police and Student Affairs staff can provide information about resources to assist students. This includes, but is not limited to, how to request interim supportive measures (i.e. housing changes, class schedule alterations, leave of absence, etc.).

I am the complainant and/or reporter of sexual misconduct or violence. Can I be guaranteed anonymity?

Individuals may request for information to remain confidential when reporting an alleged crime or concern. However, anonymity cannot be guaranteed where there is criminal action being pursued and/or there is an issue of community safety involved in the report.

If I file a report with WCU PD and/or the Associate Vice Chancellor/Dean of Students, what will happen?

A report filed with WCU PD is the start of an investigation to determine if a violation of state criminal code has occurred. The investigation will attempt to identify those involved, interview witnesses, collect evidence and refer the matter to the criminal justice system (courts). As crimes



violate the Student Code of Conduct and/or the Title IX Sexual Harassment Policy these cases are also referred to the Department of Student Community Ethics or the Title IX Coordinator. Instances where only a violation of the Student Code of Conduct have occurred are referred to the Department of Student Community Ethics.

A report filed with the Associate Vice Chancellor/Dean of Students will initiate outreach and an inquiry to determine the appropriate course of action. Examples include, but are not limited to, implementing interim/supportive action(s), referring the matter to the Department of Student Community Ethics (DSCE), or initiating the Title IX Sexual Harassment process.

I have been accused of a violation. What should I do?

Individuals accused of committing crimes and/or violations of the Code or the Title IX Sexual Harassment Policy have the right to due process. Know the information contained in the Code and the Title IX Sexual Harassment Policy and seek assistance from an advisor.

Respond to messages which provide you the opportunity to participate in the investigation. Even if you do not wish to speak, participation will provide you with important information and opportunities to make decisions that are in your best interest.



***Someone I want to speak with said s/he is a “CSA”.
What does that mean?***

CSA stands for Campus Security Authority. These individuals are required by law to report certain crimes (including sexual assault) that are brought to their attention.

***If a report is made, what are the options for
addressing the allegations?***

The nature of the alleged crime/violation has a significant impact on the options available to a complainant/reporting party, and/or respondent. Individuals may pursue matters through civil court, the criminal justice system, the Code, and/or the Title IX Sexual Harassment Policy. Each of these options have different policies, procedures, and standards. The WCU Police Department can assist with navigating the civil and criminal avenues. The Department of Student Community Ethics and/or the Division of Student Affairs can assist with the conduct process and the Title IX Sexual Harassment Policy.

***Can I talk to someone other than the WCU Police
or the Department of Student Community Ethics?***

Yes. Students may speak with faculty or staff members. A few specific examples outside of WCU PD or DSCE include the Associate Vice Chancellor/Dean of Students, Associate Vice Chancellor for Health and Wellness, Counseling & Psychological Services, and Health Services. Please remember a person with whom you speak may be a CSA and be required to report certain crimes brought to his/her attention.

I have heard about a No Contact Order. What does that mean?


There are times when it is appropriate and/or necessary for complainants and respondents to have restrictions in place regarding contact with others. Individuals who wish to pursue a Domestic Violence Order of Protection, Restraining Order, or No Contact Order through the criminal justice system should seek advice from the WCU Police Department.

However, a student may also pursue a No Contact Order that is specific to the University through the Associate Vice Chancellor/Dean of Students. This No Contact Order prevents individuals from communicating with designated people via in-person conversations, phone, social media, text, and/or third party messages. If deemed necessary, a WCU No Contact Order may also restrict a student's access to classes or residence halls.

If I elect to participate in the conduct or or Title IX process, what does that entail?

The procedures are different depending on whether the conduct falls under the Title IX procedures or the code of student conduct procedures. When an allegation is brought to the attention of Student Affairs, it is routed through the appropriate process and the complainant and respondent are invited to engage in the proceedings. Both processes may involve an investigation, a hearing, and sanctions or the use of an alternative resolution process (mutual resolution, restorative justice, facilitated discussion, etc.).

More information about the various processes and procedures can be found at wcucode.wcu.edu and dsa.wcu.edu/TitleIX.



RESOURCES

ASSOCIATE VICE CHANCELLOR/ DEAN OF STUDENTS

828.227.7147

ASSOCIATE VICE CHANCELLOR FOR HEALTH AND WELLNESS

828.227.7147

DEPARTMENT OF STUDENT COMMUNITY ETHICS (DSCE)

828.227.7234

COUNSELING & PSYCHOLOGICAL SERVICES (CAPS)

828.227.7469

HEALTH SERVICES

828.227.7640

TITLE IX COORDINATOR

828.227.7116

WCU VICTIM SERVICES

828.227.3207

WCU POLICE DEPARTMENT

828.227.8911 (emergency)

828.227.7301 (non-emergency)

