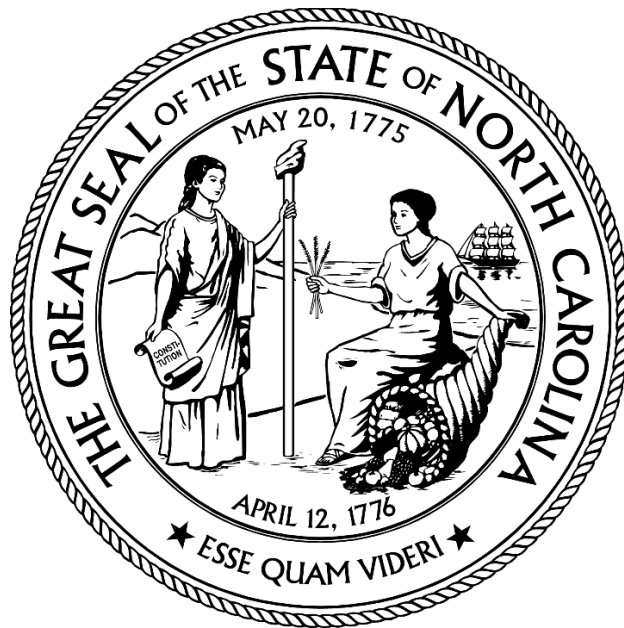




## North Carolina Council for Women & Youth Involvement



Sexual Assault Program Guidelines  
Rev. April 2025

# Table of Contents

- I. Introduction.....4
- II. Purpose of These Guidelines.....4
- III. Powers and Duties.....4
- IV. About CFWYI.....5
- V. Funding Sources .....5
- VI. Grant Applications.....6
- VII. Grant Awards.....6
- VIII. State Funding Eligibility .....6
- IX. Program Fees for Victim Services .....7
- X. Match Requirements .....8
- XI. Compliance Requirements .....8
- XII. Use of Funds .....9
- XIII. Allowable Costs.....9
- XIV. Unallowable Costs .....11
- XV. Administrative Costs .....11
- XVI. Internal Controls .....12
- XVII. Indemnity and Liability Insurance.....12
- XVIII. Administrative and Organizational Policies.....13
- XIX. Client Service Reports.....13
- XX. Other Reporting Requirements.....14
- XXI. Laws Impacting Basic Service Delivery .....14
- XXII. Program Services.....14
- XXIII. Staff Training.....19
- XXIV. Confidentiality.....19
- XXV. Communications Access Support.....20
- XXVI. Serving Victims with Special Needs .....20
- XXVII. Cultural Sensitivity .....20
- XXVIII. Board of Directors .....21
- XXIX. CFWYI Reversions.....22



XXX. A Living Document .....22

XXXI. Resource Websites .....22



## **I. Introduction**

- A. The North Carolina Council for Women and Youth Involvement (CFWYI) is the state’s leading voice on key issues impacting women. CFWYI is an advocacy division within the Department of Administration (DOA) that provides funding, consultation, and technical assistance to sexual assault and rape crisis centers statewide.
- B. CFWYI has region offices that provide consultation and technical assistance to CFWYI-funded programs and that help with program and board development. The region office staff conduct monitoring assessments, including announced and unannounced site visits and desktop monitoring, for all funded sexual assault centers to ensure compliance with federal, state and local laws, and other criteria established by CFWYI considering evidence-based best practices in service delivery.
- C. CFWYI Grant Administrators provide fiscal and financial guidance and monitoring to programs.

## **II. Purpose of These Guidelines**

The purpose of these Sexual Assault Program Guidelines is to provide all recipients that receive funding from CFWYI with information about administrative, programmatic, and fiscal requirements.

## **III. Powers and Duties**

CFWYI’s functions and duties include but are not limited to:

- A. Advise the Governor, the principal State Departments, and the State Legislature concerning the education and employment of women in the State of North Carolina.
- B. Advise the Governor or Secretary of Administration on any matter relating to the following programs and organizations.
  - 1. North Carolina Internship Council and the North Carolina State Government Internship Program; and
  - 2. State Youth Councils.
- C. Advise the Secretary of Administration on any matter the Secretary may refer to the Council.
- D. Administer the Domestic Violence Center Fund, as provided in G.S. 50B-9.
- E. Administer the Sexual Assault and Rape Crisis Center Fund, as provided in G.S. 143B-394.21.
- F. Provide staff support to the Domestic Violence Commission, as provided in G.S. 143B-394.16.
- G. Consult with the Department of Public Safety on a reporting system and database on certain domestic violence-related homicides, as provided in G.S. 143B-903.
- H. Provide staff support for the North Carolina Internship Council and the State Youth Advisory Council, as provided in G.S. 143B-394.32 and G.S. 143B-394.26, respectively.



## **IV. About CFWYI**

CFWYI:

- A. Collects and distributes information about the status of women in North Carolina, and raises awareness of the impact of violence against women.
- B. Administers state and federal grants for domestic violence and sexual assault providers across North Carolina, and provides training and technical assistance to those providers.
- C. Acts as a resource for local and regional Councils/Commissions for Women.
- D. Runs youth involvement and leadership programs, including the NC State Internship Program and the State Youth Council.
- E. Provides anti-human trafficking education and resources.
- F. Collaborates with other groups and individuals working on behalf of women and youth.

## **V. Funding Sources**

- A. Sexual Assault and Rape Crisis Center Fund ([G.S. 143B-394.21](#))
  1. This fund is established within the State Treasury and administered by CFWYI. It is used to make grants to centers for victims of sexual assault and to the North Carolina Coalition Against Sexual Assault (NCCASA).
  2. The fund is the primary source of state funding for sexual assault and rape crisis centers. Services that must be provided with these funds include a hotline, transportation services, community education programs, daytime services, and call forwarding during the night.
  3. To be eligible to receive funds, a sexual assault or rape crisis center shall:
    - a. Have been in operation on the preceding July 1 and continue to be in operation;
    - b. Offer a hotline, transportation services, community education programs, daytime services, and call forwarding during the night;
    - c. Be a nonprofit corporation or a local government entity;
    - d. Have a mission statement that clearly specifies rape crisis services are provided;
    - e. 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; and
    - f. Fulfill other criteria established by DOA.
- B. The fund shall be administered in accordance with the provisions of the Executive Budget Act. DOA shall make quarterly grants to each eligible sexual assault or rape crisis center and to NCCASA.
- C. Funds shall be distributed in two shares. NCCASA and sexual assault or rape crisis centers whose services are confined to sexual assault or rape crisis shall receive an equal share of thirty-five percent (35%) of the funds. Organizations whose services include both sexual or rape crisis and domestic violence services shall receive an equal share of remaining sixty-five (65%) of the funds.



## **VI. Grant Applications**

Programs must maintain an updated Grantee Profile in the online Enterprise Business Services (EBS) system and must submit supplemental applications for funding on forms provided by and according to the directions of CFWYI through the EBS system. CFWYI will review the profile, supplemental application form, and all required attachments after they are uploaded to ensure that they are complete and that they demonstrate the applicant meets all requirements prior to making an eligibility determination.

## **VII. Grant Awards**

- A. Recipients will receive an initial grant award announcement from CFWYI. This announcement occurs at a different time each year due to the General Assembly's budget process.
- B. Funds cannot be released to Sexual Assault Centers until the funds are appropriated by the General Assembly, the budget is certified, and a grant award contract is fully executed. Within 10 business days of budget certification, contracts will be made available to centers. Upon execution of the grant award contract, and approval of a budget within the EBS system, funds may be released. All payments to Sexual Assault Centers are contingent on funding availability.
- C. CFWYI funding is intended to supplement the overall funds that centers receive and not be the primary source of a provider's funding.
- D. Sexual Assault Centers shall ensure that all sub-contracts and sub-recipients, if any, provide all information necessary to permit the programs to comply with their standards, responsibilities, and obligations.
- E. A commonly used reserve goal for non-profits is 3-6 months of operating expenses. At minimum, reserves should be enough to cover at least one full payroll cycle. CFWYI recommends a reserve of 6 or more months of operating expenses.
- F. Recipients shall maintain records that support the allowable expenditure of state funds for five years from the end of the grant agreement and shall make available all reports and records for inspection for oversight, monitoring, and evaluation procedures.

## **VIII. State Funding Eligibility**

- A. Recipients that receive sexual assault funding must adhere to G.S. 143B-394.21 and G.S. 143C-6-23, as well as 09 NCAC 03M. 0101-09 and 03M. 0205.
- B. Recipients must display the appropriate logos as determined by CFWYI on their website and published documents.
- C. To qualify, all applicants shall:
  1. Be a local unit of government or a private, non-profit organization.
  2. Operate for one year providing the basic sexual assault services prior to applying for the sexual assault funds.
  3. Comply with audit requirements and grant monitoring.
  4. Comply with the provisions of the grant contract.



5. Maintain compliance with all CFWYI fiscal, programmatic, and reporting requirements.
  6. Have a Board of Directors that receives annual board training.
  7. Provide timely and accurate program and financial reporting to CFWYI.
  8. Not supplant federal, state, or local funds that in the absence of state funds would be available for any portion of the program.
- D. Sexual Assault Centers must have a 20% match of grant appropriations (unless waived).
  - E. Sexual Assault Centers are allowed up to 20% of the grant appropriation for administrative costs.
  - F. CFWYI leadership, in consultation with the applicable Region Director, reserves the right to hold or suspend payments for non-compliance. While programmatic/service noncompliance can be assessed at any time during the funded year, CFWYI assesses state grantees' fiscal compliance on a quarterly basis. Grant recipients not in compliance with expenditure reporting requirements at the time of quarterly disbursement will receive a 7-day extension to resolve outstanding issues. Failure to meet the 7-day extension will result in an official corrective action. According to 09 NCAC 03M .0801, recipients deemed non-compliant and in receipt of a corrective action letter must respond in writing to CFWYI. Once on an official corrective action plan, recipients will have 60 days to come into compliance. While in a non-compliant status, funding will be withheld. Upon successful completion of the corrective action plan, funding may resume. Recipients that fail to remedy insufficiencies by the end of the 60-day timeline will be placed on the statewide Suspension of Funding List and may have their contact terminated.
  - G. Level II recipients and subrecipients shall have a single or program-specific audit prepared and completed in accordance with Generally Accepted Government Auditing Standards, also known as the Yellow Book audit. A copy of the completed audit must be provided to CFWYI, no later than 9 months after the end of the organization's fiscal year.

## **IX. Program Fees for Victim Services**

- A. Centers shall not charge fees for crisis services, telephone hotlines, legal and court advocacy, medical and emergency room advocacy, support groups, or shelter services.
- B. Other services shall be free of charge when possible. Any fees charged for enhanced services shall be based on a sliding scale for those able to pay. Contact your Region Director for assistance.
- C. Centers shall not charge residents fees for food, personal hygiene products, or other essential items.
- D. Clients shall not be required to purchase food or items that must be shared with other residents.



## **X. Match Requirements**

- A. Centers are required to match state appropriated funds in the amount of 20% of the total award (unless waived). (E.g., If the total grant award is \$10,000, a \$2,000 match is required.)
- B. The match must be generated locally and cannot be from other state or federal grants. The source of the match must be specified in the grant application and the executed contract.
- C. Examples of sources for a local match include:
  - 1. Fundraisers.
  - 2. Grants from private organizations (e.g., churches, foundations, businesses).
  - 3. United Way.
  - 4. Local government units (city and county government).
  - 5. In-kind goods or services calculated at fair market value such as real property or non-expendable personal property. Volunteer board hours for required board attendance may not be utilized.

## **XI. Compliance Requirements**

- A. Accounting Requirements:
  - 1. All grant recipients must adhere to the reporting requirements outlined in G.S. 143C-6-23, North Carolina Administrative Code (NCAC) Chapter 9, and the contract between the recipient and CFWYI/DOA.
  - 2. CFWYI will utilize the North Carolina Center for Nonprofits 2022 [Legal Compliance Checklist for NC Nonprofits](#) to assist with certain accounting requirements.
- B. Nonprofit Recipients:
  - 1. Shall have filed their articles of incorporation.
  - 2. Shall file IRS form 1023 to apply for federal corporate tax exemption and make it available to the public. Recipients shall also file for exemptions from state corporate income and franchise tax and local property taxes.
  - 3. Shall file Form 990, 990-EZ, 990-PF (for private foundations), or 990-N (e-Postcard) and make the applicable forms for the past three years publicly available.
  - 4. Shall have reported and paid tax on Unrelated Business Income (UBIT) and made their Form 990-T for the past three years publicly available.
  - 5. Shall have applied for a state charitable solicitation license, which must be renewed every year, and included the required disclosure statement on all fundraising materials.
  - 6. Shall have provided donors with acknowledgement letters for “quid pro quo” gifts and all gifts of \$250 or more.
  - 7. Shall have confirmed that any contract fundraisers or fundraising consultants are licensed.
  - 8. Shall have complied with the Uniform Prudent Management of Institutional Funds Act (UPMIFA) in investing and spending from endowed and other restricted funds.
  - 9. Shall maintain a current registered agent’s name, phone number, and physical address with the NC Secretary of State.
  - 10. Shall have collected sales tax on items they sold and remitted these funds to the State.
  - 11. Shall have applied for refunds of state and local sales and use taxes they have paid.



12. Shall have adopted and adhered to policies on conflicts of interest, gift acceptance, Form 990 review, whistleblowers, and document retention and destruction.
  13. Shall have elected 501(h) status to have clearer and more generous limits on lobbying than if they stayed with the default option called the “insubstantial part test.”
  14. Shall have registered with the state as a lobbyist principal or solicitor (organizations) or as a lobbyist (individuals), as well as filed quarterly reports, if applicable.
  15. Shall have applied for an Unemployment Tax Number and paid State Unemployment Tax.
  16. Shall have obtained Workers’ Compensation Insurance.
  17. Shall have taken steps to ensure that their board members understand their fiduciary duties.
  18. Shall have properly classified all employees and independent contractors.
  19. Shall have properly classified all employees as either exempt or non-exempt.
  20. Shall have used comparability data to determine executive compensation.
  21. Shall have followed all state and federal employment law including filing I-9, W-2, and W-4 forms; withholding taxes; paying employment taxes; posting required employment and labor law posters; and paying for overtime.
  22. Shall have created a plan document for their employee retirement plan and electronically filed a Form 5500.
  23. Shall have reviewed current reporting requirements for any funds that their nonprofit receives through the State.
  24. Shall file all quarterly, biannual, and yearly reports as required by CFWYI.
- C. 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, and shall file all quarterly, biannual, and yearly reports as required by CFWYI.

## **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. 0201 through 9 NCAC 03M. 0205.
- B. Per 9 NCAC 03M. 0201, Allowable Uses of Grants, expenditures of State funds by any recipient or subrecipient shall be in accordance with the cost principles outlined in the Code of Federal Regulations, 2 CFR, Part 200.

## **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 (e.g., printers, copiers, fax machine).
  5. Postage.
  6. Communications (e.g., telephone, pager).
  7. Education (e.g., videos, books, training costs).
  8. Printing of publications. Grantees should acknowledge CFWYI on publications produced in whole or in part with CFWYI funds by using the following



acknowledgment statement: "This resource is supported by the Council for Women and Youth Involvement (CFWYI) as part of an award from the Sexual Assault and Rape Crisis Center Fund established by G.S. 143B-394.21."

9. Emergency shelter costs (e.g., motel, hotel).
  10. Client costs (e.g., food, transportation, medications, other financial assistance).
  11. Professional Services.
- B. Repairs/Maintenance of Agency Owned Property can be charged to the grant only when the recipient owns or is purchasing the property.
- C. Insurance Fees/Bonding are allowable (e.g., fire, theft, property, personal liability insurance policies, and bonding for persons handling funds).
- D. Audit costs are only allowable if the agency receives \$1,000,000 or more in state funds and/or federal pass-through funds and has prior approval from the assigned Grants Administrator.
- E. Service-Related Volunteer Expenses are allowable, including training costs and volunteer appreciation costs.
- F. Other Allowable Costs include but are not limited to:
1. Staff Salaries must relate directly to the execution of proposed sexual assault services. Centers are strongly encouraged to offset staff resources with volunteer efforts to maximize cost effectiveness and to encourage participation and support by the local community. Consultant fees are not considered salaries.
  2. Fringe Benefits allowable under this grant include FICA, unemployment insurance, health insurance, hospital, life insurance, worker's compensation, and retirement. Reasonable costs for family-friendly workplace policies that support the health and well-being of working families and children are allowable if they are included in the benefit package for all of the organization's full-time employees and are reflected in a written board-approved policy.
  3. Travel Expenses:
    - a. The total amount of travel and per diem charged to the grant funds must not exceed 10% of the total grant.
    - b. Mileage may be reimbursed up to the current state rate for organizational business.
    - c. Registration fees are allowable not to exceed \$400 per person per conference or workshop unless prior written approval has been given by the assigned Grants Administrator and Region Director.
    - d. Meals while on organization business may be reimbursed in accordance with state per diem rates.
    - e. Lodging for organization business may be reimbursed at actual or up to current in-state rates (not including taxes).
    - f. Out-of-state travel expenses must have written approval by the assigned Grants Administrator and Region Director prior to attending and paying any travel or registration. Lodging and per diems and are reimbursed in accordance with state rates.
  4. CFWYI reserves discretion to make final determinations on allowable costs.



## **XIV. Unallowable Costs**

- A. While this is not an exhaustive list, grant funds shall not be used for the following purposes:
  - 1. Petty cash.
  - 2. Loans, mortgage payments, or property taxes.
  - 3. Pre-payment for goods and services such as vehicle insurance.
  - 4. Entertainment costs, including food for staff or board meetings, social activities, alcoholic beverages, or flowers.
  - 5. Debt payments, fines, or penalties.
  - 6. Any costs associated with lobbying or activities designed to influence legislators or public officials to support or vote against specific legislation.
  - 7. Construction of new property or additions, remodeling, or other capital improvements.
  - 8. Costs of tickets, prizes, dinners, or other fundraising expenses.
  - 9. Parking fees or fines.
  - 10. Costs of consultants (unless approved by Region Director and Grants Administrator).
- B. Grant funds shall not be used to supplant any other federal, state, or local funds.
- C. 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. CFWYI defines administrative costs as expenses related to the overall function of the facility and management of the agency, rather than for the direct delivery of program services. Administrative costs associated with CFWYI appropriated funds generally shall not exceed 20% of the sexual assault program grant award amount. An excess of 20% of administrative costs must be specifically approved by CFWYI based on the grantee's written justification. CFWYI may grant approval on a case-by-case basis in its discretion.
- B. Grantee management expenses that can be directly tied to grant-related activities, and that have supporting documentation, may be allowable. For example, if a grantee's Executive Director spends 25% of their time on grant-related activities such as providing supervision to other staff, and their timesheet reflects that 25% of their time is dedicated to these activities, the personnel cost related to such activity is an acceptable administrative cost.
- C. Examples of administrative costs include but are not limited to:
  - 1. Legal/accounting/financial services.
  - 2. Office management and general office supplies.
  - 3. Publication and distribution of an annual report.
  - 4. Salary, FICA, and fringe benefit expenses for non-direct service staff time (e.g., grant writing/compliance reporting, board meeting preparation, monthly financial reconciliations).
  - 5. Any percentage of rent and utilities not associated with program delivery.
- D. When assessing expenses to be charged to line items in the approved budget, recipients should ask whether the expense is associated with carrying out direct services of the program. If the answer is no, the expense may qualify as an administrative cost.



## **XVI. Internal Controls**

- A. Budget: 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 Controls:
  - 1. Written internal controls 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 are required on checks over \$500 unless one signature is 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 pay checks.
- D. Source Documents:
  - 1. Accounting records shall be supported by source documentation, such as canceled checks, paid bills, payroll records, time and attendance records, contract and sub-grant award documents, etc. For personnel, timesheets must identify each funding source that supports the position.
  - 2. Records shall be kept for five years after an audit.
  - 3. Documents should not include any Personal Identifying Information (PII) for clients. Names and titles of your organization's staff members are not protected PII for grant reporting and you should not redact them. However, you should redact additional information that could be used to trace a staff person's identity in combination with their name, such as home address, date of birth, and social security number. Agencies can also redact shelter addresses from invoices and use the address for the administrative office or a P.O. Box address for the agency.
- E. Equipment Inventory:
  - 1. Recipients shall safeguard all purchases and ensure that they are used solely for authorized purposes.
  - 2. Recipients shall maintain an equipment record and inventory control for all fixed assets, equipment purchases, or donations. Equipment records shall include discarded or disposed equipment or trade-ins.
- F. Liquidation of Obligations: Recipient shall settle all obligations incurred under the grant award agreement no later than the 31<sup>st</sup> day of August after the end of the funding period.

## **XVII. Indemnity and Liability Insurance**

- A. Sexual Assault Centers shall maintain fire, theft, property, automobile, and personal liability insurance according to the grant contract.
- B. Centers shall have the necessary and appropriate insurance to cover theft and fraud. (Please consult your insurance carrier.)
  - 1. Centers shall have appropriate insurance to cover buildings and/or clients in the event of accidents or loss.
  - 2. Boards shall have Officers and Directors insurance for their own protection.



## **XVIII. Administrative and Organizational Policies**

Each recipient must have the following written policies prior to receiving CFWYI funding:

- A. Conflict of Interest Policy.
- B. Non-Discrimination Policy that states that they will not discriminate against staff, volunteers, or clients based on age, disability, gender identity or expression, race, creed, sexual orientation, national origin, religion, or any other protected class.
- C. Organizational Code of Conduct Policy on the expectations of the center and its employees, board members, volunteers, or any person affiliated with the center pertaining to any payments for illegal acts, indirect contributions, rebates, or bribery.
- D. Internal Controls Policy on maintaining records that are relevant and material to the proper administration of the center's financial and programmatic activities. Those records shall include, but are not limited to:
  1. Written policies and procedures that address personnel issues and financial policies and procedures such as cash receipts, cash disbursements, payroll, travel, and purchasing practices.
  2. Supporting documentation for accounting records, such as pre-numbered receipts, canceled checks, time sheets, invoices, and contracts.
  3. Budgets with supporting documentation, such as budget requests and approval notifications.
  4. Formal accounting records, such as check registers, journals, and general ledgers.
- E. Whistleblower Policy that is intended to encourage and enable employees and others to raise any serious concerns without fearing retaliation.
- F. Confidentiality policy governing the sharing of information internally and externally that has been approved by the Board of Directors.
  1. Centers shall maintain a data collection system that protects the confidentiality of the clients including storing files in locked cabinets.
  2. A confidentiality statement shall be signed by all employees, board members, and volunteers affiliated with the center and kept on file.
  3. Access to files should be limited to any staff and/or volunteers doing direct case management on an as needed basis.
- G. Personnel Policies and Agency Procedures:
  1. At a minimum, the policies should contain hiring and termination procedures including grievance procedures, and leave policies including holiday, overtime, and compensatory pay.
  2. All employees, including the Executive Director, shall complete timesheets for each pay period that clearly show each funding source that contributes to the overall FTE, document the time worked toward each funding source and the number of hours to be charged to each source, and include the supervisor's approval.
  3. All staff should be provided with a copy of the agency's personnel policies and policy and procedure manual.

## **XIX. Client Service Reports**

- A. All programs must submit a semi-annual statistical report as directed by CFWYI by January 20<sup>th</sup> and July 20<sup>th</sup> of each year.
- B. Programs must ensure the figures in the age, gender, and race columns combined equal



the figure in the number of clients served column.

- C. Programs must include the number of human trafficking victims served in the semi-annual statistical reporting form.
- D. Agencies that serve multiple counties must submit a separate report for clients served in each county.

## **XX. Other Reporting Requirements**

- A. Centers shall adhere to the contractual reporting requirements and other requirements as established by CFWYI/DOA.
- B. Failure to comply with reporting requirements and reporting deadlines will result in corrective action and the withholding or non-issuance of grant funds and may lead to termination of the grant contract and suspension of grant funds.
- C. Agencies must adhere to CFWYI's direction not to include any Personal Identifying Information (PII) for clients on any and all reporting documents.
- D. Financial Reports
  - 1. Budget Change Requests must be submitted to CFWYI through the EBS system no later than May 31st of each year.
  - 2. Sexual Assault Grant Expenditure Reports must be submitted quarterly through the EBS system no later than the deadlines established by CFWYI. The report is considered late if received on or after the applicable deadline.
  - 3. Requests for extensions must be directed to the assigned Grants Administrator before the applicable due date.

## **XXI. Laws Impacting Basic Service Delivery**

- A. It is the responsibility of all agencies to verify and confirm that they are in compliance with all state, federal, and local laws, including all laws prohibiting discrimination. Recipients shall not discriminate against clients who decline services.
- B. [Fair Housing Act](#): 42 U.S.C. § 3601, et seq.
- C. [State Fair Housing Act](#): G.S. 41A-1, et seq.
- D. [Title VI of Civil Rights Act of 1964](#): 42 U.S.C. § 2000d, et seq.
- E. [Rehabilitation Act of 1973](#): Section 504, 29 U.S.C. § 794
- F. [Americans with Disabilities Act](#): 42 U.S.C. § 1201 et seq.; see also [Guide to Disability Rights Laws | ADA.gov](#).
- G. [Family Violence Prevention and Services Act](#) (FVPSA)
- H. [Violence Against Women and Department of Justice Reauthorization Act](#) (VAWA)
- I. [Family Educational Rights and Privacy Act](#) (FERPA)
- J. [The Health Insurance Portability and Accountability Act](#) (HIPPA)
- K. [The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics](#) (CLERY)
- L. NC HB 1105 (Session Law 2020-97), The Coronavirus Relief Act (if applicable)

## **XXII. Program Services**

- A. Programs must comply with all service requirements of G.S. 143B-394.21.
- B. Services cannot be denied based on a client's immigration status, age, disability, gender identity or expression, race, creed, sexual orientation, national origin, or religion.



- C. Required Basic Services for Sexual Assault Centers include, but are not limited to:
1. Day Time Services: Programs generally must 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. Providers that seek to serve a county where they do not have an office must present for CFWYI approval a staffing and outreach plan that addresses the dedicated services that will be provided, including but not limited to letters of support and memoranda of understanding with established providers and community partners that serve victims and survivors of sexual assault. CFWYI may approve such a plan and award funding for services in a county without a physical office in its sole discretion, taking into account both the elements of the plan and the need for services in the county.
  2. Hotline Services:
    - a. Staff members and/or volunteers who work with the hotline must receive adequate training on responding to the needs of callers, including assessing callers' immediate safety and need for emergency services, providing crisis intervention services, developing a safety plan, providing supportive listening, describing the program's services, and providing information on community services.
    - b. Agencies that operate both 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. CFWYI strongly discourages call forwarding to the national hotline or neighboring sexual assault centers without notice.
      - i. If an answering service is utilized, the person answering the phone must clearly identify themselves as a representative of the sexual assault hotline. For example, calls may not be answered "211" or "911."
      - ii. If an answering service is utilized, a trained advocate must be able to safely connect with the caller within a maximum of one hour. An immediate "patch-through" connection is strongly preferred.
      - iii. The business line's voice mail system shall provide callers with the ability to directly connect to a trained advocate. The information about how to reach a trained advocate must be provided immediately upon reaching the voicemail system, not at the end of the message.
      - iv. It is recommended that the program utilize the services of the Language Line (1-877-886-3885) to accept and assist limited English proficient callers.
  3. Crisis Intervention and Referral Services:
    - a. Programs shall provide crisis intervention services to clients by telephone, computer, and/or in person.
    - b. Programs must have access to local community resource information to provide to clients.



4. Transportation Services:
  - a. Programs shall provide or coordinate with other community transport services, if available, to provide clients transportation to needed services. Needed services may include legal, housing, employment, medical, and government benefits.
  - b. Programs are encouraged to network with community organizations such as law enforcement to provide transportation.
5. Shelter Services:
  - a. Programs shall provide or coordinate emergency shelter for clients and their families who are fleeing violence. Any time a client or family is not accepted into a shelter because of lack of space, but would otherwise be appropriate for services, the program is required to assist the client/family with locating an alternate safe shelter and to safely maintain contact with the client/family until a viable alternative is identified. Simply providing the client/family with phone numbers of nearby shelters is not sufficient assistance. When appropriate, CFWYI recommends that the program place a three-way call with the client and the alternate safe shelter to make arrangements. The referring program is further required to continue coordination of services for the family as appropriate, such as transportation back for court appearances in the county of the referring program.
  - b. Shelter beds should not be reserved for “in-county” residents. Shelters are strongly encouraged to develop memoranda of understanding with shelters in surrounding counties to outline referral procedures and transportation arrangements for clients who need to relocate outside of their current county of residence. If the referral is to another sexual assault shelter, the provision of services should 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.
  - c. Shelters shall have a written intake process, including procedures for ensuring safety for victims with mental or physical health concerns, children of any gender, or those with substance misuse disorders.
  - d. Staff or volunteers shall be on site at the shelter at all times when the shelter is occupied.
  - e. Shelter services shall provide for the basic needs of the clients, including safety, food, and hygiene products. Program resources shall be used to cover these expenses. Shelter residents shall never be required to purchase any of these items for the purpose of sharing with other residents.
  - f. Shelters should provide lockable storage for each family for protection and private accessibility of medication and other valuables.
  - g. Shelter residents shall be offered complimentary services that may be available through the program, such as advocacy, peer or professional counseling, or court accompaniment. If these services are coordinated through another location, staff shall assist with arranging transportation so that shelter residents have access to the other program’s staff.
  - h. Shelters should be located in an undisclosed location or in a facility that offers enhanced security, such as an alarm system.
  - i. Shelter services may not be denied based on whether or not an individual sought a protective order or other legal remedy.



- j. Criminal background checks and 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.
6. Advocacy and Support Services:
- a. Programs shall ensure the availability of individual and court advocacy, as well as 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 the 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, the 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 therapeutic counseling, the program shall either use a licensed professional on staff or on contract to provide the counseling or refer the client to a licensed professional in the community.
7. Community Education: Programs shall offer awareness of the services provided and community education training programs and outreach by utilizing methods such as the following:
- a. Programs shall provide the community with information on recognizing the symptoms of sexual assault, the importance of supporting efforts to reduce it, and how to prevent sexual violence. This should include information on human trafficking, intimate partner violence, teen dating violence, and other gender-based violence.
  - b. Programs shall provide professional training to groups and organizations about appropriate identification of and response to sexual violence as well as prevention strategies.
  - c. Programs shall have brochures and materials that outline available program services and other community resources for adults and children. Materials should be translated into the primary languages spoken by the local population.
  - d. Community education should be geared to address the diversity of the population served in the community.
8. 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 assault staff member or volunteer (often referred to as a Rape Victim Companion) within a reasonable amount of time, or as specified in the applicable Memorandum of Understanding.
  - b. Whenever possible, the staff member or volunteer on call will offer a caller of the opposite sex the option of a same-sex staff member or volunteer for hospital



- accompaniment.
- c. Whenever possible, the staff member volunteer on call will offer to connect a limited English proficient 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 or volunteers shall inform the client of their right to have no or part of the exam completed. Staff members and volunteers shall remain with the client throughout the entire examination if requested by the client.
  - e. Staff members or volunteers shall accompany clients to related follow-up medical appointments.
  - f. If the client is a minor and accompanied by a guardian who has knowledge of the assault, information about the services offered by the sexual assault center shall be given to the guardian as well. Recipients must follow all applicable laws when providing services to minors.
  - g. If a program does not have a hospital within the county that it serves or if victims are usually taken to an out-of-county hospital for forensic exams, the program shall implement an agreement with another program serving the hospital to refer clients back to their home program for follow-up support services. Programs are encouraged to create a memorandum of understanding with programs in neighboring counties and, if possible, programs that border the state.
  - h. If the local hospital does not currently contact the program for hospital accompaniment, the grantee shall contact the hospital administrator to explain their services and solicit their cooperation with implementing them. The grantee shall make reasonable efforts to create a service agreement with the local hospital. If the hospital administration is resistant to implementing hospital accompaniment, recipients should contact their Region Director and NCCASA for assistance.
  - i. Legal Advocacy Services: The program shall provide legal advocacy to clients and when appropriate, to their children, and staff members or volunteers shall inform the client of the legal advocacy services that the sexual assault center provides. Staff members or volunteers shall accompany clients to law enforcement interviews, meetings with the district attorney, and court proceedings.
9. Training Manual and Protocols:
- a. Sexual assault centers must have an updated sexual assault training manual that includes content on the Prison Rape Elimination Act (PREA), human trafficking, underserved victims, and core competencies.
  - b. With respect to the PREA, the center should have agency partners to put PREA into practice, if applicable. The center should have working knowledge of corrections facility policy, procedure, and guidelines, and protocols to assist with advocating for victims of sexual violence within correctional facilities.
  - c. With respect to human trafficking, the agency should have a protocol for responding to victims of human trafficking and staff should be prepared to identify victims of trafficking and to assist and refer them to appropriate resources.
10. Case Management, including plans for referral, follow-up, and advocacy.



## **XXIII. Staff Training**

- A. Staff shall receive training to perform their duties. All direct service providers shall have a minimum of 20 hours of training per fiscal year.
  - 1. This means all new employees, as well as volunteers and staff who perform direct services, must receive a minimum of 20 hours of annual training 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 may seek approval of alternate training arrangements from their Region Director.
  - 2. Due to the prevalent co-occurrence of sexual assault and domestic violence, all sexual assault staff should also be trained about domestic violence, even in programs that do not provide domestic violence services as a primary part of their mission.
  - 3. Each staff member's supervisor should work with them to develop an annual staff development plan to be kept on record at the program office.
  - 4. Resources for training include:
    - a. North Carolina Coalition Against Domestic Violence (NCCADV).
    - b. North Carolina Coalition Against Sexual Assault (NCCASA).
    - c. North Carolina Victim's Assistance Network.
    - d. CFWYI Region Directors.
    - e. Training coordinated by the program from other sexual assault programs.
    - f. Other county-based service providers.
  - 5. Training requirements may be met by providing the assigned Region Director with certificates or proof of attendance issued to the attendee by the provider of the training, which must include the topics 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.
- B. Agencies that operate both sexual assault and domestic violence programs should cross-train staff to enable them to respond to an emergency situation regarding either issue.

## **XXIV. Confidentiality**

- A. Victims have the right to complete confidentiality.
  - 1. Anyone affiliated with the agency who may have contact with a victim, including entering a building or shelter where victims may be staying or receiving services, should sign a confidentiality agreement. This includes but is not limited to staff, board members, volunteers, contract workers, those providing professional services, and anyone who enters a facility.
  - 2. For safety, confidentiality, 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 by them.
  - 3. Pursuant to G.S. 8-53.12, no agent of a rape crisis center who has completed 20 hours of sexual assault training as required by the center shall be required to disclose any information that the agent acquired during the provision of services to a victim and that was necessary to enable the agent to render the services, unless the victim waives this privilege.



4. Access to files/written information should be limited.
- B. There are numerous state and federal laws that address confidentiality obligations for covered and non-covered agencies. It is important that all Executive Directors, administrators, advocates, shelter staff, counselors, social workers, and other professionals are familiar with and follow all such laws. Examples include:
  1. G.S.90-21.1 through -21.10.
  2. G.S. 8-53.12.
  3. 10A NCAC 26B.0100-10A and 10A NCAC 26B.304.
  4. North Carolina General Statute, Chapter 32A-Powers of Attorney.
  5. North Carolina General Statute, Chapter 122C.
  6. HIPAA PRIVACY RULE-45 CFR Parts 160, 164.
  7. Violence Against Women & Department of Justice Reauthorization Act of 2005, 2013.
  8. FVPSA, 45 CFR 1370.4.

## **XXV. Communications Access Support**

- A. The use of spoken foreign language interpreters may be needed at times to effectively deliver services to non-English speaking clients. It is recommended that programs utilize the services of the Language Line (1-877-886-3885) to accept and assist non-English speaking clients. Children shall not be used as interpreters. See "[Best Practices for Language Access for Domestic Violence Survivors.](#)"
- B. The use of sign language interpreters may be needed at times to effectively deliver services to individuals who are Deaf, Deaf-Blind, or Hard of Hearing. In North Carolina, sign language interpreters are required to be licensed (G.S. 90D). It is recommended that programs utilize the [Sign Language Interpreter Directory](#) and not citizens in the community. See "[North Carolina and The Deaf, Deaf Blind, and Hard of Hearing \(DDBHH\) Survivor Community: What obligations do domestic violence and sexual assault organizations have?](#)"

## **XXVI. Serving Victims with Special Needs**

- A. Victims with special needs include those with physical, intellectual, and developmental disabilities; mental health and substance misuse disorders, and others with nontraditional needs.
- B. Education on substance misuse should include referrals to substance misuse service providers.
- C. In providing services, programs should follow the [Guide to Achieving the Fundamental Elements of Accessibility](#) produced by the North Carolina Office on Disability and Health.
- D. Programs should also be targeted to providers of underserved populations that experience violence at a rate higher than the normal population (e.g., people with disabilities, women of color). Training and education must be provided to enhance service delivery to and from all agencies and practitioners in the continuum of care.

## **XXVII. Cultural Sensitivity**

Recipients 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 discrimination and stereotyping and exploring personal prejudices.

## **XXVIII. 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 systems. An advisory committee is strongly recommended for all other entities.
  1. The following committees are mandatory:
    - a. Finance Committee (chaired by the Treasurer).
    - b. Human Resources Planning/Personnel Committee.
    - c. Resource Development/Fundraising Committee.
  2. Recipients shall have a board-approved succession plan and strategic plan on file for review by CFWYI.
  3. Recipients shall maintain a corporate notebook (physical or digital) containing approved board meeting minutes for at least 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).
  4. Please contact your CFWYI Region Office for board training availability.
- B. The board shall designate one or more seats for sexual assault survivors. A board member's status as a survivor may remain confidential at the discretion of the board member. However, the board chair and executive director shall have knowledge of the board member's status.
- C. New board members shall receive orientation at the beginning of their service.
- D. Board orientation and training may be provided by a CFWYI Region Director or the statewide coalitions. The content of board training not delivered by CFWYI staff or the coalitions must be approved by CFWYI leadership and the applicable Region Director.
- E. Boards shall have regularly scheduled meetings and keep written records of meetings, which contain the date, time, and place of the meeting, members attending, decisions, motions, etc.
- F. Copies of approved board minutes shall be submitted in a timely manner (following approval by the board) as directed by the Region Director and kept on file for review by CFWYI staff during site visits.
- G. Boards shall have an active Finance Committee to monitor financial management of the agency.
  1. The committee shall submit a written report at each board meeting for the entire board to review.
  2. The Treasurer must be the Chair of the Finance Committee.
  3. 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 CFWYI staff.
- H. Public Relations/Marketing and Strategic Planning Committees of the Board are not mandated committees but are recommended.
- I. Board of Directors and/or management deficiencies are a potential basis for suspension and/or termination of funding.



- J. Recipients should be aware that CFWYI adheres to and follows the NC Office of State Budget and Management (OSBM) reporting requirements.

## **XXIX. CFWYI Reversions**

- A. Grant funds are issued on a quarterly basis to recipients.
- B. In an effort to deter multiple reversions of state issued grant funds, CFWYI has implemented the following guideline: 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), CFWYI will assess that recipient to evaluate their ability to expend any future state issued grant funds. Such assessment may result in non-issuance of CFWYI funds or additional monitoring requirements.

## **XXX. A Living Document**

- A. These Sexual Assault Program Guidelines are intended to be a living document; changes will occur over time as information about the state grant program is updated and at the discretion of CFWYI.
- B. Sexual Assault program recipients are encouraged to contact the assigned Region Director or Grant Administrator for ongoing technical assistance, networking, support, and advice.
- C. Questions or recommendations for updates to the Sexual Assault Guidelines are welcomed and should be sent via email to your CFWYI Region Director. Staff contact information is available on the CFWYI website.

## **XXXI. Resource Websites**

- A. Funding agencies:
  - 1. [North Carolina Council for Women & Youth Involvement](#)
  - 2. [Governor's Crime Commission](#), Department of Public Safety
- B. Advocacy Organizations
  - 1. [North Carolina Coalition Against Domestic Violence \(NCCADV\)](#)
  - 2. [North Carolina Coalition Against Sexual Assault \(NCCASA\)](#)
  - 3. [North Carolina Victim Assistance Network \(NCVAN\)](#)
- C. State Government Resources
  - 1. [North Carolina General Statutes](#)
  - 2. [North Carolina Administrative Code](#)
  - 3. [North Carolina Department of Public Instruction](#)
  - 4. [North Carolina Office of the Auditor](#)
- D. Federal Government Resources
  - 1. [Office of Management & Budget](#)
  - 2. [Office on Violence Against Women](#), US Department of Justice
  - 3. [Emergency Solutions Grants \(ESG\) Program](#) may provide funding to support housing solutions for individuals fleeing or attempting to flee sexual violence.
- E. National Advocacy Organizations/Training and Technical Assistance
  - 1. [Battered Women's Justice Project](#)



2. [The Stalking Resource Center](#), National Center for Victims of Crime
3. [National Network to End Domestic Violence \(NNEDV\)](#)
4. [Coalition to Abolish Slavery and Trafficking \(CAST\)](#)

