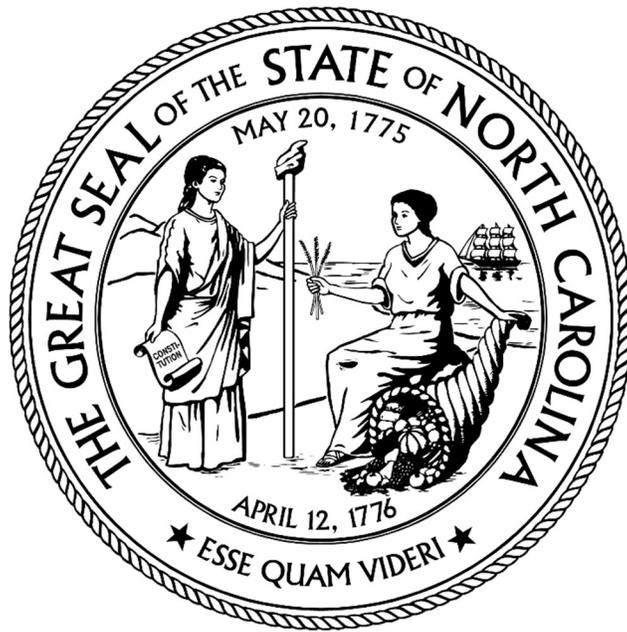


North Carolina Council for Women and Youth Involvement

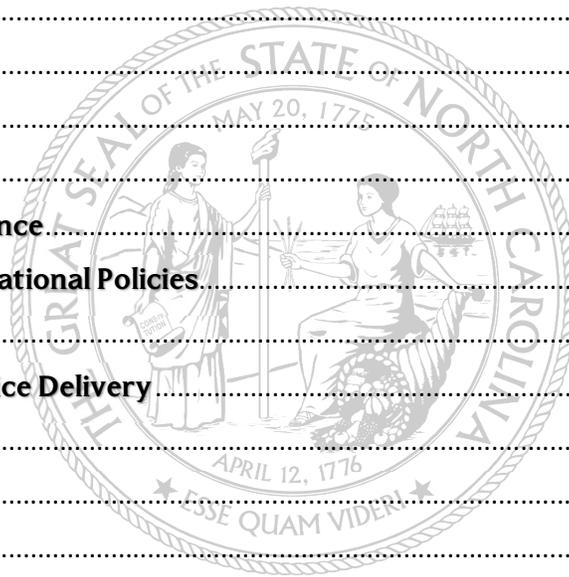


Sexual Violence Program Guidelines

March 2018

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I. Introduction

- A. The North Carolina Council for Women and Youth Involvement (NCCFW & YI) is the state's leading voice on key issues impacting women.**
- B. NCCFW & YI is a departmental advocacy division within the Department of Administration that provides funding, consultation and/or technical assistance to sexual violence programs statewide.**
- C. NCCFW & YI has region offices that provide consultation and technical assistance to programs as well as help with program and board development. The region office staff conduct monitoring assessments for all funded sexual violence programs to ensure compliance with the following: federal, state and local laws, North Carolina Administrative Code provisions, other criteria as established by NCCFW & YI and evidenced and best practices in service delivery.**
- D. Throughout this document Sexual Assault and Rape Crisis Centers are referred to as Sexual Violence Programs.**

II. Purpose

- A. The purpose of the Sexual Violence Program Guidelines is to provide all recipients and their program administrators receiving funding from the with directives on administrative, programmatic and fiscal requirements.**
- B. Sexual Violence programs provide supportive services to improve the long-term social and emotional well-being of those seeking safety.**

III. Powers and Duties

- A. The NC Council for Women and Youth Involvement's functions and duties:**
 - 1. To advise the Governor, the principal State Departments, and the State Legislature concerning the education and employment of women in the State of North Carolina.**
 - 2. To advise the Governor or Secretary of Administration upon any matter relating to the following programs and organizations.**
 - i. North Carolina Internship Council and the North Carolina State Government Internship Program**
 - ii. SADD (Students Against Destructive Decisions)**
 - iii. State Youth Councils**
 - 3. To advise the Secretary of Administration upon any matter the Secretary may refer to the Council.**
- B. § 143B-394.21. Sexual Assault and Rape Crisis Center Fund**
 - 1. The Sexual Assault and Rape Crisis Center Fund is established within the State Treasury. The fund shall be administered by the Department of Administration, North Carolina Council for Women, and shall be used to make grants to centers for victims of sexual assault or rape crisis and to The North Carolina Coalition Against Sexual Assault, Inc.**
 - 2. This fund shall be administered in accordance with the provisions of the State Budget Act under Chapter 143C of the General Statutes. The Department of Administration shall make quarterly grants to each eligible sexual assault or rape crisis center and to the North Carolina Coalition Against Sexual Assault, Inc.**
 - 3. To be eligible to receive funds under this section, a sexual assault or rape crisis center shall meet the following requirements:**
 - i. Have been in operation on the preceding July 1 and continue to be in operation.**
 - ii. Offer all of the following services: a hotline, transportation services, community education, daytime services and call forwarding during the**

- night; and fulfill other criteria established by the Department of Administration.
 - iii. Be a nonprofit corporation or a local government entity.
 - iv. Have a mission statement that clearly specifies rape crisis services are provided.
 - v. Act in support of victims of rape or sexual assault by providing assistance to ensure victims' interests are represented in law enforcement and legal proceedings and support and referral services are provided in medical and community settings.
4. Funds appropriated from the General Fund to the Department of Administration, North Carolina Council for Women, for the Sexual Assault and Rape Crisis Center Fund shall be distributed in two shares. The North Carolina Coalition Against Sexual Assault, Inc., and sexual assault or rape crisis centers whose services are confined to rape crisis or sexual assault services shall receive an equal share of thirty-five percent (35%) of the funds. Organizations whose services contain sexual or rape crisis services and domestic violence services or other support services shall receive an equal share of remaining sixty-five (65%) of the funds. (2008-107, s. 19.1).

IV. Mission Statement

- A. Raising awareness state-wide of the impact of Violence against Women and community resources available to serve victims.
- B. Collecting and distributing information about the status of women.
- C. Acting as a resource for local and regional Councils/Commissions for Women.
- D. Collaborating with other groups and individuals working on behalf of women.
- E. Assuring that necessary services, policies and programs are provided to those in need and strengthening existing programs.
- F. Reviewing applications, awarding grants and monitoring programs providing self-sufficiency development for women and families in transition.

V. Funding Sources

- A. Sexual Assault Center Fund is the primary source for state funding for sexual violence programs. Mandated services with those funds are a hotline, transportation services, community education programs, daytime services and call forwarding during the nights, other criteria as established by the Department of Administration.

VI. Grant Application

- A. Programs must apply annually to the NCCFW & YI for their funding. Applications will be submitted per the direction of NCCFW & YI staff.

VII. Grant Award

- A. Recipients will receive an initial grant award announcement from the NCCFW & YI.
- B. Please note that the initial grant award announcement occurs at a different time each year due to the General Assembly.
- C. Funds cannot be released to Sexual Violence programs until the funds are appropriated by the General Assembly and the grant award agreement is fully executed. Grant contracts cannot be issued for completion until a certified budget notice is received by NCCFW & YI. Upon notice of the certified budget, contracts will be made available to programs. Upon execution of the grant award agreement funds may be released.
- D. Sexual Violence programs must complete the grant award agreement pursuant to the direction of NCCFW & YI staff.

- E. NCCFW & YI funding is intended to supplement the overall funds the program receives and not be the primary source of funding. All payments to Sexual Violence programs are contingent upon funding availability.
- F. Sexual Violence programs shall ensure that all subcontracts and sub-recipients, if any, provide all information necessary to permit the programs to comply with the standards, responsibilities and obligations.
- G. A commonly used reserve goal is 3-6 month's expenses. At the high end, reserves should not exceed the amount of two years' budget. At the low end, reserves should be enough to cover at least one full payroll according to the Nonprofits Assistance fund.

VIII. Funding Eligibility

A. Sexual Violence Program

1. Recipients that receive sexual assault funding must adhere to the North Carolina General Statute (G.S.) §143B-394.2, §09 NCAC 03M.0101-09 NCAC 03M.0205.
2. Recipients that receive sexual assault center funding must display the appropriate logo as determined by the North Carolina Council for Women and Youth Involvement on their website and published documents.
3. To qualify, all applicants:
 - i. Shall be a local unit of government or a private, non-profit organization
 - ii. Shall operate for one year providing the sexual violence program basic services prior to applying for the sexual assault funds.
 - iii. Shall comply with G.S. §143C-6-23 regarding audit requirements and grant monitoring.
 - iv. Shall comply with the provisions of the grant contract.
 - v. Shall maintain compliance with agency contracting.
 - vi. Shall have a Board of Directors that receives board training annually.
 - vii. Shall provide timely and accurate program and financial reporting to the Council.
 - viii. Shall not have supplanted federal, state or local funds that in the absence of state funds would be available for any portion of the program.
 - ix. NCCFW & YI reserves the right to suspend payments during a corrective action or improvement plan. Upon successful completion of the corrective action or improvement plan funding may resume. Failure to remedy insufficiencies noted can result in termination of contract and funding.

B. Sexual Assault Center Funds must have a 20% match of grant appropriations.

C. Sexual Violence programs are allowed up to 20% for administrative costs of the grant appropriations.

IX. Program Fees for Victim Services

- A. Services shall be free of charge when possible. Programs shall not charge fees for Crisis Services and Telephone Hotlines, Legal and Court Advocacy, Medical and Emergency Room Advocacy, Support Groups and Shelter Services.
- B. Any fees charged for enhanced services shall be based upon sliding scale fees for those able to pay. Contact your Region Director for assistance.
- C. Programs shall not charge residents fees for food, personal hygiene products or other items.
- D. Food and other essential items shall be provided free to shelter residents.
- E. Clients shall not be required to purchase food or items which must be shared with other residents.

X. Match Requirements

A. Match Requirements

1. Programs are required to match state appropriated funds, 20% of the total award.
2. The match must be generated locally (Ex. If the total grant award is \$10,000, a \$2,000 match is required). The source of the match must be specified in the grant application/agreement.
3. Examples of sources for a local match include:
 - i. Fundraisers
 - ii. Grants from private organizations (ex. Churches, foundations, businesses, etc.)
 - iii. United Way
 - iv. Local Government Units (city and county government)
 - v. In-kind goods or services calculated at value (volunteer board hours for required board attendance may not be utilized)
 - vi. In-kind can include real property, non-expendable personal property.
 - vii. Match cannot be other state or federal grants.

XI. Compliance Requirements

A. Accounting Requirements

1. All Recipients must adhere to the reporting requirements outlined in NCGS §143C-6-23, North Carolina Administrative Code (NCAC) Chapter 9 and the contract between the recipient and the NCCFW & YI/ DOA.
2. The North Carolina Council for Women and Youth Involvement will be utilizing the North Carolina Center for Non-profits 2015 Non-profit Compliance Checklist to assist with certain accounting requirements.

B. Recipients shall have filed their articles of incorporation.

C. Filed their IRS form 1023 to apply for federal corporate tax exemption and made it available to the public.

D. Requested state corporate income and franchise tax exemption.

E. Filed Form 990, 990-EZ, 990-PF (for private foundations), or 990-N (e-Postcard) and made your forms for the past three years publicly available.

F. Reported and paid tax on Unrelated Business Income (UBIT) and made your Form 990-T for the past three years publicly available.

G. Applied for a state charitable solicitation license, renewed it every year, and included the required disclosure statement on all your fundraising materials.

H. Provided donors with acknowledgement letter for “quid pro quo” gifts and all gifts of \$250 or more.

I. Confirmed that any contract fundraisers or fundraising consultants are licensed.

J. Complied with the Uniform Prudent Management of Institutional Funds Act (UPMIFA) in investing and spending from endowed and other restricted funds.

K. Updated their registered agent’s name, phone and physical addresses with the NC Secretary of State.

L. Applied for exemption from local property taxes.

M. Collected sales tax on item they sold and remitted these funds to the State.

N. Applied for refunds of state and local sales and use taxes that have been paid.

O. Adopted and adhered to policies on conflict of interest, gift acceptance, Form 990 review, whistleblower and document retention and destruction.

P. Elected 501(h) statuses to have clearer and more generous limits on your lobbying than if you stay with the default option called the “insubstantial part test”.

Q. Registered with the state as a lobbyist principal or solicitor (organizations) and as a lobbyist (individuals), as well as filed quarterly reports.

- R. Applied for an Unemployment Tax number and paid State Unemployment Tax.
- S. Obtained Workers' Compensation Insurance.
- T. Ensured that their board members understand their fiduciary duties.
- U. Properly classified all employees and independent contractors.
- V. Properly classified all employees as either exempt or non-exempt.
- W. Used comparability data to determine executive compensation.
- X. Followed all state and federal employment laws including:
 - 1. Filing I-9, W-2, W-4 forms, withholding tax, paying employment taxes, putting up posters and paying for overtime.
- Y. Created a plan document for employee retirement and electronically filed a Form 5500.
- Z. Studied current reporting requirements for any funds that the non-profit receives through the State.
- AA. File all monthly, bi-annual and yearly reports as required by the North Carolina Council for Women and Youth Involvement.
- BB. Pay for overtime that is consistent with State and Federal Laws.
- CC. All Recipients that are city and county government shall abide by the local Government Budget and Fiscal Control Act of the State of North Carolina.

Reference the NC Center for Non-profits 2015 Noncompliance Checklist

XII. Use of Funds

- A. Recipients shall ensure that state funds are utilized for the purpose of the grant as outlined by 9 NCAC 03M.0202.
- B. 9 NCAC 03M.0201 state that Recipients must adhere to the Cost Principles outlined in the Office of Management & Budget's (OMB) Super Circular (this Super Circular supersedes and streamlines requirements from OMB Circulars A-21, A-87, A-110, A-122, A-89, A-102 and A-133)
- C. Determination of allowable costs is at the discretion of NCCFW & YI.
- D. Administrative costs associated with NCCFW & YI funds shall not exceed 20% of the sexual violence program grant appropriation. Administrative or M&G costs are expenses allocated for the overall function and management of the agency, rather than for the direct conduct of program services.

XIII. Allowable Costs

- A. Operating Expenses
 - 1. Rent of office or shelter space
 - 2. Utilities for office or shelter
 - 3. Expendable supplies and materials
 - 4. Equipment (i.e. printers, copiers, fax machine)
 - 5. Postage
 - 6. Communications (i.e. telephone, pager, etc.)
 - 7. Education (i.e. videos, books, training costs)
 - 8. Printing of publications
 - 9. Emergency shelter costs (i.e. motel, hotel)
 - 10. Client costs (i.e. food, transportation, medications & other financial assistance)
 - 11. Professional Services
- B. Repairs & Maintenance of Agency owned property
 - 1. Can be charged to grant only when the recipient owns or is purchasing the property
- C. Insurance Fees/Bonding
 - 1. Are allowable – i.e. fire, theft, property, personal liability insurance policies and bonding for persons handling funds

D. Audit

1. Are only allowable if the agency receives \$500,000 or more in state funds and/or federal pass-through funds and has prior approval from the assigned grants administrator.

E. Volunteer Expenses

1. Service related expense reimbursement, training cost and volunteer appreciation costs.

F. Use of funds

1. Recipients shall ensure that state funds are utilized for the purpose of the grant as outlined by 9NCAC 03M.0201 – 9 NCAC 03M.0205
2. 9 NCAC 03M.0201 – *Allowable Uses of State Financial Assistance*
 - a. Expenditures of State financial assistance by any recipient or sub recipient shall be in accordance with the cost principles outlined in the Code of Federal Regulations, 2 CFR, Part 200. If the State financial assistance includes federal sources, the recipient or sub recipient shall ensure adherence to the cost principles established in the Code of Federal Regulations, 2 CFR, Part 200.
3. It is the responsibility of the grant recipient to verify that the use of funds is consistent with the Cost Principles.
4. NCCFW & YI reserves discretion in the use of funds awarded to a Sexual Violence program for a final determination on allowable costs.

G. Staff Salaries

1. Must relate directly to the execution of proposed sexual violence services. Programs are strongly encouraged to offset staff resources with volunteer efforts to maximize cost effectiveness and to encourage participation and support by the local community.
2. Consultant fees are not considered salaries.

H. Fringe Benefits

1. Benefits allowable under this grant include FICA, unemployment insurance, health insurance, hospital, life insurance, workers' compensation and retirement.

I. Travel

1. Total amount of travel and per diem charged to the grant funds must not exceed 10% of the total grant.
2. Mileage
 - a. Reimbursed up to current state rate on organization business.
3. Registration Fees
 - a. Not to exceed \$400 per person per conference or workshop unless prior approval given by the assigned Grants Administrator and Region Director.
4. Meals
 - a. Incurred on organization business reimbursed in accordance with state rates.
5. Room Charges
 - a. For organization business reimbursement at actual or up to current in-state rates (not including taxes).
6. Out-of-State Travel
 - a. Must have prior approval by the assigned Grants Administrator and Region Director and are reimbursed in accordance with state rates.

XIV. Unallowable Costs

- A. Grant funds shall not be used for the following purposes (not an exhaustive list)
 1. Petty cash
 2. Loans, mortgage payments, property taxes

3. Entertainment costs, food for staff or board meetings, social activities, alcoholic beverages, flowers
 4. Debt payments, fines or penalties
 5. All costs associated with lobbying or activities designed to influence legislators or public officials to support or vote against specific legislation
 6. Construction of new property or addition, remodeling or other capital improvements
 7. Costs of tickets, prizes, dinners or other fundraising expenses
 8. Parking fees or fines
 9. Use of any grant funds to supplant any other Federal, State or Local funds
 10. Costs of consultants (unless assigned Grants Administrator gives prior approval)
- B. Any costs not shown in allowable costs or itemized in this section may be considered unallowable, please verify with your assigned Grants Administrator and Region Director.

XV. Administrative Costs

- A. Administrative costs associated with the NCCFW & YI funds shall not exceed 20% of the sexual violence program grant appropriation. Administrative or M&G costs are expenses allocated for the overall function and management of the agency, rather than the direct conduct of program services.
- B. Examples of Administrative or M&G costs include (but are not limited to):
 - i. Board of Directors, Committee and staff meetings (unless held in connection with specific program or fundraising activities)
 - ii. Legal/Accounting/Financial Services
 - iii. Office Management and general office supplies
 - iv. Publication and distribution of annual report
 - v. Salary, FICA, fringe benefit expense for non-direct service staff time (i.e. grant writing/compliance reporting, board meeting preparation, monthly financial reconciliations, etc.)
 - vi. Percentage or rent and utilities not associated with program delivery
- C. When assessing line items charged to the grant, ask, is this expense associated with carrying out direct services of the program?

XVI. Internal Controls

- A. Budget
 1. Actual expenditures or outlays from State grant funds shall not exceed the budgeted amounts for each line item or for the total grant.
- B. Internal
 1. Written internal control and accountability shall be in place to maintain the integrity of all grant cash, real and personal property and other assets.
 2. All property shall be used for authorized purposes only.
- C. Checks
 1. Two signatures on checks over \$500 unless pre-approved by the Region Director (Recommended signatures are a Board member and staff, not two staff)
 2. The use of debit cards is discouraged.
 3. Staff members must not sign their own paychecks.
- D. Source Documents
 1. Accounting records shall be supported by source documentation, such as canceled checks, paid bills, payrolls, time and attendance records, contract and sub-grant award documents, etc. Records shall be kept for five years after audit.
- E. Equipment Inventory

1. Safeguard all purchases and assure that they are used solely for authorized purposes. Maintain an equipment record and inventory control for all fixed assets, equipment purchases or donations.
2. Equipment records shall also indicate discarded or disposed of equipment or trade-ins.

F. Liquidation of Obligations

1. Recipient shall settle all obligations incurred under the grant award agreement no later than 90 days after the end of the funding period.

XVII. Indemnity, Liability Insurance

- A. Sexual Violence programs shall maintain fire, theft, property, automobile liability and personal liability insurance according to the grant contract.
- i. Shall have necessary and appropriate insurance to cover theft and fraud (Please consult with your insurance carrier).
 - ii. Sexual Violence program shall have appropriate insurance to cover buildings and/or clients in the event of accident or loss (Please consult with your insurance carrier).
 - iii. Boards shall have Officers and Directors insurance for their own protection.

XVIII. Administrative & Organizational Policies

- A. Each Recipient must have the following written policies prior to receiving NCCFW & YI funding:
- i. **Conflict of Interest Policy**
 - ii. **Non-Discrimination Policy**
 - a. Programs shall have a written policy on non-discrimination which states that the program will not discriminate against staff, volunteers or clients based on age, disability, gender identity or expression, race, creed, sexual or religious orientation or national origin.
 - iii. **Organizational Code of Conduct Policy**
 - a. Recipients shall have a written policy on the expectations of the program and its employees pertaining to the rules and regulations which could include any payments for illegal acts, indirect contributions, rebates or bribery.
 - iv. **Internal Controls Policy**
 - a. Programs shall have a written policy on maintaining records that are relevant and material to the to the proper administration of its financial and programmatic activities.
 - b. Those records shall include, but not be limited to:
 - i. Written policies and procedures that address personnel issues, financial policies and procedures that address items such as cash receipts, cash disbursements, payroll, travel and purchasing practices.
 - ii. Supporting documentation such as budget requests and approval notifications, pre-numbered receipts, canceled checks, time sheets, invoices and contracts which support the accounting records.
 - iii. Formal accounting records such as check registers, journals and general ledgers.
 - v. **Whistleblower Policy**
 - a. Programs shall have a written policy that is intended to encourage and enable employees and others raise serious concerns without fearing retaliation.
 - vi. **Confidentiality**

- a. Programs shall have a written confidentiality policy approved by its Board of Directors.
 - b. The policy shall govern the sharing of information internally as well as externally.
 - c. Programs shall maintain a data collection system that protects the confidentiality of the clients including storing files in locked cabinets.
 - d. A Confidentiality statement shall be signed by all employees, board members and other volunteers and kept on file.
 - e. Access to files should be limited to any staff/and or volunteers doing direct case management on an as needed basis.
- vii. **Personnel Policy**
- a. Recipients shall have written personnel policies governing the program's operations. At a minimum, the policies should contain hiring and termination procedures including grievance procedures and leave policies including holiday, overtime and compensatory pay.
 - b. All employees, including the Executive Director, shall complete timesheets for each pay period, documenting the time worked on a project or program, number of hours to be charged to particular budget or project and with the supervisor's approval.
 - c. All staff should be provided with a copy of the agency's policy and procedure manual.

XIX. Reporting Requirements

- A. Programs shall adhere to the contractual reporting requirements and other requirements as established by the NCCFW & YI/ Department of Administration.
- B. Failure to comply with all reporting requirements and all reporting deadlines will result in the withholding or non-issuance of grant funds.
- C. Failure to comply with any reporting requirements can lead to the possible termination of the grant contract which shall result in suspension of grant funds.
- D. **Financial Reports**
 - i. **Budget Transfer Request Form**
 - a. May 31st is the final deadline that the Council will accept budget transfer requests.
 - ii. **Sexual Assault Grant Monthly Expenditure Reports (State appropriations only)**
 - a. All programs must submit a monthly report to the assigned Grants Administrator and its Region Office by the fifteenth of each month.
 - b. For further information contact your Grants Administrator or Region Director.
- E. **Semi-Annual Statistical Report**
 - i. All programs must submit the semi-annual statistical report by e-mail to the NCCFW & YI service mail box and to the Region Director's Admin by January 20th and July 20th.
 - ii. Agencies that serve multiple counties must submit a separate report for clients served in each county.

XXI. Laws Impacting Basic Service Delivery

- A. It is the responsibility of all agencies to verify and confirm that they are complicit with all state, federal and local laws.
- B. **Fair Housing Act**
 - i. 42 U.S.C. §3601, et seq.

- ii. Fair Housing Laws Prohibit Housing Discrimination
 - a. Refer to the listed laws whenever processing persons into services.
- C. State Fair Housing Act
 - i. N.C. Gen Stat. §41A-1, et seq.
- D. Title VI of Civil Rights Act of 1964
 - i. 42 U.S.C. § a 2000d, et seq.
- E. Rehabilitation Act of 1973
 - i. Section 504 29 U.S.C. § 794
- F. Americans with Disabilities Act
 - i. 42 U.S.C. § 1201 et seq.
- G. Family Violence Prevention Service Act
 - i. FVPSA
- H. Violence Against Women and Department of Justice Reauthorization Act
 - i. VAWA
- I. Family Educational Rights and Privacy Act
 - i. FERPA
- J. The Health Insurance Portability and Accountability Act
 - i. HIPAA
- K. The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics
 - i. CLERY

XXII. Program Basic Services

- A. Required Basic Services for Sexual Violence programs (not an exhaustive list)
 - i. Office Location
 - a. The programs shall operate an office located within the county for which funding is requested that is open Monday-Friday during normal business hours and is accessible to clients. The office cannot be located in a residence.
 - ii. Service Requirements
 - a. Services cannot be denied based on a client's immigration status, age, disability, gender identity or expression, race, creed, sexual or religious orientation or national origin.
 - iii. Hotline Services
 - a. Staff members and/or volunteers that work with the hotline must receive adequate training on responding to the needs of callers including: assessing the caller's immediate safety and need for emergency services, providing crisis intervention services, developing a safety plan, providing supportive listening, how to describe the program's services and providing information on community services.
 - b. Agencies that operate a sexual assault and domestic violence program are encouraged to consolidate the program hotlines and cross train the staff/volunteers responsible for providing hotline coverage to maximize service support to callers.
 - c. Programs shall maintain a confidential crisis telephone line that operates twenty-four (24) hours a day, seven (7) days a week.
 - d. During regular office hours, callers must have access to a trained advocate. While immediate response by a trained advocate at all times is preferred, programs may utilize answering services after regular business hours. At no time may calls be answered by an answering machine.

- h. Shelter beds should not be reserved for “in-county” residents.
- i. Any time that a family is not accepted into shelter because of lack of space, the program is required to assist the family with locating alternate safe shelter and safely maintain contact until a viable alternative is located. The referring program is further required to continue coordination of services for the family, as appropriate such as transportation back for court appearances. If the referral is to another sexual violence shelter, the provision of services will be coordinated as outlined in the memorandum of understanding between the programs. Generally, the program accepting the client will be primarily responsible for the provision of services in that county.
- j. Shelter services may not be denied based on whether an individual sought a protective order or other legal remedy.
- k. Criminal background checks, drug and alcohol testing are not appropriate for victims seeking emergency crisis services and shall not be performed or used as criteria for admission to a crisis shelter.

vii. Advocacy and Support Services

- a. Programs shall assure the availability of individual and court advocacy, individual and group support services for both sheltered and non-sheltered victims and when appropriate, for their children. To ensure confidentiality of shelter clients, support groups for non-sheltered victims shall be offered in a location outside of sheltering space.
- b. When a support group is offered, clients must be able to access that service within a maximum of 12 weeks of making a request.
- c. Support group facilitators shall have adequate training and experience, and their credentials should be reviewed by the program prior to the beginning of their work with the program. All support group facilitators shall have, at a minimum, training required of direct service volunteers, or documentation of equivalent training.
- d. Support group facilitators shall be equipped to provide information to group attendees about other resources available through the program, as well as local emergency services.
- e. In cases where clients receive counseling, the program shall either use a licensed professional on staff to provide the counseling or refer the client to a licensed professional in the community.

viii. Community Education

- a. Programs shall provide the community information on the dynamics of sexual violence, the importance of supporting efforts to reduce it, and how to prevent sexual violence.
- b. Programs shall provide professional training to groups and organizations about appropriate identification and response to sexual violence as well as prevention strategies.
- c. Programs shall have brochures, materials, etc. that outline available program services and other community resources.
- d. Materials should be translated into the languages spoken by the local population.

ix. Hospital Accompaniment and Medical Advocacy

- a. The program shall offer hospital accompaniment to all callers reporting a recent sexual assault. Programs will respond to a hospital emergency room’s request to provide a sexual violence staff member or volunteer within a reasonable amount of time.

- b. Whenever possible, the staff member or volunteer on call will offer a caller of the opposite sex the option of a same sex volunteer staff member for hospital accompaniment.
 - c. Whenever possible, the staff member volunteer on call will offer to connect a non-English speaking caller with a bilingual staff member or volunteer or will call a bilingual staff member or volunteer for hospital accompaniment when informed of the need by the hospital.
 - d. Staff members and volunteers shall inform the client of their right to have none or part of the entire exam completed.
 - e. Staff members and volunteers shall remain with the client throughout the entire examination if requested by the client.
 - f. Staff members and volunteers shall inform the client of the support services that the Sexual Violence program provides.
 - g. Staff members and volunteers shall inform the client of the legal advocacy services available from the Sexual Violence program.
 - h. If the client is a minor and accompanied by a guardian who has knowledge of the assault, information on the available services offered by the Sexual Violence program shall be given to the guardian as well. Recipients must follow all laws when providing services to minors.
 - i. If the recipient does not have a hospital within the county it serves or if victims are usually taken to an out of county hospital for forensic exams, the recipient shall implement an agreement with the program serving the hospital to refer clients back to their home program for follow-up support services. Create a memorandum of understanding with neighboring counties and, if possible, programs that border the state.
- x. **Systems Advocacy**
- a. If the local hospital does not currently contact the recipient for hospital accompaniment, the recipient shall contact the hospital administrator to explain the service and solicit their cooperation with implementing the service. The recipient shall create a service agreement with the local hospital.
 - b. The Region Director is available to assist with systems advocacy. If the hospital administration is resistant to implementing hospital accompaniment, recipients should contact their Region Director and the NC Coalition Against Sexual Assault for assistance.
- xi. **Advocacy Services**
- a. The program shall provide advocacy to clients and when appropriate, to their children. Trained volunteers and staff members shall also accompany clients to law enforcement interviews, meetings with the district attorney, court proceedings and follow-up medical appointments.
- xii. **Training Manual**
- a. The agency has an updated sexual violence training manual including contents on the Prison Rape Elimination Act (PREA), human trafficking, underserved victims and core competencies.
- xiii. **Human Trafficking**
- a. The agency has a protocol for responding to victims of human trafficking and staff is prepared to identify victims of trafficking, and assist and refer them to appropriate resources.
 - b. Recipients must include the number of human trafficking victims served in the semi-annual statistical reporting form.
- xiv. **Prison Rape Elimination Act (PREA)**

- a. The agency has an updated sexual violence training manual containing information on PREA.
- b. The agency partners to put the Prison Rape Elimination Act into practice.
- c. The agency has working knowledge of corrections facility policy, procedure and guidelines.
- d. The agency has protocols to assist with advocating for victims of sexual violence within correctional facilities.

XXIV. Staff Training

- A. Staff shall receive training to perform their duties. All direct service providers shall have a minimum of 20 hours yearly of subject specific training prior to providing any services for clients.
 - i. This means all new employees, as well as volunteers and staff who perform direct services, must receive a minimum of 20 hours of training yearly about sexual violence and related issues as well as training about their specific job responsibilities. On-the-job training is acceptable, provided that the new employee is continuously supervised by another trained and qualified staff member. Programs who wish to propose alternate training arrangements may have them approved in consultation with their Region Director.
 - ii. The program may reduce the number of required training hours in consultation with the Region Director for new employees who have years of experience in serving sexual violence victims.
 - iii. Due to the prevalent co-occurrence of domestic and sexual violence, all sexual violence staff should also be trained in subjects specific to domestic violence, even in programs which do not provide domestic violence services as a primary part of their mission.
 - iv. Each staff member's supervisor should work with them to develop an annual staff development plan, which is kept on record at the program office.
 - v. Resources for training include:
 - a. The North Carolina Coalition Against Domestic Violence (NCCADV)
 - b. The North Carolina Coalition Against Sexual Assault (NCCASA)
 - c. The North Carolina Victim's Assistance Network (NCVAN)
 - d. The Region Directors
 - e. Training coordinated by the program itself or other domestic violence or sexual violence programs
 - f. Other county-based service providers
 - vi. Training requirements may be met by providing the Region Director with Certificates of Attendance issued to the attendee by the provider of the training which include the topic of the training and the number of hours. The Region Director may request additional information, including the agenda of the training and/or materials provided at the training to determine compliance.

XXV. Confidentiality

- A. Victims have the right to complete confidentiality.
 - i. Anyone who works with a victim, enters a building, a shelter where victims may be staying or receiving services should sign a confidentiality agreement.
 - ii. For safety, confidential and ethical reasons, when a client or former client is observed in the community, it is inappropriate and perhaps even dangerous to acknowledge or speak to that individual unless approached.
 - iii. By law victims also have a privilege to refuse to disclose and to prevent any person from disclosing confidential communications they have shared with a victim counselor,

an advocate, a volunteer or anyone else working with them who has not received the required 20 hours of training and any other requirement that is required by their professional licenses and/or certifications.

iv. Access to files and written information should be limited.

B. There are numerous General Statutes that guide covered and non-covered agencies regarding the responsibilities in addressing confidentiality. It is important that all Executive Directors, administrators, advocates, shelter staff, counselors, social workers and other professionals are familiar with and follow all Federal and North Carolina confidentiality statutes. Listed are just a few:

i. North Carolina General Statute 90-21.1- GS 90-21.10 & North Carolina General Statute 8-53.12

ii. 10A NCAC 26B.0100-10A NCAC 26B.304

iii. North Carolina General Statute, Chapter 32A-Powers of Attorney

iv. North Carolina General Statute 122C

v. HIPAA PRIVACY RULE-45 CFR Parts 160, 164

vi. Violence Against Women & Department of Justice Reauthorization Act of 2005, 2013

XXVI. Communication Access Support

A. The use of interpreters may be needed at times in order to effectively deliver services to non-English speaking clients; however, children shall not be used as interpreters.

B. The use of sign language or spoken (foreign) language interpreters may be needed at times in order to effectively deliver services to non-English speaking clients; including individuals who are Deaf, Deaf-Blind or Hard of Hearing that communicate using sign language.

1. In North Carolina, sign language interpreters are required to be licensed (G.S. 90D).

2. It is recommended the program utilize the *Sign Language Interpreter Directory and not citizens in the community that have not been trained by the authorizing authority* (<https://www.ncdhs.gov/sign-language-interpretertransliterator-directory>).

XXVII. Serving Victims with Special Needs

A. Intellectual & Developmental Disabilities, Mental Health, Substance Abuse, non-Traditional needs

i. Recipient shall not discriminate against clients who choose not to receive treatment but should balance the survivor's needs with the safety issues regarding other clients and staff and continue to assist the survivor at every level possible.

ii. Education on substance abuse should include referrals to substance abuse service providers with experience helping survivors of sexual violence.

iii. In serving persons with disabilities, the agency should follow the Fundamental Elements of Accessibility developed by the North Carolina Office on Disability and Health

a. <http://fpg.unc.edu/sites/fpg.unc.edu/files/resources/curricula/NCDOH-FEA-guide.pdg>

XXVIII. Cultural Sensitivity

A. The recipient should continually research demographic information to stay informed about members of its various communities. It is important that advocates be trained about all age, racial, ethnic and cultural groups in their service area as well as more general issues such as sexual orientation, discrimination, stereotyping and exploring personal prejudices.

XXIX. Board of Directors

- A. All not-for-profit recipients must be governed by a Board of Directors with members who represent the demographic profile of the community, as well as businesses, government services, legal, educational, religious and other entities.
 - i. The following committees are mandatory:
 - a. Financial Committee (chaired by the Treasurer)
 - b. Human Resources Planning/Personnel Committee
 - c. Resource Development/Fundraising Committee
 - ii. Recipients shall have a board approved succession plan and strategic plan on file for review by the Council.
 - iii. Recipients shall have a corporate notebook, containing approved board meeting minutes for three years. The notebook must also contain the last three years' 900 forms, the program's bylaws and the agency's 501(c)3 letter (if applicable).
 - iv. Please contact your NCCFW & YI Region Office for Board Training availability.
- B. The board shall designate one or more seat for sexual violence survivors. A board member's status as a survivor shall remain confidential at the discretion of the board member. However, the Board Chair, Executive Director and the Region Director shall be given knowledge of the board member's status in order to meet compliance with the guidelines.
- C. New board members shall receive orientation at the beginning of their responsibility and operations management.
- D. Members will receive annual site visits or other assessments by the NCCFW & YI on these topics and other topics appropriate to the needs of the program to ensure adequate training and service provision.
- E. Board training not delivered by council staff must be approved by the council for content.
- F. Boards shall have regularly scheduled meetings and keep written records of meetings, which contain date, time, place of meeting, members attending, decisions, motions, etc.
 - i. Copies of approved board minutes shall be submitted in a timely manner as directed by the Region Director and kept on file for review by the Council staff during site visits.
- G. Board shall have an active Finance Committee to monitor financial management of the agency.
 - i. The committee shall submit a written report at each board meeting for the entire Board to review.
 - ii. The treasurer must be a member of the Finance Committee.
 - iii. Copies of the finance report shall be submitted in a timely manner as directed by the Region Director and kept on file for review by Council staff.
- H. Public Relations/Marketing and Strategic Planning Committees of the Board are not mandated but are recommended.
- I. Board of Directors deficiencies and/or management deficiencies are a potential basis for suspension and/or termination of funding.

XXX. NCCFW & YI Reversions

- A. Grant funds are issued on a quarterly basis to recipients. In an effort to deter multiple reversions of state issued grant funds, NCCFW & YI has implemented the following guideline:
 - i. When a recipient has monetary reversions over two consecutive grant cycles of more than \$2,000 or 10% of the total grant award (whichever is higher) that recipient will be assessed by the NCCFW & YI to evaluate the recipient's ability to expend any future state issued grant funds. Such assessment may result in non-issuance of NCCFW & YI funds.

XXXI. A Living Document

- A. The Sexual Violence Program Guidelines are intended to be a living document; changes will occur over time as information about the state grant program is updated.
- B. Recipients are encouraged to contact the assigned Region Director or Grants Administrator for ongoing technical assistance, networking, support and advice.
- C. Questions or recommendations for updates to the Sexual Violence Guidelines are welcomed and should be sent via email to your NCCFW & YI Region Director. Staff contact information is available on the NCCFW & YI website.

XXXII. Resource Websites

- A. Funding Agencies
 - i. North Carolina Council for Women & Youth Involvement
 - a. <https://ncadmin.nc.gov/about-doa/divisions/council-for-women>
 - ii. Governor's Crime Commission/Department of Public Safety
 - a. <https://www.ncdps.gov/about-dps/boards-and-commissions/governors-crime-commission>
- B. Advocacy Organizations
 - i. North Carolina Coalition Against Domestic Violence (NCCADV)
 - a. <https://nccadv.org/>
 - ii. North Carolina Coalition Against Sexual Assault (NCCASA)
 - a. <http://www.nccasa.org/>
 - iii. North Carolina Victim Assistance Network (NCVAN)
 - a. <https://www.nc-van.org/>
- C. State Government Resources
 - i. North Carolina Administrative Code
 - a. <http://reports.oah.state.nc.us/ncac.asp>
 - ii. North Carolina Department of Public Instruction
 - a. <http://www.ncpublicschools.org/>
 - iii. North Carolina General Statutes
 - a. <https://ncleg.net/gascripts/Statutes/StatutesTOC.pl>
 - iv. North Carolina Office of the Auditor
 - a. <http://www.ncauditor.net/pub42/>
- D. Federal Government Resources
 - i. Office of Management & Budget
 - a. <https://www.whitehouse.gov/omb/>
 - ii. Office on Violence Against Women/ US Department of Justice
 - a. <https://www.justice.gov/ovw>
 - iii. Emergency Solutions Grants (ESG) may provide funding to support housing solutions for individuals fleeing or attempting to flee sexual violence.
 - a. <https://www.hudexchange.info/programs/esg/>
- E. National Advocacy Organizations/Training and Technical Assistance
 - i. Battered Women's Justice Project
 - a. <http://www.bwjp.org/>
 - ii. The Stalking Resource Center/National Center for Victims of Crime
 - a. <http://victimsofcrime.org/our-programs/stalking-resource-center>
 - iii. NNEDV Safety Net Project
 - a. <https://nnedv.org/>
 - iv. Coalition to Abolish Slavery and Trafficking (CAST)
 - a. <http://www.castla.org/>