Annual Security and Fire Safety Report

UNIVERSITY OF RICHMOND
From the Associate Vice President for Public Safety and Chief of Police

The Jeanne Clery Act is a consumer protection law and this Annual Security Report is a major component of the Clery Act. Our Annual Security Report (ASR) is not a police report although you will find limited statistics of reported incidents for the previous three years 2017, 2018 and 2019 contained in this report.

For a more detailed listing of reported incidents of crimes that include the current year, please visit our University of Richmond Crime Log: https://police.richmond.edu/reports/index.html

The Annual Security Report is an opportunity to provide transparency of the University of Richmond’s efforts in the areas of community safety, wellness, and policy.

For the current members of our community, we hope that this document supports our partnerships and continuous effort to reinvent ourselves by providing the most comfortable environment at Richmond for our students to thrive academically and socially.

For future spiders and your parents, this report is here for you to assist in your decision making. I encourage you to reach out to a Dean or Admissions, or anyone across campus to further answer questions that you may have about our University.

Overall safety involves all of our students, faculty and staff. Everyone is responsible for the well-being of fellow spiders. This can be accomplished in many ways, some include reporting incidents, being informed so that you can make your own personal decisions, and most important supporting and respecting our community members.

Sincerely,

Dave McCoy

David M. McCoy
Associate Vice President of Public Safety/
Chief of Police
Table of Contents

Crime Statistics.................................................................................................................. 5
Definitions used for reporting .............................................................................................. 7
Geography ............................................................................................................................ 10
Police Department Description .......................................................................................... 10
Campus Security Authorities ............................................................................................ 11
Local Law Enforcement Cooperation ................................................................................. 11
Daily Crime Log.................................................................................................................. 11
Emergency Response and Evacuation Procedures ......................................................... 12
Time Warning .................................................................................................................... 17
Missing Student Notification ............................................................................................. 24
Annual Fire Safety Report .................................................................................................. 25
Fire Safety Log ................................................................................................................... 28
## Annual Crime Statistics for 2017, 2018, 2019

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<th>Offense Type</th>
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<th>On Campus</th>
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### Annual Crime Statistics for 2017, 2018, 2019

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There were no hate crimes reported in 2017, 2018, or 2019
Definitions used for reporting


The offenses for this report include Homicide, Manslaughter, Arson, Aggravated Assault, Robbery, Burglary, Hate Crimes, Motor Vehicle Theft, Rape, Fondling, Incest, and Statutory Rape. Also included are Stalking, Dating Violence, Domestic Violence, liquor and drug law violations.

The crime log records all reported crimes and includes crimes that are addition to those required by the Clery Act.

The University of Richmond uses the FBI’s UCR definitions as the basis for definitions of crime and for classifying crime in the Annual Security Report. This is a nationwide statistical effort in which city, university and college, county, state, tribal, and federal law enforcement agencies voluntarily report data on crimes brought to their attention. The hierarchy rule, a requirement in the FBI’s UCR program that, for the purposes of reporting crimes in the system, requires when more than one criminal offense was committed during a single incident, only the most serious offense be counted, in most situations.

Murder and Non-Negligent Manslaughter is the willful (non-negligent) killing of one human being by another.

Negligent Manslaughter is the killing of another person through gross negligence.

Sexual Assault - Any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent. Clery statistics include attempted sexual assaults. Sex offenses statistically counted for Clery include Rape, Fondling, Incest, or Statutory Rape as defined in the FBI UCR program.

Rape is the Penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

Fondling is touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

Incest is sexual intercourse between persons who are related to each other with the degrees wherein marriage is prohibited by law.

Statutory Rape is sexual intercourse with a person who is under the statutory age of consent.

Robbery is the taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

Aggravated Assault is an unlawful attack by one
person upon another for the purpose in inflicting severe or aggravated bodily injury. This type of assault usually involves a weapon or means likely to cause death or great bodily harm.

**Burglary** is defined as the unlawful entry into a structure to commit a felony or theft and all attempts to commit the above mentioned.

**Motor Vehicle Theft**, which is defined as the theft or attempted theft of a motor vehicle.

**Arson** is any willful or malicious burning or attempt to burn, with or without intent to defraud, causing any public or private property to be destroyed.

**Hate crimes** are defined for this report as crimes committed against a person that manifest evidence that the victim was intentionally selected because of the victim’s actual or perceived race, gender, religion, national origin, ethnicity, disability, gender identity, or sexual orientation. For this report, the hate crime must have been for one of the criminal offenses listed in the report, larceny-theft, simple assault, intimidation, or destruction/damage/vandalism of property or any other crime involving bodily injury where the victim was intentionally selected because one of the above listed biases motivated the perpetrator.

**Larceny** is the unlawful taking, carrying, leading or riding away of property from the possession or constructive possession of another.

**Simple Assault** is an unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

**Intimidation** is to unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.
Vandalism is to willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

Domestic Violence (1) A felony or misdemeanor crime of violence committed: (i) by a current or former spouse or intimate partner of the victim; (ii) by a person with whom the victim shares a child in common; (iii) by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner; (iv) by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred: or (v) by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred. Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Dating Violence is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition: dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

Stalking is engaging in a course of unwanted conduct toward a specific person (including surveillance, repeated phone calls, emails, text messages, social media messages or in-person contact) that would cause a reasonable person to fear for their own safety or the safety of others or to suffer substantial emotional distress. A course of conduct means two or more acts, including, but not limited to, acts in which the person directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, threatens, or communicates to or about, another person, or interferes with another person’s property. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling. Any act that constitutes stalking under Virginia law is also prohibited under this policy. Stalking is sexual misconduct prohibited by the University. Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Liquor law violations are defined as violations of laws or ordinances prohibiting the manufacture, sale, possession, transporting, or furnishing of intoxicating liquors or alcoholic beverages and all attempts to commit any of the aforementioned. (Public drunkenness and driving under the influence are not included).

Drug abuse violations are defined as violations of State and local laws relating to the unlawful possession, sale, use, growing or manufacturing and making of narcotic drugs.

Weapons possession violations are defined as violations of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons, carrying of deadly weapons, concealed or openly, furnishing deadly weapons to minors, aliens possessing deadly weapons and all attempts to commit any of the above.
Geography

The University of Richmond Police Department (URPD) defines the boundaries pertaining to the Clery Geography annually. The map is included annually in the Annual Security Report (ASR) and is available at URPD. The map was last updated in the summer of 2017 and reviewed in the summer of 2020. The University’s on-campus geography is displayed in the map below. Additionally, the University regularly uses University of Richmond Downtown and Independence Golf Course, and those are both considered non-campus property along with several other areas used less frequently.

The map of Clery Geography displays all buildings and grounds associated with the campus. All areas of the map within the Clery Boundary are considered on-campus, with the exception of Campus Drive, Boatwright Drive, College Road, and River Road. Those public roadways are classified as public property.

A list of buildings is maintained at URPD with all applicable addresses. Many addresses changed in 2018 due to a wayfinding project completed on campus.

Police operations

URPD is a full-service police department with 22 sworn police officers, 5 security officers, 6 communications officers, and administrative staff. The 22 sworn police officer have arrest powers. The department is one of only a handful of private institutions with a police department accredited by the Commission on Accreditation for Law Enforcement Administrators and the International Association of Campus Law Enforcement Administrators.

The jurisdiction of police officers includes the grounds and buildings of the University and the adjacent streets, alleys and sidewalks located in the City of Richmond and the County of Henrico. Such campus police officers have the powers and authority conferred by law upon police officers of cities, towns or counties as provided in Virginia Code Sections 23-234 and 23-232.1 et seq..

The University of Richmond cannot monitor the environment external to the University campus. It is an expectation that each individual respect the University’s valuation of personal responsibility and
Campus security authorities

URPD is ultimately responsible for identifying and maintaining the list of CSAs. A committee comprised of members from URPD, Human Resources, and Compliance participate in the creation of the list of CSAs. URPD and the Compliance Office maintain the current list of CSAs for the university. Each summer the list is updated. The most recent list was compiled in August 2020.

The university provides all CSAs with regularly scheduled training. In the training, CSAs are provided with the information and materials needed to document and submit reported crimes to URPD for inclusion in the crime statistics. CSAs are instructed to report crimes through online forms. There are separate forms for faculty and staff, and students (RAs).

Statistics from local law enforcement agencies and cooperation

URPD is responsible for collecting crime statistics from local law enforcement agencies around the world. Throughout the year, information about student travel to off-campus locations is reported to URPD. URPD sends letters to the law enforcement agency responsible for locations where students traveled and requests crime statistics for the date(s), time(s) and location(s) traveled if the travel meets the standards identified by the Act.

The data collected from local law enforcement agencies is analyzed and maintained by URPD. The response, or lack of response, of each agency is documented by URPD. This policy and procedure for the collection of this data was last updated in September 2017.

URPD coordinates with local law enforcement to ensure they notify the university of situations on campus and in areas adjacent to campus that warrant emergency response, emergency notification or timely warning messages. URPD has a memorandum of understanding with Virginia State Police to investigate sexual assaults. Local agencies have mutual aid policies to provide assistance to URPD if requested. The university does not have non-campus locations for student organizations officially recognized by the institution.

The daily crime log

URPD is responsible for maintaining the daily crime log. The log is maintained in PowerDMS, a software used by the URPD. The most recent 60 days of the crime log is available on the URPD’s website. The case disposition listed on the crime log is reviewed regularly for accuracy and is updated for 60 days after the incident’s report date. Back-up copies of the daily crime log are maintained on the URPD’s server.

Requests for a portion of the log that is older than 60 days, will be available within two business days of the request for public inspection. The full crime log is located in URPD, 490 Westhampton Way, Richmond, VA 23173. For more information about the crime log, contact Captain Eric Beatty (804) 651-9975 or ebeatty@richmond.edu.

Crime statistics and annual disclosure
URPD is designated with the responsibility for the collection of data, maintenance of records, and preparation and distribution of this report. The crime statistics displayed at the beginning of the ASR were collected using a university-wide committee, university Campus Security Authorities (CSA), and external law enforcement agencies to name a few resources.

Clery statistics do not include personal identifiers of the victim or the accused.

The University of Richmond Police Department, along with the Clery Compliance Committee, annually compiles statistical data and information that is utilized for the purpose of compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act). The department formulates, updates, and distributes a document that is specifically designed to comply with this law. The Clery Act Annual Security & Fire Report statistics are submitted, according to federal law, to the Department of Education annually by URPD.

In a rare situation when there is clear and convincing evidence that the release of such information would jeopardize an on-going investigation, safety of an individual, destruction of evidence, or cause a suspect to flee, such information may be withheld until that threat is no longer likely to occur from the release of such information.

The daily crime log includes: the nature of the crime, the date and time the crime occurred, the general location of the crime, and the disposition of the complaint, if known. Information about accessing the crime log is sent annually to the university community through the ASR notification.

The dispositions used by URPD are: (1) Closed – an incident that is no longer being actively investigated i.e. leads exhausted, inactive, and exceptionally cleared. Closed cases may be reopened if new evidence becomes available, (2) Conduct Referral – the referral of any person to any university official for further action (Police may or may not be involved in the conduct referral), (3) Open – Pending/active investigation, (4) Unfounded – Investigated by law enforcement and found to be false or baseless, (5) Arrest – Persons processed by physical arrest or released on summons, and (6) Title IX – Deputy Title IX Coordinators investigate these cases and report required facts necessary for Clery and crime log. There has not been a police report initiated.

**Emergency response and evacuation procedures**

The University of Richmond (UR) has an Emergency Notification System (ENS) with multi-channel communication capabilities. The ENS is maintained and stored by the Director of Emergency Management. The policy is reviewed and updated regularly, with the most recent revisions in April 2019.

The UR ENS is intended to rapidly disseminate emergency information about an incident and provide instructions to the UR campus community. Emergency information is sent to registered users and through other ENS channels as identified in these Protocols.

The following University officials have been assigned the authority to authorize emergency notifications to provide alert, warning, and safety or protection instructions:

- University President
- UR Police Chief
- URPD Officer on Duty
- UR Communication Officer (for hail, high wind, and tornado warnings)
- Director of Emergency Management
- Executive Vice President and Chief Operating Officer
- Executive Policy Group Chairperson

The following university official(s) are also able to authorize and emergency notification, if they are directly involved with the emergency response for a safety-and-security incident at UR:

- Associate Vice President of Facilities
• Medical Director
• Director of Environmental Health and Safety

These positions will be collectively referred to as “Responsible University Authorities” for the purposes of these Protocols.

Senior University Officials who are directly involved with emergency response for safety-and-security incidents at UR are designated as “Responsible University Authorities.” A Responsible University Authority is limited to issuing an immediate alert in response to an incident or event within their direct area of responsibility (as defined by agency/office mission and/or position description), and only in cases in which a delay could compromise the safety and security of the university.

At all times in these Protocols, reference to any position at the University shall be understood, in the absence of the referenced individual, to include designees.

The process for activating the UR ENS Protocols begins when a threat or emergency situation is reported to the URPD or to another Responsible University Authority. Emergency situations that require Immediate Notification must be confirmed by a Responsible University Authority, who will then authorize the emergency notification based on the operational guidelines of these Protocols.

For the majority of emergency threats and incidents on the UR campus, the first notice of the situation will be via an incoming call to the 8-9-1-1 URPD Dispatch Center. In the event of a threat or emergency in which the URPD Senior Officer on Duty is not yet at the incident and/or for which specialized technical knowledge is required, another Responsible University Authority may confirm the threat and authorize the message with emergency safety instructions. The Responsible University Authority will notify the URPD Dispatch Center and authorize the Communication Officer to issue the message. If the Responsible University Authority is trained in and has direct access to the UR ENS interface, the Responsible University Authority may issue the message if necessary.

The UR ENS consists of the following channels:

**UR Alert** is a messaging system controlled by a web-enabled management interface that allows an operator to simultaneously send outbound UR ENS messages via the following channels:

- **Short Message Service (SMS) or text messages** sent to mobile devices (including cell phones) which may also convert to an audible message if the phone is answered.
- **Phone calls** (and voicemails for unanswered calls) to registered phone numbers including cell and land lines (U.S. 10-digit numbers).
- **E-mails** to @richmond.edu accounts and any registered within the UR Alert portal.
- **Social Media Accounts** including Twitter and Facebook.
- **University of Richmond website** via a banner across the top of the page.
- **Digital Signs** throughout campus including menu boards within the dining locations.
- **Desktop Alerts** to University managed computer systems and public machines.

UR Alert is dependent on an individual “opt-in” registration in order to receive text messages and phone calls. Students, faculty and staff are encouraged to sign up for the service. Users can select up to three channels/contact points by which they wish to be notified of UR Alert. All registered users receive messages sent through channels the users have registered for.

The following additional UR ENS channels may also be activated independently of UR Alert:
Outdoor Warning System consists of three clusters of outdoor speakers centrally located on campus. It is capable of playing a recorded message or live audio from the URPD Communication Officer. The system is most frequently used to provide alert to persons outside to seek shelter indoors immediately due to an approaching tornado. At present, a siren runs continuously during a tornado warning and when the warning expires the siren stops.

Internal Speakers in Tyler Haynes Commons, Heilman Dining Center, Weinstein, and Boatwright Memorial Library are also able to play prerecorded messages or live audio from the URPD Communication Officer.

Classroom Paging Application, grouped by building, uses existing Avaya phone sets to support one way paging.

Additionally the following secondary channels are available to disseminate information:

Voicemail to UR campus phones will record outbound messages onto voicemail throughout the UR phone system.

Posts to the UR Alert webpage (alert.richmond.edu) may supplement the UR Alert format with more in-depth information and instructions.

The UR hotline, (804) 289-8760 or toll free at (866) 386-0403, is a recorded message system which provides status information.

UR TV Channel 16 is connected to the National Weather Service (NWS) Emergency Alert System (EAS). When the EAS is activated, all cable channels connected to the head end will get a message scroll telling them to tune to Channel 16. Channel 16 then displays the information from the EAS.

All UR Alert messages will contain at minimum the following information, in this order:

- Nature of the incident,
- Location, and
- Actions to be taken by affected populations.

UR ENS messages generated via these protocols will follow formatting consistent with UR Alerts system characteristics. Therefore, regardless of channel used, UR ENS messages generated via these Protocols will use the same message of no more than 160 characters (the maximum number of characters available in a SMS message) for all message systems.

Additional or subsequent messaging via non-UR Alert channels (which are not constrained by technical limitations related to SMS) may use additional characters, as appropriate, to convey more information. As soon as possible following the issuance of an emergency message, the UR homepage and hotline will contain additional and/or supplemental information about the alert and/or the incident.

These will provide instructions for:

- Obtaining additional detailed information if university programs and/or services are interrupted,
- Receiving additional updates and information, and/or
- Reporting information.

The process for activating the UR ENS Protocols begins when a threat or emergency situation is reported to the URPD or to another Responsible University Authority.

There are three types of notifications under UR ENS, “Immediate,” “Status Update,” and “All Clear,” which are described on the following pages.

An Immediate Notification to the campus is made when the URPD or another Responsible University Authority confirms that an emergency situation poses an immediate threat to life safety or security of the campus population. The URPD Senior Officer on Duty, URPD Communication Officer (for high wind, hail, and tornado warnings), or another Responsible University Authority is authorized to make an Immediate Notification to provide alert, warning, and safety or protection instructions.

However, the URPD Senior Officer on Duty or other Responsible University Authority also has the au-
authority not to authorize an Immediate Notification to the campus if issuing the message will create a more serious emergency and/or compromise the University’s efforts to contain the emergency. If the URPD Senior Officer on Duty, or other Responsible University Authority makes a decision not to authorize an alert, he or she must immediately notify and consult with the UR Police Chief.

As necessary, the UR Police Chief notifies the Executive Vice President and Chief Operating Officer and the Director of Emergency Management of the situation, notifications authorized/issued (or not authorized/issued), and any other actions taken; as needed, the Executive Vice President and Chief Operating Officer then notifies the University President and other officials, including University Communications for situations in which informational updates via voicemail to UR campus phones, posts to the UR homepage, and/or use of the UR hotline will be appropriate.

At any time, if more than one operator attempts to log into the UR ENS interface, or if a URPD Communication Officer or other operator is given conflicting instructions, the system operator will defer to the most recent information or that provided by the highest ranking individual.

For ongoing incidents or situations, such as a fire, a Status Update should be provided at a minimum every thirty minutes after an initial UR Alert was sent to the entire campus community. A Status Update alerts the community that the incident is ongoing and the area should be avoided. Additionally, it directs individuals to http://alert.richmond.edu/ where more information may be provided.

An All Clear Notification indicates that the emergency has ended.

All notifications should be timed such that SMS messages do not overlap. Status Update and All Clear Notifications are authorized by the person who has incident command, which may be the URPD Senior Officer on Duty, UR Police Chief, Director of Emergency Management, or other Responsible University Authority.

At least annually, a test of the ENS is conducted. The ENS tests are typically announced via email and SpiderBytes. A description of each test, date, time and whether it was announced or unannounced is maintained by the Director of Emergency Management in an after action report. A summary of each test is sent to educate the community about emergency response, procedures, and applicable lessons learned, if any.

Evacuation Procedures

Prepared students, faculty, and staff are a priority of the University of Richmond. Students, faculty, and staff should be familiar with applicable emergency plans and procedures as well as evacuation routes. As such, emergency response and evacuation procedures are communicated with the campus through several methods depending on the community member’s classification. These methods include, but are not limited to, signage within buildings, an email to faculty each semester, seasonal poster campaign, orientation events, residence life and new employee training. Information about how to prepare as well as the types of emergencies that occur on campus is also available online.

With the exception of residence halls, a Building Emergency Plan (BEP) was developed for each building on campus. Developed to comply with OSHA 29 CFR 1910.38 the BEPs at a minimum must include the following information:

- Procedures for reporting a fire or other emergency;
- Procedures for emergency evacuation, including type of evacuation and exit route assignments;
- Procedures to be followed by employees who remain to operate critical operations before they evacuate;
- Procedures to account for all employees after evacuation;
- Procedures to be followed by employees performing rescue or medical duties; and
- The name or job title of every employee who may be contact by individuals who need more information about the plan or an explanation of their duties under the plan.
To fulfill compliance, a Building Emergency Coordinator, to include an alternate, as well as floor monitors was identified for each building with an BEP. Building Emergency Coordinator serve as the key contact for their building during an emergency, ensure all building occupants are aware of and trained on the BEP. Floor monitors provide direction about sheltering in place or evacuating the building as dictated by the event and account for building occupants after an evacuation. A list of Building Emergency Coordinators to include Building Emergency Plans is available online.

Emergency evacuation drills are conducted in each building on campus at least annually to test emergency response and evacuation procedures. The tests are unannounced and the performance of occupants and responders are documented by Fire Safety to assess and evaluate emergency plans and capabilities.

Sex Offender Registry

In accordance to the Campus Sex Crimes Prevention Act of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act, and the Family Educational Rights and Privacy Act of 1974, the University of Richmond is providing a link to the Virginia State Police Sex Offender Registry.

All sex offenders are required to register in the Commonwealth of Virginia and to provide notice of each institution of higher education in Virginia at which the person is employed, carries out a vocation, or is a student.

In addition to the above notice to the Commonwealth of Virginia, all sex offenders are required to deliver written notice of their status as a sex offender to the University of Richmond’s Assistant Chief of Police no later than three (3) business days prior to their enrollment in, employment with, volunteering at, or residence in the University.

Such notification may be disseminated by the University to, and for the safety and well-being of, the University community, and may be considered by the University for enrollment and discipline purposes.
Timely Warning

URPD maintains the timely warning policy for UR. The timely warning policy was last revised in June 2017. This policy is kept in PowerDMS, URPD’s document management software. It is the responsibility of the URPD to distribute timely warning notifications for any reported Clery Act crime occurring within the institution’s Clery geography that is considered to represent a serious or continuing threat to the university community. The warning is distributed community-wide using the university’s email system in a timely manner to aid in the prevention of similar occurrences. The criteria and considerations listed below are used to determine if a timely warning is appropriate.

- Does the incident involve one of the crimes below?
  - Murder/Non-negligent manslaughter
  - Aggravated assault
  - Rape, Fondling, Incest, Statutory Rape
  - Robbery
  - Burglary
  - Arson
  - Motor Vehicle Theft
  - Stalking
  - Domestic Violence
  - Dating Violence
  - Hate Crimes
  - Other Crimes as determined by the Chief of Police or designee.

- What is the location of the crime? Did the crime occur on property that is owned, leased, or controlled by the university (1) on campus, (2) on campus in a residence hall, (3) on public property within or immediately adjacent to campus, and (4) in or on non-campus property or buildings that the university owns, controls, or leases, is frequented by students and used in support of educational purposes?

- Is there a serious or ongoing threat to the campus community because of the reported incident?

- Has the perpetrator been apprehended?

- What is the timeframe between the report of the incident and the date of the incident? Does the date of incident and report date occur within the same semester, month, or year?

- Does the incident appear to be isolated or a pattern of behavior?

- Does the suspect/complainant (if known) have a prior criminal history or a history of failure to comply with university directives or protective measures?

The Chief of Police or designee is responsible for approving and issuing a timely warning. Each warning is decided based on a case-by-case basis considering the totality of the circumstances surrounding that incident.

The Chief of Police or designee shall contact the university’s PIO for distribution of the warning. There may be incidents in which other forms of notification may be used such as student meetings, the Collegian, or local media.

URPD has requested for the City of Richmond Police Department and Henrico County Division of Police to notify URPD when emergency situations exist and/or crimes have occurred close to UR’s campus. This is important to ensure appropriate emergency notifications and timely warnings are issued.
Security and Access to campus buildings

All exterior doors on residential buildings have door alarms that report locally during business hours and to URPD outside of business hours. URPD will respond to any door alarm to ensure the door is secure and not propped open. Administrative and academic buildings are generally open to the public during business hours. Once these buildings lock in the evening, some students and employees have card access to allow entry into specific areas to study and meet. Generally, open spaces at the university are open to the general public. These spaces include fields, lake paths, and tennis courts. Security officers are assigned to specific beats and are responsible for making rounds through buildings to ensure doors are secure, door alarms are working, and lighting is functional.

Reporting and responding to crimes

The University of Richmond encourages our community members to promptly and accurately report crimes to URPD. Community members who become aware of any possible crime are encouraged to report that crime to URPD and assist victims who may elect not to or be unable to report the crime. Crimes may be reported any time day or night. URPD shall provide assistance with reporting any crime that may have occurred outside its jurisdiction. Prompt reporting allows the University to inform victims of resources available to them, mitigate future criminal activity, and assist the institution with notifying the rest of the community if there is a serious or ongoing threat to campus safety.

Crimes may be reported in person 24 hours a day, at the police department, which is located on the ground floor of the Special Programs Building, 490 Westhampton Way, Richmond, VA 23173
Crimes or emergencies on the campus of the University of Richmond may be reported to URPD by phone. When dialing from an on-campus phone, 8911 (emergency) or 8715 (non-emergency). From off-campus or cell phones, individuals are told to call 804-289-8911 (emergency) or 804-289-8715 (non-emergency). It should be noted that when using a cell phone to call URPD, callers should dial 804-289-8911 as dialing 9-1-1 directly may route them to another agency. If an individual is routed to another police department, the individual will need to advise the jurisdiction of the individual’s specific location at the University of Richmond so that the appropriate jurisdiction’s responders may relay that information to URPD.

Crimes or emergencies on the campus of the University of Richmond may be reported to URPD by one of the fifty-two (52) emergency telephone locations throughout the campus, designated by blue lights for easy identification at night. Picking up the receiver or pressing a button activates the emergency telephones. The phones are directly connected to the Police Communications Center, which is staffed 24 hours each day. The location of the activated telephone is automatically identified to the Communications Officer.

Crimes may be reported anonymously by utilizing URPD’s App “LiveSafe”. Download the UR LiveSafe app from the App Store or Google Play. Register with your email and fill out your profile. Select Universi-
ty of Richmond as your campus. Crimes may be reported using the safety component of our University of Richmond mobile application. The LiveSafe Application is also available to community members to report concerning behavior, safety hazards, and crimes. This application allows two-way, real-time interaction with our communications center that include location-tagged text, calls, photos and videos. The application allows for confidential and anonymous crime reporting.

Crimes may be reported anonymously by utilizing URPD’s on-line “Silent Witness” program. This can be accessed online at [http://police.richmond.edu/report-crime/silent-witness.html](http://police.richmond.edu/report-crime/silent-witness.html). The University of Richmond supports confidential reporting of crime; however, all information provided may not be kept confidential based upon the totality of the circumstances.

It is the policy of URPD to assist the university community in the most efficient and effective manner possible when responding to calls for service and reported crimes.

The University’s pastoral and professional counselors are aware of options individuals have to report crimes that would allow the crimes to be included in the annual security report. There is not a formal policy; however, training through Title IX and conversations with URPD provide awareness of the reporting options and procedures to follow. Crimes reported to these individuals may not initiate a timely warning.

Police department community initiatives

Employees of the Police Department provide security awareness and crime prevention presentations during orientation for new students, on boarding for new employees, participants in study abroad, international students and a host of groups across campus. Several of the programs below also include information for attendees regarding personal safety, and security procedures and practices.

The University of Richmond is a certified Virginia Department of Criminal Justice Services Crime Prevention Campus. [https://www.dcjs.virginia.gov/law-enforcement/programs/crime-prevention-center#CCP-CP](https://www.dcjs.virginia.gov/law-enforcement/programs/crime-prevention-center#CCP-CP)

Several presentations provide attendees with information about preventing crimes. Programs URPD coordinates include:

**Operation ID**- **Operation ID** Operation Identification is a nationally recognized theft prevention program that involves marking or engraving property with UV pens and traceable ownership information and recording manufactures’ serial numbers and owner–applied identification information on a property inventory form. The University of Richmond Police Department promotes Operation ID at no cost to discourage the theft of valuables. This program is available anytime to our students, faculty and staff. Community members are encouraged to contact the Police Department at 804-289-8715 to learn more about the program or to set up a session to have your valuable property marked.

**Live Safe** A mobile safety technology that links the UR community with URPD and provides personal safety options. This application is promoted during most community talks and is available to all community members.

**Vehicle Safety Checks** Once each semester URPD creates a vehicle inspection station to address minor mechanical problems just before students depart for a holiday break. In addition, Officers provide information related to properly securing property within a vehicle and out of plain view. In 2019, 284 vehicles were inspected.
Active Threat Presentations  Presentations are provided across campus to faculty, staff and students. The University of Richmond follows the Run, Hide, Fight response to active threats. This information is provided to students, faculty, and staff at their respective orientation programs. It is also available to community members upon request.

Women’s Self Defense  The University of Richmond Police Department offers basic women’s self-defense class to all female students, faculty and staff members. The course is dedicated to teaching females how to feel confident in any situation they may encounter during an attack and provide safety awareness tips to help avoid putting themselves in dangerous situations. Students will learn verbal skills and physical techniques to defend against grabs, holds, and bedroom attacks.

Narcotic Identification, Detection, And Abuse  A University Police presentation that identifies the most commonly abused narcotics and controlled substances; it also highlights the most popular methods of obtaining and concealing these drugs. Participants are advised of the health risks associated with drug abuse and the legal ramifications resulting from illegal usage. This program is available upon request and is normally presented in residence hall programs and/or other University social groups.

Lighting Surveys  URPD conducts detailed bi-weekly lighting surveys across campus to identify outages and works closely with facilities to address the required repairs.

Alcohol Awareness Programs  Students are presented with information about the effects of alcohol on the body and driving under the influence. This program is offered upon request.

Campus Safety Walk  A night walking tour conducted once each semester with students, faculty and staff to hear student concerns related to CPTED issues across campus.

Campus Blue Lights (Emergency Reporting Telephone Systems - ERTS)  The University maintains 38 blue light phones across campus which are directly linked to the URPD Communications Center.

University Transportation and Security Escort  The Campus Loop spur of the university’s transportation system provides safe transportation at night to on campus locations. The hours vary but operate until 3:00 am on weekends. A walking or golf cart security escort is also available to community members by contacting URPD at 289-8715.

Bicycle Registration  Assistance is provided to the university community to register their bikes to deter theft. As a safety feature, each registrant is also offered a bicycle light for operating at night.

Housing Security  The University Housing operates 40 residential buildings. Exterior doors are locked and can only be opened with a UR ID Card. Individual rooms are secured with a deadbolt and the university is converting key systems to keyless entry with a specialized security code. In addition, Resident Assistants are Campus Security Authorities and work closely with Residence Life and URPD.

Behavioral Intervention Team  URPD is a member of this interdisciplinary team that assesses and responds to emerging at risk behaviors that have been brought to the attention of the team.

Threat Assessment Team  URPD is a member of this interdisciplinary team that assesses and responds to threatening behaviors and dangerous incidents involving students, faculty or staff.

Sexual Misconduct Review Subcommittee  Subset of the University’s Threat Assessment Team. As required by Virginia law and University Policy, the Sexual Misconduct Review Subcommittee will convene within 72 hours after a report of sexual violence to provide advice and guidance to the Title IX Coordinator regarding the investigation of the report and to determine if disclosure of information regarding the incident is necessary to protect the health and safety of the Complainant or other individuals, consistent with applicable FERPA regulations. The Chief or Assistant Chief of Police are required
to be in attendance for all Sexual Misconduct Review Subcommittee meetings.

**Victim/Witness Services** A victim/witness coordinator provides general information regarding the court process. Other services include but are not limited to, transportation to/from magistrates, court, Protective Order obtainment or a trip to a hospital. The victim/witness coordinator ensures that every victim is provided with the right resource (both on and off campus) information to assist in concerns or trauma related to being a victim of a crime.

**Campus Security Surveys** URPD conducts proactive surveys of campus when renovations and construction of buildings occur. Additionally, URPD will survey offices, departments and dormitories upon request by community members.

**Community Concerns** URPD maintains a [webpage](#) that allows community members to send information to departments on campus regarding the actions of students in the local neighborhoods.
University community initiatives

URWell Counseling and Psychological Services and the Student Health Center both screen for substance abuse problems and can refer to off-campus resources.

Alcohol Edu for Sanctions Alcohol Edu for Sanctions is an online alcohol education program designed to reduce hazardous alcohol use and the serious consequences that follow. This program combines personalized feedback, professional narration, interactive exercises, and proven intervention techniques to engage students in powerful learning experiences.

Brief Alcohol Screening Intervention for College Students (BASICS) Harm-reduction program for college students that aims to reduce alcohol consumption and its adverse consequences, promote healthier choices among young adults, and provide important information and coping skills for reducing risk.

Educational Programs Educational programs are offered to student groups, organizations, and residence halls to help students learn more about alcohol, how it can affect them, and what choices they want to make about consuming alcohol.

Prevention Counseling If a student is hospitalized as a result of alcohol consumption, the coordinator of substance abuse education meets with the student to discuss the incident and to develop a plan to prevent this from reoccurring in the future.

Reduce Impairment through Supplementary Knowledge (RISK) Reduce Impairment through Supplementary Knowledge (RISK) comprises three 90-minute group sessions facilitated by a community substance abuse counselor. While enrolled in this course students will gain an understanding of the risks and consequences of using alcohol or other drugs. The facilitator will assess student choices; explain the continuum from use, to abuse, to dependence; and who is at risk. Students learn about self-care, responsibility and the importance of balance in their college environment.

TIPS Training TIPS Training is an hour-long session to teach residents in the University Forest Apartments how to identify guests that have consumed too much alcohol and techniques they should use when confronting these students. TIPS Training is a requirement for apartment residents to register events with alcohol.

Wellness (Sexual Assault and Alcohol) Graduation Requirement The University of Richmond requires all full-time, degree seeking students to complete a comprehensive wellness program. Successful completion of the requirement is mandatory for graduation from the University. To fulfill the wellness Graduation Requirement, students must complete:

- Alcohol Edu-Alcohol Education and Prevention

- Bystander Intervention-Beginning Fall 2018, all full-time, degree seeking students will participate in an online bystander module during their second year. This course will be completed within the first six weeks of the fall semester. Every Choice builds off of the Sexual Assault Prevention for Undergraduates Course; it moves students from awareness about sexual and relationship violence, to building skills and overcoming obstacles so they can act as active bystanders and intervene in problematic situations.

- Prevention Workshop-Sexual Assault Prevention for Undergraduates addresses the critical issues of sexual assault, sexual harassment, relationship violence and stalking. Built in collaboration with leading researchers and practitioners, Sexual Assault Prevention for Undergraduates is an interactive course designed to engage and empower students to create safe and healthy campus environments.
**Alcohol or Drug Evaluations** Students may be required to complete an alcohol or drug evaluation with a substance abuse counselor. These evaluations are completed at an off campus facility. The recommendations from the evaluation are shared with the Substance Abuse Education & Prevention Coordinator and the student is required to complete any recommendations described in the evaluation.

**Orientation** During orientation, every incoming student participates in three programs specifically dedicated to sexual misconduct prevention and response.
- In their Spiders C.A.R.E. presentation, students learn what consent consists of and how to know if they have it before engaging in sexual activity.
- Our Spiders for Spiders leaders help teach students how they can be an active bystander to prevent sexual and relationship violence.
- In their Know UR IX presentation, students learn about the University's Title IX policy and procedures, along with the support resources available to them.

Molecules that Monkey with your Mind

**Compliance Training** The University of Richmond is committed to operating as a model institution of higher education, sustaining superb faculty and staff and administering the institution with the highest standards of innovation and professionalism. As part of the University’s Compliance Program, all employees are required to participate in training to ensure we comply with applicable laws and regulations.

All new employees are required to participate in Title IX, FERPA, and Workplace Safety training within their first 60 days of employment. Additional training may be required for specific roles and departments on campus.

**Peer Sexual Misconduct Advisors (PSMAs)** Peer Sexual Misconduct Advisors (PSMA) are UR students who serve as confidential peer advisors trained in Title IX policy, procedure, and emotional support resources. PSMAs are RC/WC or Law students who are selected through an application process and complete extensive training from the Title IX Coordinator, URPD, CAPS, St. Mary’s Hospital, Safe Harbor, Spiders for Spiders, the Virginia Anti-Violence Project, and Common Ground. All contact is confidential because the PSMAs are not employees of the University.

**Spiders for Spiders** Spiders for Spiders is a student movement to end sexual violence in our community. Spiders for Spiders facilitates an interactive training that is intended to empower members of our student community to play an active role in ending sexual violence, relationship violence, and stalking. Participants will learn realistic methods of intervening before, during, and after incidents of violence occur as well as how to support friends. Participants will leave with information about campus and community resources and with concrete tools to help create a culture where violence is not tolerated and where everyone is expected to do their part to keep our community safe.

This training is open to students who are interested in joining the movement to end sexual violence in our community and who want to learn ways to support survivors. To join this rapidly growing movement.

**Other Training** In addition to the required training, training is available to all employees on a range of compliance topics such as:
- Campus SaVE
- FMLA Leave
- HIPAA Privacy Essentials
- Workplace Ethics
- Workplace Harassment Prevention

All compliance training is available through the [UR Talent Web](#) link on UR’s HR website.
Missing Student Notification Procedures

Anytime a member of the University community has reason to believe that a student who resides in on-campus housing is missing, he or she should immediately notify URPD at (804) 289-8715. URPD will immediately initiate an investigation and notify local law enforcement agencies, regardless of whether the student has identified a contact person, is above the age of 18, or is an emancipated minor.

If the missing student is under the age of 18 and is not an emancipated minor, URPD will notify the student’s parent or legal guardian and any other designated contact within 24 hours after the University of Richmond Police Department has conducted an initial investigation and has determined that the student is missing.

If the missing student is age 18 or over, the University of Richmond Police Department will notify the student’s designated confidential contact, if any, or the student’s parent or legal guardian within 24 hours after the University of Richmond Police Department has conducted an initial investigation and has determined that the student is missing.

At any time the preliminary investigation indicates a need, the local law enforcement agencies and parents may be notified immediately.

In addition to registering an emergency contact, students residing in on-campus housing have the option to confidentially identify an individual to be contacted by URPD in the event the student is determined to be missing for more than 24 hours. If a student has identified such an individual, URPD will notify that individual no later than 24 hours after the student is determined to be missing. Students who wish to identify a confidential contact can do so through the University of Richmond Banner Web website at bannerweb.richmond.edu.

Confidential contact information remains confidential and will only be accessible to authorized campus officials and law enforcement and it may not be disclosed outside of a missing person investigation.
Annual Fire Safety Report

The fire safety report is completed by the Safety Specialist in the Department of Environmental Health and Safety.

Safety Education and Training All first year students receive fire safety indoctrination during the orientation process. All Residence Life staff receives annual fire safety training. Environmental Health makes available a fire safety program for use in the residence halls. The program includes:

- Fire Safety Policy
- Cover the policy, especially the high points and most frequent violations.
- Discuss the reasons for certain portions of the policy that may not be easily understood, i.e. why we minimize posting and decorative materials.
- Fire Evacuation Procedures
- Discuss the nature of fire.
- Discuss evacuation plans and how to respond to smoke or fire in an exit pathway.
- Fire Survival Procedures
- Discuss what needs to be done if escape from a room or the building is not an option.
- Fire Extinguisher Use
- Explain our policy pertaining to fire extinguisher usage.
- Discuss the necessary conditions which need to be in place prior to fighting a fire, i.e. exit to users back, fire in the insipient stages...
- Discuss how to operate a fire extinguisher.
- Conduct live fire training.
- Q and A
- Discuss any questions that may come up.
- Residence hall room fire safety inspections are conducted and utilized to help increase awareness of, and compliance with fire safety regulations.

Fire Drills Each residence hall conducts four fire drills during a calendar year. Residence Life staff are trained prior to the beginning of each year to facilitate and critique fire drills. During 2018, the University of Richmond conducted 86 fire drills. The goal is to ensure safe evacuation in the event of a fire emergency through remembering the following:

- People who may be in danger act in a calm manner.
- Those people who have responsibilities carry out their tasks.
- Occupants evacuate by the nearest available exit.
- Evacuation of the building is achieved in a speedy and orderly manner.

An evacuation report is filled out by the residence life staff member in charge. Following the evacuation, the Head Resident will meet briefly with the student staff at a predetermined location to process the evacuation and provide the information necessary to complete the Fire Alarm Evacuation Report. This report must be completed by the Head Resident (or another staff member in case of unscheduled alarms) and all reports are sent to Environmental Health and Safety.

Plans for Improving Fire Safety and Future Considerations In conjunction with current housing redevelopment projects Lora Robins Court, and Keller Hall have had smoke detection systems upgraded throughout the building to include inside resident rooms.

Over the next several years, there are plans to update detection systems in Marsh and Moore residential facilities. Additionally, the University is actively adding several new buildings and beginning renovation plans for Ryland Hall. These buildings will be renovated/built to meet or exceed current building codes.
Residence Hall Policies

- Smoking is prohibited to include e-cigarettes.
- Open flames are prohibited on campus, including in residence halls, without prior approval.
- Candles, Incense, Flame Producing Products are prohibited.
- The following items are prohibited in all residential facilities
  - Space heaters
  - Hot plates
  - Toaster ovens (not permitted in residence halls)
  - Grilling machines of any form (not permitted in residence halls)
  - All open/visible coil electrical equipment of any type
- University policy prohibits cooking in residence halls. The only exception to this rule is locked, limited access kitchens. Food preparation is allowed using only a Microwave oven.
- Complete residence hall room fire safety inspections are conducted by staff from the Richmond and Westhampton Colleges, Environmental Health and Safety, and Risk Management two times per year.

The entire University Housing Fire Safety Policy can be viewed at: https://ehs.richmond.edu/fire/2018%20University%20Housing%20Fire%20Safety%20Policy%20docx.pdf

Reporting a Fire Emergency All fire emergencies are to be reported to the URPD. You can reach URPD by using an ERTS phone, calling 911 from any building phone, or (804) 289-8911 if using a cell phone. Make sure you place your call from a safe location outside the building. Provide emergency personnel with specific information including your name, location of the incident, and nature of the emergency. If you observe signs of a previous fire you suspect may have not been reported, contact the central station non-emergency number at (804) 289-8715.

Procedures for Fire Emergencies

- Fire Alarm System not Activated
  - If you discover or suspect a fire immediately evacuate the building using the nearest available exit. **Do not attempt to fight a fire unless you have been trained to do so.** Sound the building fire alarm by activating the nearest pull station and or verbally sounding the alarm and knocking on doors as you evacuate the building by the nearest exit.
  - Notify emergency personnel by pushing the red button on an ERT’s phone, dial 911 from any campus emergency phone, or if using a cell phone (804)289-8911 and inform authorities of your situation and location.
- Fire Alarm System is Activated
  - If you hear the fire alarm immediately evacuate the building using the nearest available exit.
  - Do not attempt to fight a fire unless you have been trained to do so.
  - Awaken any sleeping roommate or suitemates. Prepare to evacuate by putting on shoes and coat if necessary. Feel the doorknob and the door. If they are hot, do not open the door. If they are cool, open slowly, if heat or heavy smoke rushes in, close the door immediately and remain inside. (See Shelter In Place)
  - When leaving your room, be sure to take your key, or your One Card in case it is necessary to return to the room should conditions in the corridor deteriorate. Make sure to close the door tightly when evacuating.
  - Resident life staff members who are present on their floors shall facilitate the evacuation of their floor/section if possible. When the alarm sounds shout (Example: there is an emergency in the building leave by the nearest exit) and knock on doors as they make their way to the nearest exit and out the building.
  - When exiting in smoky conditions keep your hand on the wall and crawl to the nearest exit. Always know more than one path out of your location and the number of doors between your room and the exit.
• **DO NOT USE ELEVATORS.** Elevator shafts may fill with smoke or the power may fail, leaving you trapped. Elevators have features that recall and deactivate the elevator during an alarm. Standing and waiting for an elevator wastes valuable time.

• Each resident shall report to their assigned assembly area. Resident life staff shall report to their assigned assembly area and make sure that students have cleared the building. Conduct a head count and do not allow re-entry into the building until directed to do so by emergency personnel.

• The Head Resident will meet emergency responders (University of Richmond Police) outside their building to provide information, i.e. persons still in building, as needed. If an officer is not already on site dial 911 from any campus emergency phone or if using a cell phone (804) 289-8911 and inform authorities of your situation and location.

• Following the evacuation and receiving the all clear, the Head Resident will meet briefly with the student staff at a predetermined location to process the evacuation and provide the information necessary to complete the Fire Alarm Evacuation Report. This report must be completed by the Head Resident (or another staff member) and submitted to the Residence Life Administrative Assistant within 24 hours of the evacuation.

• **Shelter In Place**
  • If for any reason you are not able to leave your room, dial 911 or on cell phone (804)289-8911 and inform authorities of your location.
  • Make sure the door to your room is tightly closed and use a bed sheet or blanket to fill the cracks around the door.
  • If possible, open the window two-thirds at the top to allow hot air and gases to escape—and one-third at the bottom. Keeping your face near the bottom opening will allow you to breathe fresh air while waiting for help to arrive. Never break the window. If you do, you will no longer have the ability to control the influx of smoke from other floors.
  • Wave a towel or brightly colored shirt from the window, and yell for help this will aid rescuers in locating you. The Fire Department looks for this type of signal.

• **If You are On Fire**
  • STOP, DROP AND ROLL. If your clothes catch on fire, Stop, Drop, and Roll, wherever you are. Rolling smothers the fire.
Fire safety log

The fire log is maintained by the Safety Specialist in the Department of Environmental Health and Safety. The log is available for public inspection at URPD.

<table>
<thead>
<tr>
<th>Police Report Incident #</th>
<th>Report Date</th>
<th>Incident Date/ Time</th>
<th>Nature of Fire</th>
<th>Location</th>
<th>Number of Deaths</th>
<th>Number of Injuries</th>
<th>Value Property Damaged</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017-003163</td>
<td>9-17-2017</td>
<td>09-17-2017 7:37 PM</td>
<td>Cooking: The responsible occupant advised that they were warming taco shells in the oven at 350 degree by hanging them on the internal rack. After 3 minutes, the inside of the oven was fully engulfed with flame. The kitchen fire extinguisher was used.</td>
<td>University Forest Apartment 2107</td>
<td>None</td>
<td>None</td>
<td>$30.00</td>
</tr>
<tr>
<td>2017-003495</td>
<td>10-17-2017</td>
<td>10-17-2017 14:05 hours</td>
<td>Cooking: Resident was cooking asparagus in the oven. The asparagus caught fire and it was put out with a fire extinguisher.</td>
<td>University Forest Apartment 2007</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>2018-000649</td>
<td>2/17/2018</td>
<td>02/17/2018 20:29 hours</td>
<td>Heating Equipment: Resident was using a hair straightening iron. She set the iron on top of a dress/slip and left the area. The dress/slip began to burn. Water was used to extinguish the smoldering item.</td>
<td>University Forest Apartment 505</td>
<td>None</td>
<td>None</td>
<td>$10.00</td>
</tr>
<tr>
<td>2019-000327</td>
<td>1/26/2019</td>
<td>1/26/2019 22:32 hours</td>
<td>Arson: Resident intentionally set a piece of paper of fire to activate fire alarm</td>
<td>Gray Court</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>2019-000599</td>
<td>2/13/2019</td>
<td>02/13/2019 17:30 hours</td>
<td>Cooking: Resident was cooking in the oven and items caught fire. Items were put out by the use of a fire extinguisher.</td>
<td>University Forest Apartment 162-A</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>2019-004360</td>
<td>12/12/2019</td>
<td>12/12/2019 Unknown</td>
<td>Arson: Individual burned a piece of paper on top of a tablet.</td>
<td>Gateway Village Apartments 157 UR Drive</td>
<td>None</td>
<td>None</td>
<td>$200.00</td>
</tr>
<tr>
<td>Building and Address</td>
<td>Fire Alarm Type</td>
<td>Combustible Gas/CO Detectors</td>
<td>Suppression System(s)</td>
<td>Total Fires</td>
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<tr>
<td>Atlantic House 332 College Road</td>
<td>Addressable system continuously monitored by a Central Station throughout common areas with single station smoke alarms detectors in each student room.</td>
<td>CO only</td>
<td>(Wet System) building is fully sprinkled. Fire extinguishers in common areas and in each student room.</td>
<td>None</td>
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</tr>
<tr>
<td>Dennis Hall 244 Richmond Way</td>
<td>Addressable system continuously monitored by a Central Station throughout common areas with single station smoke alarms detectors in each student room.</td>
<td>Yes</td>
<td>(Wet System) building is fully sprinkled. Fire extinguishers in each student room.</td>
<td>None</td>
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</tr>
<tr>
<td>Freeman Hall 248 Richmond Way</td>
<td>Addressable system continuously monitored by a Central Station throughout the entire building to include each student room.</td>
<td>N/A</td>
<td>(Wet System) building is fully sprinkled. Kitchen Hood for limited access kitchen. Fire extinguishers in each Resident Life Staff member’s room.</td>
<td>None</td>
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</tr>
<tr>
<td>Gateway Village Apartment 55 157 UR Drive</td>
<td>Addressable system continuously monitored by a Central Station throughout the entire building to include each student room.</td>
<td>Yes</td>
<td>(Wet System) building is fully sprinkled. Fire extinguishers in common areas and each Resident Life Staff member’s room.</td>
<td>(1) 12/19</td>
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</tr>
<tr>
<td>Gateway Village Apartment 56 153 UR Drive</td>
<td>Addressable system continuously monitored by a Central Station throughout the entire building to include each student room.</td>
<td>N/A</td>
<td>(Wet System) building is fully sprinkled. Fire extinguishers in common areas and each Resident Life Staff member’s room.</td>
<td>None</td>
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<tr>
<td>Gateway Village Apartment 57 155 UR Drive</td>
<td>Addressable system continuously monitored by a Central Station throughout the entire building to include each student room.</td>
<td>N/A</td>
<td>(Wet System) building is fully sprinkled. Fire extinguishers in common areas and each Resident Life Staff member’s room.</td>
<td>None</td>
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</tr>
<tr>
<td>Gateway Village Apartment 58 151 UR Drive</td>
<td>Addressable system continuously monitored by a Central Station throughout the entire building to include each student room.</td>
<td>N/A</td>
<td>(Wet System) building is fully sprinkled. Fire extinguishers in common areas and each Resident Life Staff member’s room.</td>
<td>None</td>
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</tr>
<tr>
<td>Building and Address</td>
<td>Fire Alarm Type</td>
<td>Combustible Gas/CO Detectors</td>
<td>Suppression System(s)</td>
<td>Total Fires</td>
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</tr>
<tr>
<td>Gray Court 416 Westhamp- ton Way</td>
<td>Addressable system continuously monitored by a Central Station throughout the entire building to include each student room.</td>
<td>Yes</td>
<td>(Wet System) building is fully sprinkled. Fire extinguishers in each Resident Life Staff member room.</td>
<td>(1) 01/19</td>
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</tr>
<tr>
<td>Jeter Hall 242 Richmond Way</td>
<td>Addressable system continuously monitored by a Central Station throughout the entire building to include each student room.</td>
<td>N/A</td>
<td>(Wet System) building is fully sprinkled. Fire extinguishers in each Resident Life Staff member room.</td>
<td>None</td>
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<tr>
<td>Keller Hall 451 Westhamp- ton Way</td>
<td>Addressable system continuously monitored by a Central Station throughout the entire building to include each student room.</td>
<td>Yes</td>
<td>(Wet System) building is fully sprinkled. Fire extinguishers in each Resident Life Staff member room.</td>
<td>None</td>
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<tr>
<td>Lakeview Hall 256 Richmond Way</td>
<td>Addressable system continuously monitored by a Central Station throughout the entire building to include each student room.</td>
<td>Yes</td>
<td>(Wet System) building is fully sprinkled. Kitchen Hood for limited access kitchen. Fire extinguishers in each Resident Life Staff member room.</td>
<td>None</td>
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</tr>
<tr>
<td>Law Dorm III 336 College Road</td>
<td>Addressable system continuously monitored by a Central Station throughout common areas with single station smoke alarms detectors in each student room.</td>
<td>CO only</td>
<td>Building not sprinkled Fire extinguishers in each student room.</td>
<td>None</td>
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<tr>
<td>Lora Robins Court 403 Westhampton Way</td>
<td>Addressable system continuously monitored by a Central Station throughout the entire building to include each student room.</td>
<td>Yes</td>
<td>(Wet System) building is fully sprinkled. Fire extinguishers in each Resident Life Staff member room.</td>
<td>None</td>
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<tr>
<td>Marsh Hall 258 Richmond Way</td>
<td>Addressable system continuously monitored by a Central Station throughout common areas with single station smoke alarms detectors in each student room.</td>
<td>Yes</td>
<td>(Wet System) building is fully sprinkled. Fire extinguishers in each student room.</td>
<td>None</td>
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<tr>
<td>Moore Hall 250 Richmond Way</td>
<td>Addressable system continuously monitored by a Central Station throughout common areas with single station smoke alarms detectors in each student room.</td>
<td>Yes</td>
<td>(Wet System) building is fully sprinkled. Fire extinguishers in each student room and the Area Coordinator Suite.</td>
<td>None</td>
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<tr>
<td>Building and Address</td>
<td>Fire Alarm Type</td>
<td>Combustible Gas/CO Detectors</td>
<td>Suppression System(s)</td>
<td>Total Fires</td>
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<tr>
<td>North Court</td>
<td>Addressable system continuously monitored by a Central Station throughout the entire building to include each student room.</td>
<td>N/A</td>
<td>(Wet System) building is fully sprinkled. Fire extinguishers in each Resident Life Staff member room.</td>
<td>None</td>
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<tr>
<td>421 Westhampton Way</td>
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<tr>
<td>Pacific House</td>
<td>Addressable system continuously monitored by a Central Station throughout common areas with single station smoke alarms detectors in each student room.</td>
<td>CO only</td>
<td>(Wet System) building is fully sprinkled. Fire extinguishers in each student room.</td>
<td>None</td>
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<tr>
<td>330 College Road</td>
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<tr>
<td>Robins Hall</td>
<td>Addressable system continuously monitored by a Central Station throughout common areas with single station smoke alarms detectors in each student room.</td>
<td>N/A</td>
<td>(Wet System) building is fully sprinkled. Fire extinguishers in each student room.</td>
<td>None</td>
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<td>240 Richmond Way</td>
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<tr>
<td>South Court</td>
<td>Addressable system continuously monitored by a Central Station throughout common areas with single station smoke alarms detectors in each student room.</td>
<td>Yes</td>
<td>(Wet System) building is fully sprinkled. Fire extinguishers in each student room and the Area Coordinator Suite.</td>
<td>None</td>
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<td>431 Westhampton Way</td>
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<tr>
<td>Thomas Hall</td>
<td>Addressable system continuously monitored by a Central Station throughout the entire building to include each student room.</td>
<td>N/A</td>
<td>(Wet System) building is fully sprinkled. Fire extinguishers in each Resident Life Staff member room.</td>
<td>None</td>
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<td>252 Richmond Way</td>
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<tr>
<td>Westhampton Hall</td>
<td>Addressable system continuously monitored by a Central Station throughout the entire building to include each student room.</td>
<td>Yes</td>
<td>(Wet System) building is fully sprinkled. Fire extinguishers in each Resident Life Staff member room.</td>
<td>None</td>
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<td>433 Westhampton Way</td>
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<tr>
<td>Wood Hall</td>
<td>Addressable system continuously monitored by a Central Station throughout common areas with single station smoke alarms detectors in each student room.</td>
<td>Yes</td>
<td>(Wet System) building is fully sprinkled. Fire extinguishers in each student room.</td>
<td>None</td>
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<td>254 Richmond Way</td>
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<tr>
<td>University Forest</td>
<td>Addressable system continuously monitored by a Central Station throughout common areas and residence rooms.</td>
<td>Yes</td>
<td>Fire extinguishers in common areas</td>
<td>(1) 476-H 09/17</td>
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<tr>
<td>Apartment Blocks</td>
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<td>(1) 166-F 02/18</td>
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<td>(1) 162-A 02/19</td>
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</tbody>
</table>
University Policies

1. Policy Prohibiting Sexual Misconduct
2. Alcohol, Tobacco, and Other Drug Policy
3. Standards of Student Conduct
4. Policy on Preventing and Responding to Discrimination and Sexual Misconduct Involving Faculty and Staff
The University of Richmond prohibits discrimination and harassment against applicants, students, faculty, or staff on the basis of race, religion, national or ethnic origin, age, sex, sexual orientation, gender identity, gender expression, disability, status as a veteran, or any classification protected by local, state, or federal law.

Consistent with its mission, values and commitment to non-discrimination, the University is unwavering in its commitment to prevent sexual violence, respond promptly to reports of any type of sexual misconduct, support survivors of sexual misconduct, and investigate and adjudicate reports in a manner that is prompt, fair and equitable to all parties involved.

The term sexual misconduct, as further defined in this Policy, includes, but is not limited to, dating violence, domestic violence, non-consensual sexual contact, non-consensual sexual intercourse, sexual assault, sexual exploitation, sexual harassment, and stalking. This Policy prohibits sexual misconduct and sets forth the process by which the University will respond to and investigate sexual misconduct.

The conduct prohibited by this Policy may also violate criminal laws. As such, the University encourages members of the campus community to report sexual misconduct to both the University’s Title IX Coordinators and to the University Police Department.

The University also prohibits retaliation against anyone who reports or witnesses an incident of possible sexual misconduct. The University’s Policy Prohibiting Retaliation can be found here.

As a recipient of federal funds, the University of Richmond complies with Title IX of the Education Amendments of 1972 (Title IX). Title IX provides: "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance."
SCOPE:

1. **Individuals Covered**

This Policy Prohibiting Sexual Misconduct (Policy) applies to all students, staff (including Resident Assistants), faculty, applicants for admission, and third parties, such as contractors or vendors serving the University or visitors to the University.

The term “student” includes all persons taking courses at the University, either full-time or part-time, pursuing undergraduate, graduate, or professional studies. Individuals who are not officially enrolled for a particular term but who have a continuing relationship with the University, such as student studying abroad or taking a leave of absence, are also considered “students.” Each student shall be subject to this Policy and the process described herein from their first day on campus through the actual awarding of a degree (even though the conduct may occur before classes begin or after classes end), as well as during the academic year and during periods between terms of actual enrollment. Each student shall be subject to this Policy and the process described herein even if the student withdraws from the University while a disciplinary matter is pending.

This Policy and the process described herein to respond to and investigate reports of sexual misconduct are the same for all Complainants and Respondents regardless of gender, sexual orientation, gender identity or expression. No matter a person’s sexuality (e.g. bisexual, gay, lesbian, queer, straight, etc.) or how someone identifies (e.g. female, gender expansive, gender fluid, male, questioning, trans, etc.), all members of the University community have the same rights and access to the same level of services and support. The University’s Title IX Coordinators are Safe Zone trained.

This Policy and the processes described herein will be implemented without regard to an individual’s nationality or immigration status. The University, including the University Police Department, Title IX Coordinators, and Title IX Investigators, will not inquire into an individual’s immigration status when responding to a report of possible sexual misconduct.

2. **Locations Covered for Sexual Misconduct**

The Policy shall apply to conduct that occurs on the campus of the University, on or in off-campus buildings or property of the University, and at University sponsored activities, including off-campus education programs and activities, or on public property, as defined below.

The term “campus” includes any building or property owned or controlled by the University within the same reasonably contiguous geographic area of the University and used by the University in direct support of, or in a manner related to, its educational purposes, including residence halls and apartments and any building or property within or reasonably contiguous to the campus that is owned by the University, is frequently used by students, and supports University purposes.

The term “off-campus buildings or property of the University” includes any building or property owned or controlled by a student organization officially recognized by the University and any building or property owned or controlled by the University, used in direct support of, or in relation to, the University’s educational purposes, and frequently used by students.

The term “public property” includes streets, sidewalks, or parking facilities within the campus or immediately adjacent to and accessible from campus.

**Sexual Misconduct that is pursued under a Title IX formal complaint:**

While this policy covers a broader range of locations, complaints of sexual harassment under Title IX, as defined in section 3102.3, are limited to conduct that has occurred within the University's education program or activity which includes locations, events, or circumstances over which the University exer-
cised substantial control over both the Respondent (defined below) and the context in which the sexual harassment occurs and also includes any building owned or controlled by a student organization that is officially recognized by the University. Title IX complaints involve conduct that has occurred within the United States only.

**Sexual Misconduct under this policy:**

This Policy also applies to University students studying abroad through a University-approved study abroad program as well as conduct involving students, faculty or staff that occurs at other off campus locations, for example in an off campus residence, or in connection with other activities, if the Title IX Coordinator (or designee) determines that such conduct may have a continuing adverse effect that limits or precludes the individual’s ability to participate in or benefit the University educational program or activity.

Regardless of the location of an incident of possible sexual misconduct, Responsible Employees, including all faculty, must report the incident, and all other staff and students are strongly encouraged to report so that appropriate action may be taken and support and resources may be provided to the individual or individuals involved.

If the reported sexual misconduct involves an individual at another university or educational institution, the University, after considering the confidentiality wishes of the person who experienced the misconduct and applicable privacy laws, may call the appropriate authorities at that institution to make them aware of the alleged misconduct.

**INDEX:**

3102.1…………..Summary of the University’s Obligation
3102.2…………..Questions or More Information
3102.3…………..Definitions
3102.4…………..Roles and Responsibilities
3102.5…………..Immediate Actions, Help, and Resources
3102.6…………..Reporting Sexual Misconduct
3102.7…………..Responding to and Investigating Reports of Sexual Misconduct
3102.8…………..Options for Addressing Allegations of Sexual Misconduct
3102.9…………..Retaliation is Prohibited

**POLICY STATEMENT:**

3102.1 – **Summary of the University’s Obligations**

The University of Richmond has an obligation to make reasonable efforts to investigate and appropriately address reports of sexual misconduct (as defined in this Policy). As more fully explained in this Policy, this obligation applies even when the Complainant does not wish to participate in an investigation. Upon receipt of a report, the University will respond in an effort to stop the reported misconduct, eliminate any hostile environment, take reasonable steps to prevent a recurrence of such misconduct, and address any effect that such misconduct may have on the larger University community.
3102.2 – Questions or More Information

For questions about sex discrimination in education, please contact the University’s Director of Compliance & Title IX Coordinator, Kristine Henderson at (804) 289-8186 or Carl Sorensen, Senior Associate Vice President for Human Resources and Deputy Title IX Coordinator for Employees at (804) 289-8747. Further information about Title IX and sex discrimination in education is available from the Assistant Secretary for Civil Rights, U.S. Department of Education, Office of Civil Rights, 400 Maryland Avenue, SW, Washington, DC, 20202-1100; (800) 421-3481; OCR@ed.gov.

3102.3 – Definitions

A. Complainant

The term “Complainant” as used in this Policy, The Policy on Preventing and Responding to Discrimination and Sexual Misconduct Involving Faculty or Staff and in the University’s Standards of Student Conduct refers to the individual who is alleged to be the victim of conduct that could constitute sexual misconduct. The Complainant may or may not be the individual who makes the report of sexual misconduct.

A Complainant can be a person of any gender, sexual orientation, gender identity or gender expression. A Complainant need not be a University student, faculty, or staff member, but, if not, the administrative response and investigation described in this Policy will apply only if the Respondent is a University student, staff, or faculty member. The University Police Department will respond to reports of crimes within the Department’s jurisdiction regardless of the status of the Complainant and Respondent.

B. Consent

Consent means clear and unambiguous agreement to engage in sexual activity as evidenced by words or actions that demonstrate a knowing and voluntary willingness to engage in mutually agreed upon sexual activity. Consent cannot be gained by force, duress, intimidation, coercion, ignoring objections, or taking advantage of another's incapacitation. Consent may not be inferred from silence or any other lack of active resistance. Consent may not be inferred from the way a person is dressed. Consent may not be assumed from the fact of spending money on another person (e.g., buying a meal on a date).

Prior consent does not imply consent to future sexual acts. A current or prior consensual dating or sexual relationship, alone, does not imply consent to sexual activity or preclude a finding of sexual misconduct. In addition, consent to one type of sexual act does not automatically imply consent to any other type of sexual act.

Consent may be withdrawn at any time through clear words or actions such as walking or running away, pushing the other party away, or attempting to physically stop the other party. Once a person withdraws consent, sexual activity must stop, regardless of the extent or nature of the sexual behavior that has occurred up to the moment that consent is withdrawn. For example, if one individual clearly says "no" and the other continues penetration or another form of sexual contact, it is sexual misconduct.

Consent may not be given by the following persons:

- Individuals who are mentally incapacitated at the time of the sexual contact in a manner that prevents them from understanding the nature or consequences of the sexual act involved, including incapacitation as a result of alcohol or drug use;
- Individuals who are asleep, unconscious or otherwise physically helpless; and
- Minors.
1. **Incapacitation**

Incapacitation is defined as the physical and/or mental inability to make informed, rational judgments that prevents an individual from giving valid consent. Incapacitation may be caused by a permanent or temporary physical or mental impairment. Incapacitation may also result from the consumption of alcohol or the use of drugs.

The use of alcohol or drugs may, but does not automatically, affect a person's ability to consent to sexual contact. The consumption of alcohol or drugs may result in incapacitation if the nature and degree of the intoxication go beyond the stage of drunkenness, intoxication, or reduced inhibition to the point where the individual is unable to make knowing, informed decisions or to understand the nature and consequences of the sexual act. In such case, the person cannot consent to sexual activity, regardless of their words or actions.

A person violates this policy if they have sexual contact with someone they know or should know is incapacitated or has reached the degree of intoxication that results in incapacitation. The test of whether an individual should know about another's incapacitation is whether a reasonable, sober person would know about the incapacitation. A Respondent cannot rebut a sexual misconduct charge merely by arguing that they were drunk or otherwise impaired and, as a result did not know that the other person was incapacitated.

A person who is passed out or unconscious is incapacitated and, therefore, is not able to consent.

2. **Coercion**

Coercion is unreasonable, inappropriate pressure to engage in sexual activity. Coercive behavior is different than romantic or seductive behavior because coercive behavior involves inappropriate or unreasonable pressure to obtain consent from another person for sexual activity. Continued pressure to engage in sexual activity after the other person makes it clear that they do not want to engage in, want to stop, or do not want to go further with sexual activity can be coercion.

3. **Physical Force**

Physically restraining a person against their will, using violence or the threat of violence, or using a weapon or threatening to use a weapon constitutes physical force. An example of physical force includes using bodyweight to hold someone in place.

4. **Threats**

Threats cause a person to do something that they would not have done without the threat. Examples of threats include, but are not limited to:

- “If you do not have sex with me, I will harm someone close to you.”
- “If you do not do what I want, I will tell people that you are gay.”
- “If you do not hook up with me, I will tell people you are a whore.”
- “If you stop hooking up with me, I will kill myself.”

5. **Intimidation**

Intimidation is defined as an implied threat. Examples of intimidation include use of body size to block an exit, breaking or smashing items, or using looks or gestures to create fear.
C. Formal Complainant

Filing a Title IX or Sexual Misconduct Formal Complaint: A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, and must contain the complainant’s physical or digital signature.

Title IX formal complaint:

A Title IX Formal Complaint is a document filed by a Complainant and signed by the Title IX Coordinator alleging sexual harassment under Title IX, as defined in section 3102.3, against a Respondent and requesting that the University investigate the allegations of sexual harassment or that the Complainant and University enter into voluntary mediation with the Respondent.

Dismissal of a Title IX Formal Compliant

- If the conduct alleged under a Title IX Formal Complaint does not constitute Sexual Harassment under Title IX (defined below), did not occur in the University’s education program or activity, or did not occur against a person in the United States, the University must dismiss the Title IX formal complaint. The Complainant will then have the opportunity to file a Sexual Misconduct Formal Complaint (defined below).
- The University may dismiss the formal complaint if the Complainant would like to withdraw the formal complaint, if the Respondent is no longer enrolled or employed by the University or specific circumstances prevent the University from gathering sufficient evidence to reach a determination.
- The parties have the right to appeal the decision by the University to dismiss the formal complaint.

Sexual Misconduct Formal Complaint:

A Sexual Misconduct Formal Complaint is a document filed by a Complainant and signed by the Title IX Coordinator alleging sexual misconduct as defined in this policy (not to include Sexual Harassment under Title IX) against a Respondent and requesting that the University investigate the allegations of sexual misconduct or to enter into voluntary mediation with the Respondent.

Dismissal of a Sexual Misconduct Formal Compliant

The University may dismiss a formal complaint if the Complainant would like to withdraw the formal complaint, if the Respondent is no longer enrolled or employed by the University or specific circumstances prevent the University from gathering sufficient evidence to reach a determination. The parties have the right to appeal the decision by the University to dismiss the formal complaint.

D. Respondent

The term “Respondent” as used in this Policy, The Policy on Preventing and Responding to Discrimination and Sexual Misconduct Involving Faculty or Staff, and in the University’s Standards of Student Conduct refers to the individual who has been reported to be the perpetrator of conduct that could constitute sexual misconduct.

A Respondent can be a person of any gender, sexual orientation, gender identity or gender expression. The University Police Department will respond to reports of crimes within the Department’s jurisdiction regardless of the status of the Complainant and Respondent.

E. Retaliation

Retaliation is retribution in any form against: (a) an individual who reports, in good faith, an actual, potential, or suspected violation of applicable laws, regulations, or University policies, including this Policy; or (b) an individual participating in the investigation of a sexual misconduct report. Retaliation is misconduct prohibited by the University. Retaliation includes both direct conduct and indirect conduct by a third par-
ty on behalf of the individual charged with retaliation.

F. Sexual Misconduct

Sexual misconduct is a broad range of behavior that includes, but is not limited to dating violence, domestic violence, non-consensual sexual contact, non-consensual sexual intercourse, sexual assault, sexual exploitation, sexual harassment, and stalking.

Conduct prohibited as sexual misconduct under this Policy may also violate criminal law. As a result, in addition to any investigation and conduct proceeding by the University, such conduct may be investigated by the police and prosecuted in a court of law.

1. **Dating Violence** is any type of violence, including sexual or physical assault or abuse, or the threat of such assault or abuse, between adults who are in a social relationship of a romantic or intimate nature. The existence of such a relationship will be determined based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Dating violence is sexual misconduct prohibited by the University.

2. **Domestic Violence** is an act of violence committed: (a) by a current or former spouse or intimate partner of the victim; (b) by a person with whom the victim shares a child in common; (c) by a person who is cohabitating or has cohabitated with the victim as a spouse or intimate partner; (d) by a person similarly situated to a spouse of the victim under Virginia law; or (e) by any other person against an adult or youth victim who is protected from that person’s acts under Virginia law. Domestic violence is sexual misconduct prohibited by the University.

3. **Non-Consensual Sexual Contact** is any sexual contact that occurs without consent constitutes non-consensual sexual contact. Sexual contact means physical contact committed with the intent to sexually molest, arouse or gratify any person, where one person intentionally touches another’s intimate parts or clothing directly covering such intimate parts or causes a person to touch their own intimate parts or clothing directly covering such intimate parts. Examples of sexual contact include, but are not limited to, the intentional touching of a person's genitalia, groin, breast, or buttocks or the clothing covering any of those areas, or using force to cause the person to touch their own genitalia, groin, breast, or buttocks. Non-Consensual Sexual Contact may also be referenced as fondling. Non-consensual sexual contact is sexual misconduct prohibited by the University.

4. **Non-Consensual Sexual Intercourse** is the act of sexual intercourse that occurs without consent constitutes non-consensual sexual intercourse. Sexual intercourse is defined by penetration (anal, oral, or vaginal), however slight, by a penis, tongue, finger, or inanimate object. Non-consensual sexual intercourse may also be referred to as rape. Non-consensual sexual intercourse may also constitute statutory rape or incest as defined by the Virginia state law. Non-consensual sexual intercourse is sexual misconduct prohibited by the University.

5. **Sexual Assault** is any sexual act directed against another person, without consent including instances where the victim is incapable of giving consent. Non-consensual sexual contact and non-consensual sexual intercourse constitute sexual assault under this policy. Sexual assault is sexual misconduct prohibited by the University.

6. **Sexual Exploitation**: Taking sexual advantage of another person without effective consent
constitutes sexual exploitation. Sexual exploitation is distinct from sexual assault which constitutes a separate violation of this Policy. Examples of sexual exploitation include but are not limited to causing the incapacitation of another person for a sexual purpose; causing the prostitution of another person; electronically recording, photographing, or transmitting intimate or sexual utterances, sounds, or images of another person, including images of someone undressed or partially undressed; allowing third parties to observe sexual acts; engaging in voyeurism; distributing intimate or sexual information about another person; and knowingly a sexually transmitted disease to another person. Sexual exploitation is a form of sexual misconduct and is prohibited by the University.

7. Sexual Harassment under Title IX is defined as conduct on the basis of sex that satisfies one or more of the following:

   a. Unwelcome conduct of a sexual nature as determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to the University’s education program or activity. Unwelcome conduct of a sexual nature can be severe, pervasive and objectively offensive by a single or isolated incident, if sufficiently severe. The more severe the conduct, the less need there is to show a repetitive series of incidents, particularly if the conduct is physical.

   b. A University employee conditions the granting of University aid, benefit or service on an individual’s participation in unwelcome sexual conduct.

   c. Sexual assault, dating violence, domestic violence and stalking as defined in this policy.

Sexual Harassment under Title IX is sexual misconduct prohibited by the University.

8. Sexual Harassment (Non-Title IX) is defined as conduct on the basis of sex that satisfies one or more of the following:

   a. Unwelcome conduct of a sexual nature as determined by a reasonable person to be sufficiently severe, persistent, or pervasive such that it limits or denies an individual’s employment, academic performance, or ability to participate in or benefit from University programs or activities. Conduct must be deemed severe, persistent, or pervasive from both a subjective and an objective perspective.

   b. Unwelcome conduct of a sexual nature can be created by persistent or pervasive conduct or by a single or isolated incident, if severe. The more severe the conduct, the less need there is to show a repetitive series of incidents, particularly if the conduct is physical.

   c. Submission to unwanted sexual conduct is an implicit or explicit term or condition of an individual’s employment, academic standing, or participation in any University programs and/or activities, or is used as the basis for University decisions regarding the individual who is the subject of the unwanted sexual conduct.

Sexual Harassment (non-Title IX) is sexual misconduct prohibited by the University.

9. Stalking is engaging in a course of unwanted conduct toward a specific person (including surveillance, repeated phone calls, emails, text messages, social media messages or in-person contact) that would cause a reasonable person to fear for their own safety or the safety of others or to suffer substantial emotional distress.

A course of conduct means two or more acts, including, but not limited to, acts in which the person directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about, another person, or interferes with another person’s property.

Substantial emotional distress means significant mental suffering or anguish that may, but
does not necessarily, require medical or other professional treatment or counseling. Any act that constitutes stalking under Virginia law is also prohibited under this Policy. Stalking is sexual misconduct prohibited by the University.

10. **Sexual Violence** is any physical sexual act or acts perpetrated against a person’s will or against a person incapable of giving consent. Examples of sexual violence include Non-consensual sexual contact and non-consensual sexual intercourse. Depending upon the circumstances, may also include dating violence or domestic violence. Sexual violence is sexual misconduct prohibited by the University.

G. **Supportive Measures**

Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, reasonably available and without fee or charge. Supportive measured are designed to restore or preserve equal access to the University’s education program or activity without unreasonably burdening either party and/or to protect the safety of all parties; or the University’s educational environment; or to deter sexual harassment. To the extent possible, supportive measures will remain confidential.

Reasonable and appropriate supportive measures will be implemented regardless of whether the Complainant wishes to file a formal complaint, participate in a criminal investigation or any other disciplinary proceeding.

Supportive measures will be tailored to meet the needs of the individuals. Listed below are examples of the type of supportive measures that the Title IX Coordinator may implement when appropriate:

- Issuing a “No Contact” order to the involved individuals prohibiting the Respondent and the Complainant from having any contact with each other, including face-to-face, telephonic or electronic (e.g., texting, email, social media, etc.) contact. A “No Contact” order will be issued when requested by one of the parties involved in a report or when the Title IX Coordinator determines it is necessary to ensure safety or prevent the creation of a hostile environment. To the extent appropriate under the circumstances, the terms of a “No Contact” order issued will not unreasonable burden either the Complainant or the Respondent;
- Making changes to the class assignment or class schedule of either the Complainant or the Respondent to eliminate or limit, to the extent possible, contact between the parties;
- Changing residence hall assignments of either the Complainant or the Respondent to eliminate or limit, to the extent possible, contact between the parties;
- Changing work schedules or job assignments;
- Contacting faculty members on behalf of the Complainant, Respondent or witnesses for academic accommodations such as approved absences from class or work, extensions on class assignments, or permission to withdraw from a class or be granted an incomplete;
- Providing information about and facilitating access to counseling and health care resources both on and off campus;
- Engaging the University Police Department in the creation of a personal safety plan for the Complainant, Respondent, and/or witnesses;
- Engaging the University Police Department in seeking a protective order.
3102.4 – Roles and Responsibilities

A. The Title IX Coordinator

The University’s Title IX Coordinator shall have primary responsibility for coordinating the University’s efforts to comply with and carry out its responsibilities under this Policy and Title IX. The Title IX Coordinator oversees the formal complaint and grievance processes relating to reports of sexual misconduct for the campus community, ensures the prompt and thorough investigation of any report of sexual misconduct, establishes processes to identify and address patterns or systemic problems that may arise during the investigation of a sexual misconduct complaint, and coordinates the activities of all Deputy Title IX Coordinators.

The Title IX Coordinator may delegate any of the responsibilities set forth in this Policy to the appropriate Deputy Title IX Coordinator and, as a result, references in this Policy to the Title IX Coordinator, should be construed to include the Deputy Title IX Coordinators.

The Title IX Coordinator receives and responds to reports of sexual misconduct falling within the scope of this Policy. When a Title IX Coordinator receives a report of possible sexual misconduct, the first priority is to ensure that the Complainant is safe and that the members of the campus community are protected.

As detailed in Section 3102.7(B)(1) of this Policy, the Title IX Coordinator provides Complainants and Respondents with information about their respective rights, a description of the grievance process, the availability of supportive measures, with or without the filing of a formal complaint, and the process for filing a formal complaint.

The Title IX Coordinator will respond to and/or meet with any member of the campus community who wishes to report possible sexual misconduct and/or has questions relating to this policy or Title IX.

The Title IX Coordinator is responsible for evaluating and implementing supportive measures, where appropriate, as described in Section 3102.7(B)(2) of this Policy. The Title IX Coordinator may delegate responsibility for the investigation to a trained Title IX investigator, in accordance with Section 3102.8(A)(1) of this Policy.

The Title IX Coordinator is responsible for ensuring that University students, faculty, and staff receive training regarding Title IX, sexual misconduct, and this Policy, including reporting and responding to possible incidents of sexual misconduct. The Title IX Coordinator also implements educational programs and communication plans designed to inform students of their rights under this Policy and Title IX and how to file a Title IX Formal Complaint of Sexual Misconduct Formal Complaint.

B. The University Police Department

The University of Richmond Police Department (URPD) is a full-service law enforcement agency accredited by the Commission on Accreditation for Law Enforcement Agencies and the International Association of Campus Law Enforcement Administrators.

The University Police Department responds to all reports of criminal activity occurring on campus to include incidents of sexual assault, domestic violence, stalking, and dating violence. The police department enforces Virginia law and will coordinate certain investigations with the Commonwealth Attorney. In response to a call for service, the University of Richmond Police Department will dispatch an officer to assist the victim with filing an incident report. The University of Richmond Police Department notifies the University’s Title IX coordinators of any report of sexual misconduct and all Title IX violations. The detectives from the University Police Department will investigate a report of criminal sexual misconduct occurring on the University’s campus or will assist students in reporting to other law enforcement agencies if the misconduct occurs off campus.
URPD is the designated reporter under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act for the University of Richmond, issues Timely Warnings, and maintains the University’s crime log.

C. The College Deans’ Offices and Deans of Students

The University college deans’ offices and, the deans or directors responsible for student affairs in the Law School, School of Professional and Continuing Studies, and the MBA Program are important sources of information, support, and guidance to students involved in a sexual misconduct proceeding. They do not conduct sexual misconduct investigations or sexual misconduct hearings, but they do provide individuals with information on the University’s sexual misconduct policies and procedures, connect individuals with the Title IX Coordinators and the University Police Department, and assist the Title IX Coordinator with the implementation of supportive measures including academic accommodations to students involved in a sexual misconduct report.

The staff of the college dean’s offices and the deans or directors responsible for student affairs in the Law School, School of Professional and Continuing Studies, and the MBA Program are Responsible Employees, as defined in Section 3102.4(E) of this Policy and, as a result, will promptly notify the Title IX Coordinator of any report of sexual misconduct they receive.

For undergraduate students, contact the Richmond College Dean’s Office at (804) 289-8061 or the Westhampton College Dean’s Office at (804) 289-8468. For law students, contact Alex Sklut, Associate Dean Student Services, Law School Dean’s Office, (804) 289-8013. For MBA students, contact Debbie Fisher, Associate Director, MBA Program, (804) 289-8012. For SPCS students, contact David Kitchen, Associate Dean, School of Professional and Continuing Studies, (804) 287-8382.

D. Human Resource Office

The University’s Human Resource Office serves as an important source of information, support, and guidance to employees involved in a sexual misconduct proceeding. Under certain circumstances, this office plays a crucial role in investigating and adjudicating allegations of sexual misconduct involving faculty and staff in accordance with the University’s Policy Prohibiting Discrimination and Harassment Involving Faculty and Staff.

Carl Sorenson, Senior Associate Vice President for Human Resources and Deputy Title IX Coordinator for Employees can be reached at (804) 289-8747.

E. Responsible Employees

The term “Responsible Employee” as used in this Policy and as defined by Virginia law refers to an employee of the University who has the authority to take action to redress alleged sexual misconduct, including sexual violence, who has been given the duty of reporting acts of sexual misconduct, to the Title IX Coordinators, or is a person whom a student could reasonably believe has the authority to take action.

The following University employees are Responsible Employees because they have the authority to take action to redress alleged sexual misconduct, including sexual violence:

- The Title IX Coordinators;
- The Vice President for Student Development;
- The Deans, Associate Deans, and Assistant Deans of Westhampton College and Richmond College, the Law School’s Associate Dean for Student Services & Administration, the Law School Dean's Office, the Program Coordinator for Graduate Studies in Business, and the Associate Dean, School of Professional and Continuing Studies;
- The University’s Conduct Officers;
- The Associate Vice President for Human Resources; and
- The sworn officers of the University of Richmond Police Department.
Other than individuals designated as confidential resources, the following University employees are Responsible Employees because they have a duty to report acts of sexual misconduct, including sexual violence, to the appropriate Title IX Coordinator:

- All faculty members;
- All University employees with the title of assistant director, associate dean or above;
- Residence Life & Housing staff including Resident Assistants and Area Coordinators;
- All employees engaged in academic advising;
- University staff accompanying students on off-campus programs or other University-related trips, within and outside the United States;
- All employees identified as Campus Security Authorities (CSA);
- A Campus Security Authority as defined by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) include:
  - An institution’s campus police or security department;
  - Other individuals with security responsibilities, such as those monitoring access to campus property (e.g., parking lots, residence halls, and athletic venues);
  - Individuals or organizations designated in the institution’s security policy as those to whom students and employees should report crimes;
  - Officials with significant responsibility for student and campus activities, such as student housing, student discipline, and campus judicial proceeding.
- All employees who are designated as Responsible Employees under Virginia Law and this policy in the following divisions, departments, or offices:
  - Academic Deans;
  - Academic Skills Center;
  - Admissions;
  - Athletics;
  - Bursar;
  - Events Conferences and Support Services
  - Career Services;
  - Chaplaincy (Non-Ordained Staff Members);
  - Financial Aid;
  - Human Resources;
  - International Education;
  - President’s Office;
  - Provost’s Office;
  - Registrar;
  - Student Development; and
  - University of Richmond Public Safety Department.

3102.5 –Immediate Actions, Help, and Resources

A. Immediate Actions

Any individual who has experienced sexual misconduct, is encouraged to do the following as promptly as possible:

- Get to a safe place as soon as possible.
- Try to preserve all physical evidence. Do not wash clothes or use the toilet. Put all clothing you were wearing at the time of the incident in a paper bag, not in a plastic bag. All physical evidence should be provided to police as soon as possible.
Contact University Police by calling 8911 (from a campus phone) or (804) 289-8911. The University Police Department can assist in contacting other local law enforcement agencies for incidents occurring off campus. On campus, a blue light emergency phone will connect callers directly to the University Police dispatcher.

Get medical attention as soon as possible. The University Police can provide transportation to the hospital if needed. A medical examination will provide any necessary treatment and collect important evidence. Injuries may not be immediately apparent. The Student Health Center can assist with injuries, preventative treatment for sexually transmitted diseases, and other health services.

- It is important to seek immediate and follow-up medical attention for several reasons:
  - To assess and treat any physical injuries that may have sustained.
  - To determine the risk of sexually transmitted diseases or pregnancy and take appropriate medical measures.
  - To gather evidence that may aid criminal prosecution.

A special hospital exam (PERK: Physical Evidence Recovery Kit) should be performed by an emergency department. University students can receive the exam at St. Mary's Hospital or through the Virginia Commonwealth University Health System.

- The hospital emergency departments follow national standards for survivor care, sexual assault exams, and evidence collection procedures.

- Anyone concerned about anonymity or having their parents being notified, can speak with hospital personnel regarding options for confidentiality. Inform the triage nurse of this request for anonymity upon arrival to an emergency room. There are many resources available to individuals that may assist with PERK exam costs, and medical personnel will provide more information. At the hospital, individuals may choose to undergo a PERK exam even if they are unsure whether they want to report the sexual misconduct to the police and want time to think about it. Hospital nurses will collect the evidence without revealing the identity of the individual to the authorities. The evidence will be held for at least two years before being discarded. The individual must contact the storage facility in writing for an extension beyond that point.

B. Counseling and Emotional Support Resources

1. On-Campus Resources

   - CAPS. Counselors at the University’s Counseling and Psychological Services (“CAPS”) are available to assist in a crisis and to provide information about options, including medical assistance, psychological counseling, University disciplinary procedures, and legal prosecution. CAPS counselors can be reached at (804) 289-8119 during regular office hours. The CAPS staff also maintains an on-call schedule for emergencies and may be reached through the University Police dispatcher at (804) 289-8715.

   Counselors at CAPS can provide safe, confidential support during this difficult period. They can inform you of common reactions to crisis situations and discuss coping methods that may assist you immediately following the misconduct and later. Talking about your concerns with one of these counselors may help you sort through feelings and decide what to do. You do not need to disclose your name if you call CAPS for information. Counselors will not reveal your identity to anyone without your permission. All CAPS Counselors are Safe Zone Allies and Title IX-trained. This resource is available for students only.
- **C.A.R.E Advocate.** The C.A.R.E Advocate (Advocate) is a confidential resource to students that have experienced, or are experiencing, sexual misconduct. The Advocate can assist students in understanding reporting options and navigating the reporting process, provide accompaniment to medical and legal services as requested, and aid with crisis intervention. The Advocate can be reached at (804) 801-6251 or advocate@richmond.edu. This resource is available for students only.

- **Chaplaincy.** Members of the University community seeking pastoral care and support may contact the Office of the Chaplaincy at (804) 289-8500. Reports to ordained members of the Chaplaincy are confidential. (See Section 3102.6(E)(2) of this Policy).

- **Employee Assistance Program.** All employees have access to the University’s Employee Assistance Program (EAP) offered through the University’s insurance provider, Cigna. The EAP provides personal advocates who will work with employees and their household family members to help resolve issues they may be facing, connect them with mental health professionals, and direct them to a variety of helpful resources in the community. EAP can be reached 24 hours a day, seven days a week at 1-877-622-4327 or by logging onto the MyCigna website using the employer ID ‘richmond’. This resource is available to employees only.

- **URPD Victim/Witness Services.** The University of Richmond Victim/Witness Assistance Program is operated out of the University Police Department, which is located on the ground floor of the Special Programs Building, and may be contacted by calling (804) 289-8715, 24 hours a day, seven days a week. University of Richmond Detectives serve as liaisons between the City of Richmond and the County of Henrico courts systems. Detectives assist victims to obtain services to include counseling and psychological support, guidance to area resources, and assistance through the court process. This resource is available to students and employees.

2. **Off-Campus Resources**

- **Greater Richmond Regional Hotline.** The Greater Richmond Regional Hotline, available at (804) 612-6126, is a crisis response system for people across the region impacted or affected by domestic, intimate partner, and/or sexual violence. This resource is available to students and employees.

  Calling the hotline will connect callers to a local specialist who can offer support and information about resources and experts in the Richmond area. The hotline is available 24 hours per day, seven days a week and is open to survivors and supporters. The YWCA, Safe Harbor, and other area organizations, sponsor the hotline.

- **Safe Harbor.** **Safe Harbor** supports those who are experiencing or have experienced domestic and/or sexual violence. Safe Harbor offers comprehensive services for survivors of sexual and/or intimate partner violence including: a [24-hour helpline](tel:8046126126) at (804) 612-6126, children/youth services, community education and training, counseling, court advocacy, emergency shelter, and hospital accompaniment. This resource is available to students and employees.

- **Virginia Anti-Violence Project.** The [Virginia Anti-Violence Project](https://www.vawp.org) offers support for lesbian, gay, bisexual, transgender, queer, and questioning survivors of sexual assault and/or intimate partner violence as well as hate-motivated violence. Virginia’s 24/7 LGBTQ+ Helpline can be reached by calling 1-866-356-6998. This resource is available to students and employees.
o YWCA - YWCA Richmond offers programs & emergency services for survivors of sexual and intimate partner violence including: individual and group mental health counseling; safety planning; access to a 24-Hour regional hotline; emergency housing for those in danger and referrals to other services, as needed (i.e. workforce, healthcare, financial literacy, court advocacy). Call 804-612-6126 to learn more about the services provided by the YWCA. This resource is available to students and employees.

C. Other Available Resources

1. Transportation

The University Police are always available to transport victims of sexual misconduct to the hospital. To ask for transportation, call the University Police dispatcher at (804) 289-8715 and ask for immediate assistance. Members of the University Richmond Police Department are considered Responsible Employees and have an obligation to report information regarding sexual misconduct to the Title IX Coordinator.

2. Non-Emergency Medical Procedures

Even if someone chooses not to have a hospital exam, it is still important to get medical attention. An exam, in these instances, will include treatment of any physical problems and lab tests for sexually transmitted diseases and/or pregnancy. Any non-emergency treatment can be arranged on campus by calling the Student Health Center at (804) 289-8064 and making an appointment. Students and employees may seek medical services after hours and on weekends at St. Mary’s Hospital and other local hospitals.

3102.6 – Reporting Sexual Misconduct

The University of Richmond strongly supports and encourages prompt reporting of sexual misconduct to the Title IX Coordinator and to the University Police Department. Reporting provides resources to Complainants and contributes to keeping the campus safe.

Unless designated as a confidential resource under Section 3102.6(E)(2) of this Policy, all Responsible Employees, as defined in Section 3102.4(F) of this Policy, are required to report incidents of possible sexual misconduct to the Title IX Coordinators and those employees designated as Campus Security Authorities must also report to the University Police.

A. Reporting Sexual Misconduct to University Officials

Members of the University community who have experienced or anyone who knows of someone who may have experienced sexual misconduct, are encouraged to report incidents to the University's Title IX Coordinators and to the University Police Department. Sexual misconduct may violate both this Policy and criminal law. As a result, the University encourages Complainants to pursue their reports through both the University's procedures and through the criminal justice system. If a Complainant makes a report to the University Police or if the University Police otherwise become aware of possible sexual misconduct (for example, as a result of transporting a student to the hospital), the University Police will notify the Title IX Coordinator of the report. If the Complainant reports first to the Title IX Coordinator, the Title IX Coordinator will assist the Complainant with making a report to the University police, if the Complainant chooses to do so.

1. University of Richmond Police Department.
   Reports to the University Police can be made 24/7 by calling 8911 (from a campus phone) or (804) 289-8911.
On campus, a blue light emergency phone will connect directly to the University Police dispatcher. Members of the campus community may also contact Beth Simonds, Assistant Chief of Police, University Police, at (804) 289-8722, for general information about reporting options and the University’s policies and procedures.

2. Title IX Coordinators.

Reports of possible sexual misconduct can be made to any one of the University of Richmond's Title IX Coordinators. Students should contact Tracy Cassalia, Deputy Title IX Coordinator for Students at (804) 289-8464. Faculty and staff should contact Carl Sorensen, Senior Associate Vice President, Human Resources and Deputy Title IX Coordinator for Employees, (804) 289-8166. They can discuss options on campus and make connections to resources in the University community. The University’s Title IX Coordinators are Safe Zone trained.

3. Online Incident Report.

All members of the University community can file a report using the University’s online incident report form, which can be found here. **This form should not be used for emergency situations.** In an emergency situation, please call the University Police at 8911 (from a campus phone) or (804) 289-8911. University faculty and staff designated as Responsible Employees using this form must provide all requested information, if known, including the name and contact information of the reporter.

B. University Employees Required to Report Sexual Misconduct

All University faculty and staff, except those designated as confidential resources in this Policy, are encouraged to report to one of the University’s Title IX Coordinators as soon as they become aware of possible sexual misconduct.

Under Virginia law and University Policy, all Responsible Employees, as defined in this Policy, who, in the course of their employment by the University, obtain information regarding a possible act of sexual misconduct, including but not limited to sexual violence, against either:

- a University student; or
- any person on campus, in a non-campus building or property, or on public property falling within the scope of this Policy

must report to one of the University’s Title IX Coordinators as soon as practicable after attending to the immediate needs of the person who experienced sexual misconduct. The report must contain all relevant information, including the identity of the individuals involved, if known. This report may be made by calling the Title IX Coordinator or, if it is not an emergency, or using the University’s online incident reporting form.

This reporting requirement does not apply to University employees who are designated as a confidential resource under this Policy.

All University employees are also encouraged to report potential crimes, including sexual misconduct, to the University Police Department. All employees designated a Campus Security Authority under the Clery Act must report to the University Police Department.

C. Time Frame for Reporting / Reporting an Incident from the Past

The University encourages individuals to report possible sexual misconduct to the University Police and the University’s Title IX Coordinators as soon as possible. Making a prompt report allows Complainants to get help and access resources quickly. It also allows the University to conduct a timely
and thorough investigation and contributes to campus safety. A prompt report to the University Police will enable the University Police to gather evidence that could be used should the Complainant choose to pursue a criminal investigation. A delay in reporting to the University Police or other appropriate law enforcement officials may result in the loss of important evidence.

However, the University recognizes that many individuals who experience sexual misconduct do not tell anyone about it at the time of the incident. If someone experienced sexual misconduct weeks ago or even years ago, supportive measures are still available.

Upon filing a formal complaint, the University will investigate a report of possible sexual misconduct even if it is made weeks, months or years after the incident, although the ability to gather important information may be affected by the passage of time. The University’s Title IX Coordinator will investigate a report of sexual misconduct as long as any of the involved individuals are members of the University community (e.g., students, staff, or faculty). The University Police will investigate all reports over which it has jurisdiction, regardless of whether an involved individual is a member of the University community.

D. Reporting Will Not Result in a Conduct Charge for Alcohol or Drugs

If a case involves underage drinking or use of other illicit substances, the University will not pursue a conduct or disciplinary charge a violation of the University's Alcohol, Tobacco & Other Drug Policy against the individual rendering assistance to someone who may have experienced sexual misconduct, individuals reporting possible sexual misconduct, the Complainant, the witnesses, and other individuals participating in an investigation or hearing.

E. Anonymous or Confidential Reports

1. Anonymous Reporting

The University encourages individuals who may have experienced sexual misconduct or who have witnessed an incident of sexual misconduct to report directly to the Title IX Coordinators.

However, the University recognizes that, in some cases, individuals may be reluctant to make a direct report. Individuals may report an incident anonymously by filling out the incident report form.

Faculty and staff should also use the incident report form. Faculty and staff who are designated as Responsible Employees are required to provide identifying information when known. Faculty and staff cannot report anonymously.

2. Reporting to Confidential Resources

The following confidential resources are available on-campus and to students only

- **CAPS and Student Health.** Students can discuss an incident of sexual misconduct, on a confidential basis, with any licensed health care professional in the University’s Counseling and Psychological Services (“CAPS”) or in the University’s Student Health Center.
  - Counseling and Psychological Services (“CAPS”) (804)-289-8119
    Office Hours: Monday - Friday 8:30 a.m. to 5:00 p.m.
  - Student Health Center (SHC) (804)-289-8700
    Office Hours: Mon. – Fri. 8:30 a.m. to 4:30 p.m. Summer: Closed to Patient Care

**After Hours Resources:** Students may call 804-289-8700 to be connected to an after-
hours nurse advice line where the registered nurse will assess your concerns and direct you to the most appropriate care. Please note: the nurse advice line cannot assist with scheduling appointments or prescription refills.

- **Office of the Chaplaincy.** Students may also discuss an incident of sexual misconduct, on a confidential basis, with ordained personnel within the Office of the Chaplaincy.
  - Wilton Center (804)-289-8500
  - Office Hours: Mon. – Fri. 8:30 a.m. to 5:00 p.m.

Licensed health care professionals at CAPS, the Student Health Center, and the Office of the Chaplaincy’s ordained personnel will only disclose a confidential report if:

- the individual making the reports consents to such disclosure;
- there is an imminent threat of serious harm to the individual making the report or to another individual; or
- to the extent required by Virginia law (e.g., in the case of a report of abuse or neglect of a minor).

- **C.A.R.E. Advocate.** Students may also report on a confidential basis to the on campus C.A.R.E. Advocate. The Advocate and can be reached at (804) 801-6251 or advocate@richmond.edu.

- **Healthy Relationships & Violence Prevention Educator.** Students can confidentially report an incidence of sexual misconduct to the Healthy Relationships & Violence Prevention Educator. The Healthy Relationships & Violence Prevention Educator is located in the Center for Awareness, Response and Education (C.A.R.E) and can be reached at ktingle@richmond.edu or by phone at 804-289-8654. The Healthy Relationships and Violence Prevention Educator is also designated a Campus Security Authority under the Clery Act. As such, they are required to disclose reports of sexual misconduct without identifying information to the University of Richmond Police Department for crime statistics purposes.

- **Peer Sexual Misconduct Advisors (PSMA).** These are UR students who serve as confidential peer advisors trained in Title IX policy, procedure, and emotional support resources.
  - Undergraduate PSMA – psma@richmond.edu or at 804-346-7674
  - Law School PSMA – lawpsma@richmond.edu or at 804-347-9586

The following off-campus options are also available to individuals who wish to discuss an incident of sexual misconduct on a confidential basis. These resources are available to students and employees.

- **The Greater Richmond Regional Hotline.** The Greater Richmond Region Hotline, (804) 612-6126, is a crisis response system for people across the region impacted or affected by domestic, intimate partner, and/or sexual violence. The hotline reaches a local specialist who can offer support and information about resources and experts in the Richmond area. The hotline is available 24 hours per day and open to survivors and supporters.

- **Safe Harbor.** Safe Harbor supports those who are experiencing or have experienced domestic and/or sexual violence. Safe Harbor offers comprehensive services for survivors of sexual and/or intimate partner violence including a 24-hour helpline at (804) 612-6126, children/youth services, community education and training, counseling, court advocacy, emergency shelter, and hospital accompaniment.
The Virginia Anti-Violence Project. The Virginia Anti-Violence Project offers support for lesbian, gay, bisexual, transgender, queer, and questioning survivors of sexual assault and/or intimate partner violence as well as hate-motivated violence. The LGBTQ Partner Abuse and Sexual Assault 24/7 Helpline at 1-866-356-6998.

YWCA - YWCA Richmond offers programs & emergency services for survivors of sexual and intimate partner violence including: individual and group mental health counseling; safety planning; access to a 24-Hour regional hotline; emergency housing for those in danger and referrals to other services, as needed (i.e. workforce, healthcare, financial literacy, court advocacy). Call 804-612-6126 to learn more about the services provided by the YWCA.

3. Confidentiality Requests to the Title IX Coordinator
When a report is made to the Title IX Coordinator, the Complainant may request confidentiality and may share as much or as little information with the Title IX Coordinator as they choose. Additionally, the Complainant has the right not to file a formal complaint requesting an investigation or to enter voluntary mediation.

In cases in which the Complainant wishes to keep the report or incident confidential, chooses to keep their name, the name of the Respondent, the names of witnesses, and other information confidential, or decides not to file a formal complaint of sexual misconduct, the Title IX Coordinator will inform the Complainant that:

- Under Virginia law, personally identifiable information, including the name of the Complainant and Respondent, must be disclosed to the Sexual Misconduct Review Subcommittee;
- The Title IX Coordinator has an obligation to notify the University Police of a report of a possible crime, but, upon request of the Complainant, will do so without sharing the Complainant’s name;
- It may not be possible to ensure confidentiality and that, in some cases, the safety of others or the campus community requires the Title IX Coordinator to file a formal complaint and investigate despite the Complainant’s request, and
- In those instances where the Title IX Coordinator files a formal complaint keeping the Complainant's name confidential or declining to identify the Respondent may limit the University's ability to investigate.
- The Complainant has the right not to file a formal complaint or participate in the investigation. In such case, the Title IX Coordinator’s will continue to make available to the Complainant supportive measures.

In those instances where the Title IX Coordinator files a formal complaint and the Complainant’s request for confidentiality limits the University’s ability to investigate an incident, the Title IX Coordinator, in collaboration with other University officials, also will consider and, where appropriate, implement actions or other measures targeted at the broader campus community, such as increased monitoring or security at the location where the conduct occurred, creating additional education or training for students and/or employees, and revising and publicizing the University’s Policy Prohibiting Sexual Misconduct and other resources.

Title IX Coordinator Filing a Formal Complaint

Under certain circumstances, the Title IX Coordinator will file a Formal Complaint even if the Complaint has elected not to do so. In those circumstances, the Title IX Coordinator will seek to balance a Complainant’s request for confidentiality with the need to protect students and the campus community. Factors considered by the Title IX Coordinator will include the following:
- The seriousness of the alleged sexual misconduct;
- Circumstances indicating increased risk of additional acts by the Respondent;
- Prior complaints against the Respondent;
- Any history of the Respondent’s arrests;
- Threats from the Respondent;
- The involvement of multiple alleged perpetrators;
- Any pattern of perpetration via drugs or alcohol at a given location or by a given group;
- The age of Complainant; and
- The ability of the University to gather relevant evidence.

The Title IX Coordinator may consult with the Sexual Misconduct Review Subcommittee and other University officials when considering these factors.

If the Title IX Coordinator determines that there is a potential threat to either the Complainant or the University community, the Title IX Coordinator will file a formal complaint and the University will move forward with an investigation, despite the request for confidentiality.

If the Title IX Coordinator determines that they must file a formal complaint and move forward with an investigation, the Title IX Coordinator will use reasonable measures to honor the Complainant’s request for confidentiality to the extent possible. If it becomes necessary to inform the Respondent of the Complainant’s identity, the Title IX Coordinator will:

- Prior to disclosing the Complainant’s identity, inform the Complainant that the University will be disclosing their identity to the Respondent;
- Take whatever steps are necessary to protect the Complainant and the University community; and
- If the Complainant requests that the University not investigate or pursue disciplinary action against the Respondent and they request that the University inform the Respondent of this request (even when the University decides to move forward), then the University will inform the Respondent that the Complainant made this request.

### 3102.7 – Responding to and Investigating Reports of Sexual Misconduct

#### A. Response by the University Police Department

1. **Filing a Report with the University Police**

   All members of the University community are encouraged to report sexual misconduct that may constitute a crime to the University Police Department.

   A Complainant may speak with a University Police detective before deciding whether to file a police report. A detective will meet with a Complainant, along with an advisor of their choosing and/or a victim advocate, to explain the criminal justice process, discuss options to protect the safety of the Complainant, including the option of seeking a Protective Order, and provide information on the importance of preserving evidence, including clothing and electronic communications.

   A Complainant may file a report with the University Police even if they have not decided whether to pursue a criminal investigation. Reporting an incident is a separate step from choosing to pursue a criminal investigation and prosecution. A Complainant who files a report with the University Police, or another local law enforcement agency, is not required to continue with criminal proceedings.
If the Complainant wishes to pursue a criminal investigation, the University Police will investigate the incident reported to determine if a crime has been committed.

The criminal investigation is independent from any investigation undertaken by the Title IX Coordinators under this Policy. However, the University Police and the Title IX Coordinators will collaborate to the extent possible and will seek to avoid unnecessary burdens on the Complainant.

By reporting to the University Police, a Complainant:

- Preserves future options regarding criminal prosecution, University disciplinary action, and/or civil action against the accused individual; and
- Becomes eligible for the Virginia Victims Fund; and
- Accesses the investigative resources of the local law enforcement agency and the Commonwealth of Virginia

When a Complainant makes a report to the University Police, a University Police officer will meet with the Complainant about the report and may take notes during the conversation. The Complainant may be asked about the identity of the Respondent, including physical descriptions (e.g., clothing, hair color, etc.), the location(s) of the incident(s), whether there are any other witnesses, and what happened before, during, and after the incident.

Many people are afraid to report alcohol or drug use to the police; however, it is important that the detective know all the relevant facts. If a case involves underage drinking or use of illicit substances, the University will not pursue disciplinary charges against the Complainant, the witnesses, and other individuals reporting, in good faith, incidents of and/or assisting victims of sexual misconduct. The police officers and detectives are trained to act with sensitivity and respect and to protect privacy to the extent possible.

The police officer will create a written report, which is important should a Complainant wish to bring charges, immediately or later.

2. Criminal Investigation and Charges

If a Complainant chooses to pursue criminal charges, the assigned detective and the Commonwealth's Attorney, and Victim/Witness Services representative will be available to assist the Complainant in understanding and following through with the process. The case itself will usually come under the jurisdiction of the courts of either Henrico County or the City of Richmond, depending on the location of the offense.

The Commonwealth Attorney from the appropriate jurisdiction will handle the criminal proceedings and will speak with the Complainant regarding the case. The Commonwealth Attorney makes the decision about whether to prosecute the Respondent. If the Commonwealth Attorney moves forward with a prosecution, the Complainant usually will be called as a witness in any criminal trial.

B. Response by the University’s Title IX Coordinators

The University’s Title IX Coordinators will respond to all reports of sexual misconduct, regardless of whether the report is made directly by the Complainant, by another student, faculty member, staff member, or other third party. The Title IX Coordinator will respond to reports or information regarding sexual misconduct that occur on campus or off campus, as specified in this Policy.
Regardless of the location of an incident, students, faculty, and staff are encouraged to report such incidents so that supportive measures can be provided to the individual or individuals involved.

1. Preliminary Response and Outreach

Upon receipt of a report involving possible sexual misconduct, the Title IX Coordinator will immediately reach out to the Complainant. The Title IX Coordinator will respond to all reports of sexual misconduct, regardless of the source of the report or information. The nature and extent of the response will vary based on the specific circumstances of the incident.

When required under this Policy or applicable law, the Title IX Coordinator will also share the report with, and convene the University’s Sexual Misconduct Review Subcommittee, described in Section 3102.7(B)(1)(e) of this Policy.

a. Outreach to the Complainant

If the identity of the Complainant can be determined from the report or initial fact-finding, the Title IX Coordinator will contact the Complainant and provide the Complainant with a summary of their rights under this Policy and related University policies such as The Policy on Preventing and Responding to Harassment and Sexual Misconduct Involving Faculty and Staff and the Standards of Student Conduct, offer supportive measures and state their availability with or without the filing of a formal complaint, an explanation of the process for filing a formal complaint and reporting to law enforcement. The Title IX Coordinator shall also offer to meet with the Complainant. The Complainant has the right to select an advisor of their choice and may have the advisor present during all meetings with the Title IX Coordinator.

When the Title IX Coordinator meets with the Complainant, the Coordinator provides the following information:

- The Complainant’s Title IX rights and rights under this policy and related University policies, including the Policy Preventing and Responding to Harassment and Sexual Misconduct Involving Faculty and Staff and the Standards of Student Conduct;
- The University's obligation to treat both the Complainant and the Respondent equitably;
- The University's obligation to investigate promptly a formal complaint of sexual misconduct under Title IX and this policy.
- The Complainant’s reporting rights, including the right to pursue or not to pursue criminal action.
- The importance of the collection and preservation of evidence;
- The importance of seeking appropriate medical attention;
- The available options for a protective order;
- The Complainant’s right to participate or decline to participate in any investigation;
- That the Respondent is presumed to be not responsible for the alleged conduct until a determination regarding responsibility is made at the end of the grievance process.
- Pursuant to the University’s Policy Prohibiting Retaliation making a report “in good faith” means the individual making the report has a reasonable basis to believe that there has been or may have been a violation of applicable laws or regulations or University policies.
or that there is a reasonable possibility that such a violation may occur in the near future. Individuals who make frivolous or false reports shall not be deemed to be acting in good faith.

- The Complainant’s right to an advisor of their choosing;
- Resources on campus and within the Richmond community, including counseling services, sexual assault crisis centers, and domestic violence crisis centers;
- Information about the grievance process and University procedures for pursuing a formal complaint against a student, faculty member, staff member, or third party, including the University’s protections from retaliation;
- Examples of possible retaliation and procedures for reporting any acts of retaliation;
- Possible options for supportive measures (as defined in this policy) to avoid contact with the Respondent and to ensure the Complainant’s well-being.
- The Title IX Coordinator’s obligation to provide the Complainant with periodic updates as the grievance process progresses; and
- The process for handling requests for confidentiality or requests to not move forward with a formal complaint.

The Title IX Coordinator will provide the Complainant time to consider their rights and options and to determine whether the Complainant wishes to move forward with the filing of a formal complaint of the reported sexual harassment under Title IX or sexual misconduct.

b. Outreach to the Respondent

If the Complainant wishes to move forward with filing a formal complaint, or if the Title IX Coordinator determines, pursuant to this Policy, that a formal complaint should be filed despite the Complainant’s request for confidentiality or decision not to participate, the Title IX Coordinator will notify the Respondent of the formal complaint and provide the Respondent with a summary of their rights under this Policy and related University policies such as the Policy Prohibiting and Responding to Sexual Misconduct Involving Faculty and Staff and Standards of Student Conduct, information about available supportive measures and reporting to law enforcement.

The Title IX Coordinator will provide the following information in the notice to the Respondent:

- The Respondent’s Title IX rights and rights under this Policy and related University policies, including the Policy on Prohibiting Harassment and Sexual Misconduct Involving Faculty and Staff and the Standards of Student Conduct;
- The allegations of conduct potentially constituting sexual harassment under the University’s Policy Prohibiting Sexual Misconduct including information on the identities of the parties involved in the incident(s), if known, and the date and location of the incident(s), if known.
- The Respondent is presumed to be not responsible for the alleged conduct until a determination regarding responsibility is made at the end of the grievance process;
- Respondent’s right to participate or decline to participate in the grievance process;
- The University’s obligation to treat both the Complainant and the Respondent equitably;
- The University's obligation to investigate promptly a formal complaint of sexual misconduct under Title IX and this Policy;
- Information about the Grievance Process and University procedures for pursuing a formal complaint;
• Resources on campus and within the Richmond community, including counseling services;
• Possible options for supportive measures to avoid contact with the Complainant and to ensure the Respondent’s well-being;
• The Respondent’s right to have an advisor of their choosing;
• The Complainant’s right to pursue criminal action in addition to the University’s student conduct process;
• Notification of any subsequent allegations not included in the original notice;
• A dismissal by the University of the formal complaint (if applicable) including the reason for the dismissal;
• Examples of possible retaliation and procedures for reporting any acts of retaliation.
• Pursuant to the University’s Policy Prohibiting Retaliation making a report “in good faith” means the individual making the report has a reasonable basis to believe that there has been or may have been a violation of applicable laws or regulations or University policies or that there is a reasonable possibility that such a violation may occur in the near future. Individuals who make frivolous or false reports shall not be deemed to be acting in good faith.
• The Title IX Coordinator’s obligation to provide the Respondent with periodic updates as the Grievance process progresses.

The Title IX Coordinator will also meet with the Respondent to discuss their rights and any supportive measures they may need. The Respondent has the right to select an advisor of their choice and may have the advisor present during all meetings with the Title IX Coordinator.

c. Outreach to Potential Witnesses

The Title IX Coordinator may also meet with individuals who may be witnesses to the reported sexual misconduct. If the Title IX Coordinator meets with potential witnesses, the Title IX Coordinator will provide the following information:

• The University’s obligation to treat the Complainant and Respondent equitably;
• The University’s obligation to investigate promptly formal complaints of sexual misconduct;
• The Respondent is presumed to be not responsible for the alleged conduct until a determination regarding responsibility is made at the end of the grievance process;
• Options for supportive measures to avoid contact with the Complainant or Respondent and to ensure the witnesses well-being;
• Resources on campus and within the Richmond community including counseling services;
• Information about the grievance process and University procedures for pursuing a formal complaint against a student, faculty member, staff member, or third party, including the University’s protections from retaliation;
• Examples of possible retaliation and procedures for reporting any acts of retaliation.
• Pursuant to the University’s Policy Prohibiting Retaliation making a report “in good faith” means the individual making the report has a reasonable basis to believe that there has been or may have been a violation of applicable laws or regulations or University policies or that there is a reasonable possibility that such a violation may occur in the
near future. Individuals who make frivolous or false reports shall not be deemed to be acting in good faith.

d. **Notification to the University Police**

If the Complainant wishes to file a police report, the Title IX Coordinator will assist the Complainant in contacting the University Police. Additionally, the Title IX Coordinator will notify the University Police of any report that may be required to be logged and disclosed under the Clery Act. Unless the Complainant wishes to make a police report, their name or other personally identifiable information will not be included in the report to the University Police, although law enforcement members of the Sexual Misconduct Review Subcommittee, described in Section 3102.7(B)(1)(e), below, may have access to identifying information. In addition, victim names are never published in the crime log, included in any Timely Warning message, or as part of the annual Campus Security Report required by the Clery Act.

Whether a report comes directly from a Complainant, the Title IX Coordinator or another source, the University Police may determine that a serious or continuing threat possibly exists and may release either an "emergency notification" or a "timely warning" to the campus community. Emergency notifications must be issued immediately upon confirmation of a significant emergency or dangerous situation, and timely warnings must be issued if the crime is considered by the institution to represent a serious or continuing threat. The Complainant's name or other personally identifiable information will never be included in emergency notifications or timely warnings. The Title IX Coordinator will notify the Complainant in advance if an emergency notification or a timely warning is going to be distributed.

e. **The Sexual Misconduct Review Subcommittee of the Threat Assessment Team**

The Sexual Misconduct Review Subcommittee is a subset of the University’s Threat Assessment Team. As required by Virginia law and University Policy, the Sexual Misconduct Review Subcommittee receives reports from the Title IX Coordinators regarding possible sexual violence, including sexual harassment, sexual assault, stalking, sexual exploitation, dating violence, or domestic violence.

The membership of the Sexual Misconduct Review Subcommittee shall include:

- The Title IX Coordinator (and/or their designee);
- The Chief or Assistant Chief of the University Police Department (or a designee who shall be sworn police officer of the University Police Department);
- The Vice President for Student Affairs (or a designee who shall be a member of the Student Development Division); and
- Such other members of the University’s Threat Assessment Team as the Title IX Coordinator deems appropriate.

The Sexual Misconduct Review Subcommittee will convene within 72 hours of receiving the report of an incident from the Title IX Coordinator. The responsibilities of the Sexual Misconduct Review Subcommittee include:

- Providing advice and guidance to the Title IX Coordinator regarding the grievance process, appropriate supportive measures, and available resources for the involved individuals; and
• Determining if the disclosure of information regarding the incident, including personally identifiable information, is necessary to protect the health or safety of the Complainant or other individuals, consistent with applicable FERPA regulations including 34 C.F.R. §99.36. If the committee, or the representative from the University Police Department, determines this disclosure is necessary, the representative from University Police Department will immediately disclose the information, including personally identifiable information about the individuals involved, to the appropriate law enforcement agency. The Title IX coordinator will notify the Complainant in advance of any disclosure that is made.

If the alleged incident would constitute a felony violation under Code of Virginia §18.2-61, the representative of the University Police Department will consult with the Commonwealth Attorney responsible for prosecuting the alleged act within 24 hours of the review committee meeting and shall provide the information received by the Subcommittee, without disclosing personally identifiable information about the individuals involved.

The Sexual Misconduct Review Subcommittee will have the access to law enforcement, criminal history, education, personnel, and health records relevant to the report of sexual misconduct to the extent necessary to assess any potential risk to members of the campus community and fulfill the Subcommittee’s legal responsibilities, and as permitted by applicable law.

The Sexual Misconduct Review Subcommittee when appropriate will conduct an individualized safety and risk analysis to determine if there is an immediate threat to physical health or safety of any student or other individual arising from the allegations of sexual harassment and consequently, emergency removal is warranted.

After its initial meeting regarding a report, the Sexual Misconduct Review Subcommittee will reconvene upon the request of the Title IX Coordinator to provide guidance regarding a pending investigation or report or to assess and respond to potential risks or threats associated with the reported incident.

2. Supportive Measures

The Title IX Coordinator will offer appropriate supportive measures upon receipt of a report of sexual misconduct, during the grievance process and any conduct proceeding that may follow, and upon conclusion of the investigation and/or any conduct proceeding. Supportive measures may be put in place on behalf of the Complainant, the Respondent, and/or witnesses in the grievance process or to protect the campus community. Supportive measures may also be implemented to prevent retaliation. In determining and implementing certain supportive measures, the Title IX Coordinator may confer with or seek the assistance of other University officials, including but not limited to the University Police or the college dean’s office.

If the Title IX Coordinator determines that supportive measures are reasonable and appropriate, the Title IX Coordinator will provide written notification of the supportive measure(s) to the individual on whose behalf the measure(s) is implemented, and, if affected by the measure(s), other individuals. The supportive measure(s) will be kept confidential on whose behalf it is implemented except to the extent disclosure to other individuals, including students and University employees, is necessary in order to implement effectively the supportive measure(s)
C. Emergency Removal and Administrative Leave

- The University may remove a respondent from the education program or activity on an emergency basis if after an individualized safety and risk analysis, the Sexual Misconduct Review Sub-committee determines that there is an immediate threat to physical health or safety of any student or other individual arising from the allegations of sexual harassment. The University will provide the respondent with notice and an opportunity to challenge the decision immediately following the removal decision in a written appeal to the University Provost.

- The University may place a non-student employee respondent on administrative leave during the pendency of a grievance process.

3102.8 – Options for Addressing Allegations of Sexual Misconduct

The University recognizes the needs of individuals vary. As such, the University offers two options to address sexual misconduct under this Policy. After filing a Formal Complaint (Title IX or Sexual Misconduct) Complainants will have the option of pursue:

- the grievance process including both an investigation and hearing or
- a voluntary mediation with the Respondent.

A. Responding to a Formal Complaint through the Grievance Process:

1. Assignment of an Investigator

The Title IX Coordinator may delegate responsibility for the investigation to a trained Title IX investigator. In the case of a formal complaint involving possible dating violence, domestic violence, non-consensual sexual contact, non-consensual sexual intercourse, sexual assault, sexual exploitation, sexual harassment, and stalking. The Title IX Coordinator will engage an independent investigator or investigators to conduct the investigation on behalf of the University. In the case of reports of other types of sexual misconduct, the Title IX Coordinator may conduct the investigation or delegate that responsibility to a trained staff member who has been designated as a Title IX investigator. The individual(s) conducting the investigation is referred to as “the Investigator” for purposes of this Policy.

2. Time Frame for Grievance Process

The University shall complete the investigative and the grievance process in a prompt manner designed to provide all parties with a reasonably timely resolution. However, the timeframe for completion of a specific matter may vary depending upon a number of factors, including, but not limited to, the complexity of the case or investigation, the availability of witnesses, and the academic calendar.

3. Process for Conducting the Investigation and Preparing an Investigative Report

The Investigator is tasked with the preparation of an investigative report that will include a summary of key interviews and other evidence, copies of relevant documentary evidence, and an analysis of the evidence and findings of fact in the investigation. To prepare that report, the Investigator will interview the Complainant, Respondent and other witnesses who may have information about the incident(s). The Investigator may also conduct one or more follow-up interviews with the Complainant, Respondent, or other witnesses. The interviews will be recorded by the Investigator for purposes of preparing the investigative report. The Investigator has the discretion to determine what witnesses will be interviewed as part of the investigation. The Investigator is not required, but may in their discretion, speak with character witnesses.
The Complainant and the Respondent each have the right to services of an advisor of their choice. The advisor may be an attorney. The Complainant and the Respondent may have their advisor present for any interview with the Investigator. The Complainant and Respondent should select as an advisor a person whose schedule allows attendance at the scheduled date and time for the interview(s), as delays will not normally be allowed due to the scheduling conflicts of an advisor.

The role of the advisor is to provide support, guidance, and advice to the Complainant or Respondent. However, the Complainant and Respondent are each responsible for presenting their own information during the interview. Advisors may ask questions regarding process but are not permitted to speak on behalf of the Complainant or Respondent or object to interview questions. The Investigator will also gather relevant evidence, including, but not limited to documents, email messages, text messages, social media postings, video evidence, and other records and documents.

Both parties will have an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations in the formal complaint. This includes (1) evidence upon which the University does not intend to rely on in reaching a determination; (2) inculpatory or exculpatory evidence whether obtained from a party or other source.

Prior to completion of the investigative report, the investigator will send to each party and the party's advisor, the evidence subject to inspection and review (electronically or hard copy). The parties will have 10 days to submit a written response which the Investigator will consider prior to completion of report.

It is not the role of the Investigator to draw a conclusion as to whether a violation of this Policy took place. The Investigator will not make recommendations regarding the outcome of conduct or disciplinary process or the imposition of sanctions. The Investigator will transmit the final investigative report to the Title IX Coordinator.

4. **Coordination with Pending Criminal Investigations**

Except in very unusual circumstances, the Title IX investigation will not be delayed because of a pending criminal investigation. When an incident is reported to both the University Police and the Title IX Coordinator, they will share information to the extent possible and as appropriate and will seek to avoid unnecessary burdens on the Complainant or Respondent.

In certain situations, law enforcement officials may request that the Title IX Coordinator temporarily suspend an investigation while law enforcement officials gather evidence in a criminal investigation. The Title IX Coordinator will comply with such requests, but will promptly resume the investigation as soon as they are notified that the law enforcement officials have completed gathering evidence. The suspension of an investigation under these circumstances will not limit the availability of supportive measures or other assistance and support to a Complainant, Respondent, witness, or other individuals.

5. **Notice to the Complainant and Respondent**

Upon receipt of the investigative report, the Title IX Coordinator shall provide the Complainant and the Respondent with written notice of the completion of the investigative report and make the report available to the parties (electronically or hard copy) at least 10 days prior to a hearing. The Complainant and Respondent, and their respective advisors, have the right to review, but not to copy, the investigative report.
6. **Closing the Grievance Process**

Upon closure of the grievance process, the Title IX Coordinator will offer to meet with the Complainant and the Respondent individually to see feedback on the grievance or mediation process, assess the need for other types of supportive measures for the Complainant, the Respondent, other involved individuals; and provide information on available support resources.

The Title IX Coordinator also will consider and, where appropriate, implement, remedial actions targeted at the broader campus community, such as increased monitoring or security at the location where the conduct occurred, creating additional education or training for students and/or employees, and revising and publicizing the University’s Policy Prohibiting Sexual Misconduct and resources.

7. **Confidentiality of Investigative Records**

The University considers the records of a Title IX sexual misconduct investigation to be confidential and the University uses reasonable methods to protect the confidentiality of those records. Records will be maintained for a period of not less than 7 years. Information gathered in the course of a sexual misconduct investigation will be disclosed to University officials only to the extent such officials require such information to perform their responsibilities to the University. Information gathered during an investigation may be shared with other involved individuals (for example the Complainant or Respondent) to the extent necessary to conduct a thorough and equitable investigation, in the course of a student conduct or other disciplinary proceeding, and as permitted or required by applicable law or court order. Information gathered in the course of a sexual misconduct investigation will not be disclosed to third parties except as required by law, court order or with appropriate written consent.

The records of an investigation involving University students are considered to be education records subject to the Federal Rights to Privacy Act (“FERPA”) and the University’s FERPA Policy.

Virginia law requires that a prominent notation be added to the academic transcript of any student who is suspended for, permanently dismissed for, or withdraws from the University while under investigation for an offense involving sexual violence. This transcript notation will be removed if a student is subsequently found not to have committed an offense involving sexual violence or if the student completes their term of suspension and is determined to be in good standing according to applicable University Policy. Consistent with state law and federal regulations, the notation will be removed from a transcript after three years for a student that withdraws while under investigation or is permanently dismissed from the University.

Health care and counseling records are confidential and will only be disclosed with appropriate written consent or as required by applicable law or court order.

B. **Responding to a Formal Complaint through Mediation**

Mediation is available under this Policy as an alternative method of addressing sexual misconduct. Mediation is a voluntary, remedies-based, structured interaction, facilitated by a trained mediator, that incorporates support and accountability for the parties, but does not involve a formal conduct charge against a Respondent. A mediation resolution is designed to eliminate reoccurrence of the prohibited conduct, and provide a remedy that meets the needs of both the Complainant and Respondent while maintaining the safety of the campus community. All mediation proceedings are confidential. Mediation proceedings cannot be recorded by the University or participating parties.

There are some circumstances under which mediation will not be appropriate including situations where the Respondent had been alleged to have previously committed sexual violence or harassment, a weapon was allegedly used or threats of future sexual violence or harassment were made.
The Title IX Coordinator will make a determination on whether mediation is appropriate when there is sufficient information about the nature and scope of the conduct.

Mediation is never appropriate and will not be allowed in cases involving allegations that an employee has sexual harassed a student.

The Title IX Coordinator will inform the Complainant if they are unable to pursue a resolution through mediation.

**Process for Mediation Resolution in Sexual Misconduct**

After the filing of a Title IX Formal Complaint or Sexual Misconduct Formal Complaint, the Title IX Coordinator will review the matter to confirm that the case is appropriate for mediation and that the parties want to participate in the mediation process without pressure from others. If mediation is pursued, the goal is to address the conduct, prevent its reoccurrence and develop a mediation resolution agreement between the parties.

For cases where parties have voluntarily agreed to mediation and the University has indicated that the case is appropriate for mediation, the parties will receive simultaneous written notification of the decision to initiate the mediation process. The Title IX Coordinator would then meet with both parties individually in a pre-mediation session to explain the process of mediation, the benefits and limitations of mediation, and the potential outcomes of the process. Both parties may be accompanied by an advisor of their choosing during the mediation process and any related meetings. If a party does not have an advisor, the Title IX Coordinator will assist in identifying an advisor.

In addition to the Complainant and Respondent, the Title IX Coordinator will have a role in the mediation process to ensure that the proposed mediation resolution is feasible and will prevent future misconduct. The Title IX Coordinator will not pressure either party to accept a resolution. The resolutions achieved through mediation must be approved by all parties including the Title IX Coordinator.

In cases selected for mediation resolution:

1. Participation in mediation is voluntary and all participants must consent in writing to their voluntary participation in the mediation process;
2. The University will not pressure or compel a Complainant or Respondent to engage in mediation or to reach any particular resolution;
3. Either the Complainant or Respondent may request to end the mediation process at any time prior to a resolution and may choose to pursue either the Title IX Grievance Process or Sexual Misconduct Grievance Process;
4. Information gathered in the mediation process cannot be used in any other University conduct process, including the Title IX Grievance Process or Sexual Misconduct Grievance Process, or any criminal proceedings. For more information on the Virginia Mediation Statute (Virginia Code Chapter 21.2) please visit: [https://law.lis.virginia.gov/vacode/title8.01/chapter21.2/section8.01-581.22/](https://law.lis.virginia.gov/vacode/title8.01/chapter21.2/section8.01-581.22/)
5. The mediator, together with both parties, will determine the most effective procedure for conducting the mediation;
6. All participants must agree to maintain confidentiality. The parties must agree to keep confidential the discussions that take place during the mediation;
7. Because the mediation proceedings are confidential, the proceedings are not part of a student’s conduct record. If a mediation resolution is achieved, the Title IX Coordinator will obtain a copy of the mediation resolution agreement so that the University can verify adherence to the agreement. If a Complainant or Respondent fails to adhere to the mediation resolution agreement, they will be referred to the appropriate Dean’s office for a possible violation of the Standards of Student Conduct and/or the Policy Prohibiting Sexual Misconduct; and

8. The University’s Policy Prohibiting Retaliation applies at every stage of the mediation process. Coercion to participate or not participate in mediation will be considered a violation of that policy.

The mediation process ends when a mediation resolution agreement has been reached or when a party decides to end the process. If a resolution is not reached, the Complainant has the option of moving forward with the Title IX Grievance Process, the Sexual Misconduct Grievance Process or not proceeding with any process.

3102.8 – Retaliation is Prohibited

All members of the University community, including faculty, staff, and students, who have a good faith concern regarding possible sexual misconduct are encouraged to report that concern to the Title IX Coordinators and/or the University Police Department. All Responsible Employees, other than confidential resources, are required to report possible sexual misconduct to the Title IX Coordinators. All Campus Security Authorities are required to report potential crimes to the University Police Department.

The University prohibits retaliation or retribution, in any form, against an individual who reports, in good faith, an actual, potential, or suspected violation of this Policy Prohibiting Sexual Misconduct. As used in this Policy, reporting "in good faith" means the individual making the report has a reasonable basis to believe that there has been or may have been a violation of this Policy.

Individuals who make frivolous or false reports shall not be deemed to be acting in good faith.

Anyone who engages in or attempts to engage in retaliation or retribution against an individual who reports, in good faith, a potential violation of this Policy or against an individual who participates in an investigation or hearing shall be subject to discipline in accordance with the policies and procedures of the University, including this Policy and the Standards of Student Conduct.

RELATED POLICIES:

GOV-3101 Policy Prohibiting Discrimination
GOV-1004 Policy Prohibiting Retaliation
GOV-3104 Policy on Preventing and Responding to Discrimination and Sexual Misconduct Involving Faculty & Staff
GOV-3103 Policy on Preventing and Responding to Discrimination and Harassment Against Students
Standards of Student Conduct
STU-1002 Alcohol, Tobacco & Other Drug Policy
ACD-2004 FERPA Policy
Title IX Coordinators Policy
Timely Warning Policy
Transcript Notation policy
POLICY BACKGROUND:

The August 2020 version of this policy includes major revisions to be in compliance with the Final Rule for Non-Discrimination on the Basis of Sex in Education Programs or Activities receiving Federal Financial Assistance (Title IX) issued from the Department of Education on May 19, 2020.

POLICY CONTACTS:

- Director of Compliance and Title IX Coordinator
- Deputy Title IX Coordinator for Students
- Senior Associate VP for Human Resources & Deputy Title IX Coordinator for Faculty & Staff
Purposes

In accordance with the Drug Free Schools and Communities Act and its implementing regulations, the University of Richmond is required to communicate the following information regarding unlawful possession, use or distribution of alcohol, tobacco and illegal drugs to its students and employees. The purpose of this policy is to protect the health, safety and welfare of the members of the University community and the public served by the University.

Scope

The Alcohol, Tobacco and Other Drug Policy applies to all students, staff, and faculty as well as third party users of University facilities. This policy applies to conduct that occurs on the campus of the University, on or in off-campus buildings or property of the University and at University sponsored activities, including off-campus education programs and activities and public property adjacent to the University.

This policy also applies to University students studying abroad through a University approved study abroad program.

Index:

1002.1. Policy & Rules
1002.2. Alcohol Policy
1002.3. Tobacco Policy
1002.4. Drug Policy
POLICY STATEMENT:

1002.1 – Policy & Rules

The University of Richmond strives to achieve a healthy living, learning and work environment. The unlawful manufacture, dispensing, possession, use or distribution of alcohol, tobacco or illegal drugs by students or employees on University property is prohibited.

The University does not condone the illegal or otherwise irresponsible use of alcohol, tobacco or other drugs. In accordance with federal and state law, the University prohibits the unlawful possession, sale, use or distribution of alcohol, tobacco and other drugs on University property. The University of Richmond Police Department has the primary responsibility for the enforcement of state and federal laws pertaining to alcohol, tobacco and drugs.

It is the responsibility of students and employees to know relevant University policies, as well as state and federal laws, and to conduct themselves in accordance with these laws and policies. Any student found in violation of this policy is subject to the entire range of sanctions outlined in the Standards of Student Conduct. University employees found in violation of the policy are subject to applicable personnel sanctions. Additionally, a student or employee may be referred to an appropriate evaluation or rehabilitation program.

The University of Richmond supports an environment free from retaliation. Retaliation against any student or employee for bringing forth a good faith concern or participating in an investigation is prohibited.

Any student that renders aid to a student needing emergency medical care or receives emergency medical assistance is covered by the Safe Spiders Protocol provided they adhere to the conditions outlined. A copy of the Safe Spiders Protocol can be found at: https://studentdevelopment.richmond.edu/student-handbook/SafeSpidersProtocol-07-2018.pdf.

Intercollegiate Athletics Alcohol & Drug Policy

The University of Richmond Athletic Department has additional written policies that are presented to each student-athlete annually prior to participation. These policies encompass mandatory drug testing, sanctions as a result of positive drug tests, programs of education relative to drug and alcohol use, misuse and counseling.

Drug Free Workplace Policy

The University is a drug-free workplace. The University does not tolerate the unlawful manufacture, dispensing, possession, use, or distribution of illegal drugs and/or alcohol by employees on the University’s property, or as part of its activities. Individual departments, due to the nature of their work, may have more stringent policies concerning prescription drugs.
The University of Richmond does not conduct random drug or alcohol testing, but does reserve the right to test for drugs and/or alcohol for cause. Should the University have a reasonable suspicion that an employee is under the influence of illegal drugs or alcohol or if the employee is in an accident causing damage to University property, the employee may be required to submit to drug/alcohol testing and/or mandatory referral into a substance misuse assistance or rehabilitation program. Refusal by an employee to comply with the applicable requirements may be grounds for immediate dismissal from employment.

Annual Notification

The University will disseminate the Alcohol, Tobacco & Drug Policy to all students and employees on a semiannual basis. A notification email will be sent in January and September after the “add/drop” period for classes.

1002.2 – Alcohol Policy

All members of the University community and third-party users of University facilities are responsible for knowing and acting in accordance with the applicable laws and University policy concerning the purchase, possession, consumption, sale and storage of alcoholic beverages.

Rules for Individuals:

1. The use of alcoholic beverages shall comply with federal, state, and local laws and University policy.
2. Alcoholic beverages shall not be consumed by, possessed by, sold to, or given to persons under 21 years of age, which is the legal age to consume and possess alcohol.
3. State law prohibits, among other conduct, drinking in public spaces that are not covered by an Alcohol Beverage Commission (ABC) license; possession of an alcoholic beverage by a person under the legal drinking age; falsely representing one’s age for the purposes of procuring alcohol; and purchasing alcohol for a person who is under the legal drinking age.
4. All persons consuming or possessing alcohol must carry a valid driver’s licenses or state identification card, military ID card or passport. Students are expected to have their University of Richmond ID and another form of legal age identification documentation in their personal possession. A University official, staff member or designee may request to see age identification from the student if it is suspected that the student is under the legal drinking age or is in the process of or has committed an alcohol policy violation. Students that fail to show the required identification may be charged with a violation of the Standards of Student Conduct.
5. Any individual will be considered in possession of alcohol if the alcohol can be reasonably associated with them. Examples of association include, but are not limited to, the following: any alcohol found within a resident’s room or apartment, any alcohol being carried or transported by an individual, and any open container of alcohol resting near an individual.

Rules for Organizations, Departments and Approved Campus Guests:

1. All events must comply with the University of Richmond’s Alcohol, Tobacco & Drug Policy; Policy for Hosting Events with Alcohol on Campus and Virginia laws and regulations.
2. University residence halls and student apartments shall not be used for organization/departmental events with alcohol.
3. The possession or use of common containers of alcohol including, but not limited to, Kegs, ¼ kegs and party balls are prohibited on University property.

4. The consumption of alcoholic beverages in a designated campus area is limited to approved functions sponsored by recognized organizations/departments of the University of Richmond or approved third party users of University facilities. These events shall be open only to members of the sponsoring organization/department or approved third-party users of University facilities and their personally invited guests.

5. All University of Richmond organizations/departments sponsoring off-campus functions at which alcoholic beverages are served, are expected to act as representatives of the campus community and to respect the University’s valuation of personal responsibility and accountability. Although the University cannot monitor the environment external to the University campus, student organizations, departments or individuals may be held responsible for their actions off campus.

Approved Locations:
The consumption of alcoholic beverages at registered or approved events is limited to approved locations on campus. All other areas of the campus are considered public areas where the use of alcohol is prohibited.

For a complete list of approved locations, please visit:
https://events.richmond.edu/events/policies/alcohol/approved-location.html

NOTE: All event and location reservations will be reviewed to ensure that the facility, as well as type of food and beverage being served, are appropriate. Outdoor locations must be clearly defined by an existing barrier or by an approved temporary barrier. Rain locations must also be identified at the time of reservation, as this information is required by Virginia ABC. For more information, please visit: https://events.richmond.edu/events/policies/alcohol/index.html.

Public Consumption:

Virginia law prohibits the consumption of alcoholic beverages, whether in primary or secondary containers, in public areas. Virginia Code § 4.1-100 defines a public area as any place, building or conveyance where the public has access or is permitted to have access. Examples include, but are not limited to, hallways/corridors, lounge areas and sidewalks. Alcohol use on campus is restricted to approved locations, as defined above, and residence hall rooms, Gateway Apartments, University Forest Apartments, Law School Student housing and other housing identified by the University. The University does not permit transportation of alcoholic beverages in open primary or secondary containers outside of these areas.

Alcoholic Beverage Deliveries

Third-party vendors are prohibited from delivering alcoholic beverages to the University of Richmond campus for personal consumption or for consumption at student events for which an ABC license has not been secured.

Advertising

Any publication, advertisement or announcement of any University-sponsored event distributed or intended to be distributed to persons under 21 years of age must not mention or depict alcoholic beverages. Distribution of any publication, advertisement or announcement that mentions or depicts alcoholic beverages must be limited to persons 21 years of age or older and such publication, advertisement or announcement must state that proof of age will be required to consume alcohol.
Registration Policy and Deadlines

Official University Events and Third-Party Use of University Facilities:
All alcoholic beverages to be consumed at University approved events must be supplied by University Catering or in conjunction with a University approved caterer with an ABC license. Spider Brews and events with beer trucks are the only exceptions. For more information on events with beer trucks, please see the Policy for Hosting Events with Alcohol on Campus.

Any event held in a University facility where alcoholic beverages are present or consumed must be registered and approved at least 10 working days in advance by University Events, Conferences and Support Services. Events that utilize the University of Richmond’s Dining Services ABC license must be coordinated with University Dining Services a minimum of five days prior to the scheduled event. These timelines are provided by Virginia ABC and are subject to change. For more information on scheduling an event on campus with alcohol, please refer to the Policy for Hosting Events with Alcohol on Campus.

Residential Student Events:
Students who wish to host an event with alcohol in their residence hall or apartment should do so in accordance with the event registration process established by Residence Life & Undergraduate Student Housing. Students interested in registering an event in their residence, should review the following: https://residencelife.richmond.edu/residence-life/Community/event-registration.html.

Greek Life:
Greek organizations holding events with alcohol must register events ten days in advance with the Center for Student Involvement. For more information on Greek life event and risk management policies, please visit: https://involved.richmond.edu/greek-life/resources/policies-procedures.html.

1002.3 – Tobacco Policy

All members of the University community and third-party users of University facilities are responsible for knowing and acting in accordance with the applicable laws and University policy concerning the purchase, possession, consumption and sale of tobacco and nicotine products.

No individual under the age of 21 shall purchase, possess or consume tobacco products (chewed, absorbed, dissolved or ingested), nicotine vapor products, and/or alternative nicotine products. Any individual under 21 purchasing, possessing or consuming tobacco products, nicotine vapor products or alternative nicotine products will be in violation of Virginia law and University policy and are subject to disciplinary action.

Rules for Individuals:

1. The use of tobacco products (chewed, absorbed, dissolved or ingested), nicotine vapor products, and/or alternative nicotine products on campus shall comply with federal and state laws.

2. Tobacco products (chewed, absorbed, dissolved or ingested), nicotine vapor products, and/or alternative nicotine products shall not be consumed by, possessed by, sold to, or given to persons under 21 years of age, which is the legal age to consume and possess tobacco and nicotine products in the Commonwealth of Virginia.

3. All persons on University property consuming or possessing tobacco or nicotine products on campus must carry a valid driver’s licenses or state identification card, military ID card or passport. Students are expected to have their University of Richmond ID and another form of legal age identification documentation in their personal possession. A University official, staff member or designee may request to see age identification from the student if it is suspected that the student is under the legal age or is in the process of or has committed a
policy violation. Students that fail to show the required identification may be charged with a violation of the Standards of Student Conduct.

4. Any individual under 21 will be considered in possession of tobacco/nicotine if the tobacco/nicotine can be reasonably associated with them. Examples of association include, but are not limited to, the following: tobacco/nicotine paraphernalia found within a resident’s room or apartment, any tobacco/nicotine being carried or transported by an individual, and any tobacco/nicotine resting near an individual.

Advertising
Any publication, advertisement or announcement of any University-sponsored event distributed or intended to be distributed to persons under 21 years of age must not mention or depict tobacco products (chewed, absorbed, dissolved or ingested), nicotine vapor products, and/or alternative nicotine products.

Tobacco & Nicotine Use on Campus

Smoking:
The University prohibits smoking, including e-cigarettes, inside classrooms and administrative buildings, residential facilities, dining areas, athletic facilities and university owned vehicles. Smoking is prohibited within 25 feet of the outside of any building to prevent smoke and e-cigarette vapors from entering through entrances, windows, ventilation systems, or other means.

Tobacco and Nicotine Sales:
Vending machines that sell tobacco products, nicotine vapor products, and/or alternative nicotine products are prohibited on campus.

1002.4 – Other Drugs Policy

The unauthorized manufacture, distribution and possession of “controlled substances” (illegal drugs), including but not limited to marijuana, cocaine, ecstasy and LSD, are prohibited by both state and federal law and are punishable by severe penalties. The University does not tolerate or condone such conduct. Students and employees who violate state and federal law may be referred to law enforcement authorities for criminal prosecution and, if convicted, may be subject to the penalties described herein.

Rules for Individuals, Organizations, and Campus Guests:

1. No individual shall possess, use, transfer, distribute, manufacture or attempt to manufacture, or traffic illegal drugs on University-owned or leased property, at University-sponsored or supervised functions, or under other circumstances involving a direct and substantial connection to the University. If there is sufficient evidence that a student is distributing, transferring or trafficking illegal drugs (or is in possession of such amounts), interim actions may be taken to protect the health and safety of the University community.

2. Synthetic or counterfeit substances that are analogue for controlled substances are prohibited under this policy.
3. The misuse, transfer or sale of legal substances such as prescription drugs and inhalants is prohibited.

4. Possession of drug paraphernalia is prohibited.

5. Any individual will be considered in possession of drugs if the drugs can be reasonably associated with them. Examples of association include, but are not limited to, the following: drugs and/or drug paraphernalia found within a resident’s room or apartment, and being present when drugs are being distributed or manufactured.

6. Students and employees that violate state or federal drug laws may be referred by University authorities for criminal prosecution and, if convicted, may be subject to criminal prosecution. Whether or not criminal charges are brought, students and employees are subject to disciplinary action. Sanctions can range from substance education to permanent separation.

1002.5 – Sanctions for Alcohol, Tobacco and Other Drugs

Student Sanctions

Students and recognized organizations that violate the Alcohol, Tobacco and Other Drug Policy will be subject to sanctions as outlined in Article VIII of the Standards of Student Conduct, up to and including separation from the University. Sanctions are determined based on the nature and circumstances of the case. In determining the appropriate sanction for a violation of the Alcohol, Tobacco and Drug Policy, the Conduct Officer, may, at minimum, consider the following circumstances:

1. How was the violation committed;
2. Amount and nature of the illegal substance involved;
3. The level of knowledge and intent of the student;
4. Delivery or attempted delivery of the substance;
5. Prior offenses of the student;
6. Pending criminal charges.

Employee Sanctions – Alcohol, Tobacco & Other Drugs

The unlawful manufacture, distribution, dispensation, possession or use of a controlled substance by employees on University property, or while conducting business on behalf of the University off campus, is prohibited. Violations of this prohibition by employees may result in the imposition of sanctions under applicable University policies up to an including termination of employment. The severity of the disciplinary action for violations of this policy shall be determined on a case-by-case basis. Additionally, employees may be referred to an appropriate substance misuse assistance or rehabilitation program.

1002.6 – Federal and Commonwealth of Virginia Penalties

In addition to University policies for alcohol, tobacco and drugs, members of the campus community are also required to abide by federal and state laws governing consumption, sale or possession of alcohol, tobacco and drugs. University of Richmond Police Department reserves the right to issue a citation for violation of state or federal laws when deemed appropriate.
Federal and Virginia law penalizes the unlawful manufacturing, distribution, use and possession of controlled substances, including prescription drugs. Synthetic designer drugs, such as bath salts, contain mixtures of many different chemicals, including those that resemble cocaine, meth-amphetamines, and MDMA. Federal law makes the distribution of “analogue” substances marketed for human consumption illegal if those substances are chemically similar to scheduled illegal drugs and have the same pharmacological effects on the user. The penalties vary based on many factors, including the type and amount of drug involved and whether there is intent to distribute. Federal law holds that any person who distributes possesses with intent to distribute, or manufactures a controlled substance within one thousand feet of an educational facility is subject to doubling of the applicable maximum punishments and fines. A similar Virginia law carries sanctions between one- and five-year’s imprisonment and up to a $100,000 fine for similar violations.

**Virginia Laws Governing Alcohol, Tobacco & Drugs**

Virginia’s Alcoholic Beverage Control Act contains a variety of laws governing the possession, use and consumption of alcoholic beverages. The Virginia’s Alcoholic Beverage Control Act applies to all students and employees of the University.

The unlawful possession, distribution, and use of controlled substances and illegal drugs, as defined by the Virginia Drug Control Act, are prohibited in Virginia. Controlled substances are classified under the under the Act into “schedules”, ranging from Schedule I through Schedule VI, as defined in sections 54.1-3446 through 54.1.3456 of the Code of Virginia.

The Virginia’s Alcoholic Beverage Control Act and the Virginia Drug Control Act applies to all students and employees of the University. Some of the pertinent laws, including sanctions for their violations are listed below.

1. **Alcohol**

   The minimum legal age for the possession and consumption of alcoholic beverages in Virginia is 21.

   » *Underage alcohol consumption/possession is a Class 1 misdemeanor*
     - Mandatory driver’s license suspension – 6-month minimum (1-year max.)
     - $500 fine or 50 hours of community service
     - Possible jail sentence: up to 1 year

   » *Drinking alcohol in a public place/public intoxication is a Class 4 misdemeanor*
     - Possible fine up to $250
     - Possible 1-day jail sentence

   » *Purchasing, Giving, Providing or Assisting in Providing Alcohol to Person under 21 is a Class 1 misdemeanor*
     - Mandatory driver’s license suspension -6-month minimum (1-year max.)
     - Mandatory minimum $500 fine (max. of $2500 or 50 hours of community service)
     - Possible jail sentences up to one year
     - Any alcohol purchased is contraband and subject to forfeit
» **Using a fake ID to buy alcohol**
- Mandatory driver’s license suspension -6-month minimum (1-year max.)
- Mandatory minimum $500 fine (max. of $2500 or 50 hours of community service)
- Possible jail sentences up to one year
- Any alcohol purchased is contraband and subject to forfeit

» **Underage driving under the influence**
- Zero Tolerance Laws in Virginia; drivers under the age of 21 cannot have a BAC test result of .02 or higher.
- Mandatory driver’s license suspension for one year.
- Offenders do not have the option of requesting a blood test instead of a breath test for an alcohol-related offense.

» **Driving under the influence 21 yrs. & above**
- Drivers 21 years of age or older cannot have a BAC test result of .08 or higher.
- Conviction of a first or subsequent DUI offense may result in a mandatory driver’s license suspension for one year, ignition interlock, mandatory jail time and mandatory alcohol education classes
- Implied consent laws require a driver who is suspected of DUI to submit to chemical testing (breath, blood, or urine). Refusal to submit to such tests carries a penalty of up to one year’s suspension of the driver’s license.

» **Possess, sell, buy or use powdered or crystalline alcohol while under 21 years of age**
- Powdered or crystalline alcohol are included in the definition of alcoholic beverages.
- Law prohibits powdered or crystalline alcohol substances to be sold in or shipped into the Commonwealth
- Purchase, possession, offering for sale or use, selling or using powdered or crystalline alcohol is a Class 1 misdemeanor
- Mandatory driver’s license suspension for 1 year
- Mandatory minimum $500 fine (max. of $2,500) or 50 hours of community service
- Possible jail sentence: Up to 1 year.

» **Safe reporting of overdoses**
- “Overdose" means a life-threatening condition resulting from the consumption or use of a controlled substance, alcohol, or any combination of substances.
- **PROVIDES:** Affirmative defense to prosecution of an individual for the unlawful purchase, possession, or consumption of alcohol, public intoxication, or possession of marijuana, a controlled substance or controlled paraphernalia **IF:**
  - In good faith, you seek emergency medical attention for yourself or another by reporting the overdose to 911, law enforcement or medical personnel
  - Remain at the scene of the overdose until a law-enforcement officer responds
  - Identify yourself to the law-enforcement officer
  - If requested, substantially cooperate in any investigation of any criminal offense reasonably related to the alcohol or controlled substance(s) that resulted in the overdose; **AND**
  - The evidence for the prosecution of an offense was obtained as a result of the individual seeking or obtaining emergency medical attention.
2. Tobacco
Prohibiting purchase or possession of tobacco products, nicotine vapor products, and alternative nicotine products by a person under 21 years of age or sale of tobacco products, nicotine vapor products, and alternative nicotine products to persons under 21 years of age

- **First violation** – Civil penalty not to exceed $100. In lieu of a civil penalty, the court may prescribe up to 20 hours of community service. Failure to adhere to complete community services as outlined will result in a civil penalty.
- **Second violation** – Civil penalty not to exceed $250. In lieu of a civil penalty, the court may prescribe up to 40 hours of community service. Failure to adhere to complete community services as outlined will result in a civil penalty.

3. Marijuana and Other Drugs

- **Marijuana**

Marijuana is an illegal substance that has been decriminalized in Virginia. Simple possession (not more than one ounce) is a civil violation and no longer a criminal offense, but remains a violation of University policy.

- Possession of not more than one ounce
  - Civil penalty of $25 or 5 hours of community service
- Selling, giving, or distributing or possession with the intent to do so
  - Not more than one ounce: Class 1 Misdemeanor – 12 months in jail plus $1000 fine.
  - More than one ounce, but not more than 5 lbs.: Class 5 Felony – not less than 1 year in prison plus $1000 fine.
  - More than 5 lbs.: Felony – 5-30 years

- **Other Drugs**

- Possession
  - Schedule I or II Drugs – Felony- imprisonment from 1 to 10 years or jail for up to 12 months and a fine of up to $2,500.
  - Schedule III Drugs – Misdemeanor – jail for up to 12 months and a fine up to $2500
  - Schedule IV Drugs – Misdemeanor – jail for up to 6 months and a fine up to $1000
  - Schedule V Drugs – Misdemeanor – fine up to $500
  - Schedule VI Drugs – Misdemeanor – fine up to $250
- Sales/Distribution – Schedule I or II Drugs
  - Felony – imprisonment from 5 to 40 years and a fine up to $100,000
- Sales/Distribution – Schedule III – V Drugs
  - Misdemeanor – fine up to $250

**Federal Laws Governing Alcohol & Drugs**

Federal law prohibits the possession, use, or distribution of illegal drugs. There are strict penalties for drug convictions, including mandatory prison terms for many offenses. The following information, although not complete, is an overview of federal penalties for first convictions. All penalties are doubled for any subsequent drug conviction.
A. Financial Aid Penalties for Drug Law Violations

Students convicted of an offense under any federal or state law involving the possession or sale of illegal drugs for conduct that occurred during a period of enrollment for which the student was receiving Federal Title IV, HEA program funds or need-based institutional financial aid funds, will lose eligibility for all Title IV, HEA grant, loan, and work-study assistance and for need-based institutional financial aid.

An illegal drug is a controlled substance as defined by section 102(6) of the controlled Substances Act (21 U.S.C. 801(6)), and does not include alcohol or tobacco. Loss of eligibility is as follows:

<table>
<thead>
<tr>
<th>Conviction for possession of a controlled substance</th>
<th>Period of ineligibility:</th>
</tr>
</thead>
<tbody>
<tr>
<td>First offense</td>
<td>One year from date of conviction</td>
</tr>
<tr>
<td>Second offense</td>
<td>Two years from date of second conviction</td>
</tr>
<tr>
<td>Third offense</td>
<td>Indefinite period from the date of the third conviction</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Conviction for sale of a controlled substance</th>
<th>Period of ineligibility:</th>
</tr>
</thead>
<tbody>
<tr>
<td>First offense</td>
<td>Two years from date of conviction</td>
</tr>
<tr>
<td>Second offense</td>
<td>Indefinite period from the date of the second conviction</td>
</tr>
</tbody>
</table>

Please visit the Financial Aid Penalties for Drug Law Violation Policy by clicking here

B. Denial of Other Federal Benefits 21 U.S.C. 862

A federal drug conviction may result in the loss of federal benefits, including school loans, grants, scholarships, contracts, and licenses. Federal drug trafficking convictions may result in denial of federal benefits for up to five years for a first conviction. Federal drug convictions for possession may result in denial of federal benefits for up to one year for a first conviction and up to five years for subsequent convictions.

C. Forfeiture of Personal Property and Real Estate 21 U.S.C. 853

Any person convicted of a federal drug offense punishable by more than one year in prison shall forfeit to the United States any personal or real property related to the violation, including houses, cars, and other personal belongings. A warrant of seizure is issued and property is seized at the time an individual is arrested on charges that may result in forfeiture.

D. Federal Drug Trafficking Penalties 21 U.S.C. 841

Penalties for federal drug trafficking convictions vary according to the quantity of the controlled substance involved in the transaction. The list below is a sample of the range and severity of federal penalties imposed for first convictions. Penalties for subsequent convictions are twice as severe.

If death or serious bodily injury results from the use of a controlled substance, which has been illegally distributed, the person convicted on federal charges of distributing the substance faces a mandatory life sentence and fines ranging up to $8 million.

Persons convicted on federal charges of drug trafficking within 1,000 feet of a University (21 U.S.C. 845a) face penalties of prison terms and fines, which are twice as high as the regular penalties for the offense, with a mandatory prison sentence of at least one year.
E. Civil Penalty for Possession of Small Amounts of Certain Controlled Substances 21 U.S.C 844a

Civil penalties for possession of “personal use” amounts of certain controlled substances.

a. **First Conviction:** Up to 1 year imprisonment and fined up to $10,000.

b. **After one prior state or federal drug conviction:** At least 15 days in prison and up to two years in prison and fined a minimum of $2,500 but no more than $250,000, or both.

c. **After two or more prior drug convictions:** At least 90 days in prison and up to three years in prison and fined at least $5,000 but no more than $250,000, or both.

d. **Special sentencing provisions for crack cocaine:** Mandatory five years and up to 20 years in prison and fined up to $250,000, or both if:
   i. First conviction and amount of crack cocaine possessed exceeds five grams.
   ii. Second conviction and the amount of crack cocaine possessed exceeds three grams.
   iii. Third or subsequent conviction and the amount of crack cocaine possessed exceeds one gram.

F. Federal Drug Possession Penalties

Persons convicted on federal charges of possessing any controlled substance face penalties of up to one year in prison and a mandatory fine of no less than $1,000 up to a maximum of $100,000. Second convictions are punishable by not less than 15 days but not more than two years in prison and a minimum fine of $2,500.

Subsequent convictions are punishable by not less than 90 days but not more than three years in prison and a minimum fine of $5,000. The penalties vary based on the type of drug involved, possession and intent to distribute.


1002.7 – Prevention and Education

The University of Richmond uses multiple strategies to provide comprehensive education regarding alcohol, tobacco and other drugs.

**WELL 085 Graduation Requirement**

The University of Richmond requires all full-time, degree seeking students to complete a comprehensive alcohol education and prevention program during their first semester on campus. Successful completion of the requirement is mandatory for graduation from the University. In order to fulfill the requirement, students complete Alcohol Edu and The WELL 085 Alcohol Education and Prevention Workshop.

Students receiving a sanction for a violation of the Alcohol, Tobacco & Drug Policy may be required to attend one of the following alcohol education programs: Alcohol Edu for Sanctions, Marijuana 101, BASICS, RISK or an Individual Alcohol or Drug Assessment with a Substance Abuse Coordinator.

Additionally, the Health Promotion Department coordinates educational programming related to substance misuse prevention for the University community. Requests for programming are made by a variety of audiences including, but not limited to residence halls, student groups, Greek life and athletics. To request a program or for more information, contact the Health Promotion Department at 804-287-6368 or at hsadowswk@richmond.edu. More information regarding alcohol and other drug prevention and education can be found at [https://wellness.richmond.edu/education/index.html](https://wellness.richmond.edu/education/index.html).
Recovery Support

The University of Richmond’s Collegiate Recovery Program, The Recovery Web, provides a safe, nurturing, and affirming environment where students in recovery from substance use can receive the assistance and support they need to achieve academic success and personal goals while in college. The Recovery Web facilitates a supportive, stigma-free community of students in recovery through individual, academic, social, and recovery supports. For more information on the Recovery Web please contact recoveryweb@richmond.edu.

1002.8 – Health Risks

The negative physical and mental effects of the use of alcohol, tobacco and other drugs are well documented. Use of these drugs may cause blackouts, poisoning and overdose, physical and psychological dependence; damage to vital organs; inability to learn and remember information and psychological problems. For more information about the health risks associated with the misuse of alcohol, tobacco and illicit drugs, please visit https://www.drugabuse.gov/drugs-abuse/commonly-abused-drugs-charts.

1002.9 – Resources

The University of Richmond offers prevention education, intervention and support for minimizing and addressing concerns related to alcohol, tobacco and other drugs.

*The following on-campus resources are available to students:*

- Counseling & Psychological Services: 804-289-8119
- Health Promotion: 804-287-6368
- Law School Dean’s Office: 804-289-8740
- Richmond College Dean’s Office: 804-289-8061
- Sports Medicine (student athletes only): 804-289-8928
- Student Health Center: 804-289-8064
- Substance Abuse Education & Prevention Coor:
- University of Richmond Police Department: 804-287-8715
- Westhampton College Dean’s Office: 804-289-8468

*The following resources are available to Faculty & Staff:*

- Cigna Employee Assistance Program: 877-622-4327
- Cigna Tobacco Cessation Program: 855-246-1873
Community resources available to all members of the University community

<table>
<thead>
<tr>
<th>Resource</th>
<th>Phone</th>
<th>Website</th>
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</thead>
<tbody>
<tr>
<td>Al-Anon</td>
<td>804-569-5155</td>
<td><a href="http://alanonrichmond.org/">http://alanonrichmond.org/</a></td>
</tr>
<tr>
<td>Alcoholics Anonymous</td>
<td>804-355-1212</td>
<td><a href="https://www.aarichmond.org/index">https://www.aarichmond.org/index</a></td>
</tr>
<tr>
<td>RVA Narcotics Anonymous</td>
<td>804-965-1871</td>
<td><a href="https://rvana.org/">https://rvana.org/</a></td>
</tr>
<tr>
<td>for Recovery (FCCR)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Quit Now Virginia</td>
<td>800-784-8669</td>
<td><a href="https://quitnow.net/virginia">https://quitnow.net/virginia</a></td>
</tr>
</tbody>
</table>

**RELATED POLICIES:**

- ENM-1106 Financial Aid Policy
- Fleet Safety Policy
- SEC-2001 Smoking Policy

**POLICY BACKGROUND:**

The Alcohol, Tobacco and Other Drug Policy is reviewed on an annual basis by a sub-committee of the Advisory Committee for Alcohol & Drugs. The policy was revised for the 2020-21 academic year to include marijuana decriminalization and recovery support.

**POLICY CONTACTS:**

Deputy Title IX Coordinator for Students and Substance Misuse Education and Prevention Coordinator
Statement of Purpose

The mission of the University of Richmond is to educate in an academically challenging, intellectually vibrant, and collaborative community dedicated to the holistic development of students and the production of scholarly and creative work. A Richmond education prepares students for lives of purpose, thoughtful inquiry, and responsible leadership in a diverse world.

To that end, the University has established the following Standards of Student Conduct in order to foster an environment that is most conducive to meeting the University’s mission. The Standards of Student Conduct are in place to promote a safe, secure, and inclusive campus community and an appropriate environment for living and learning.

These Standards describe conduct that is prohibited at the University and sets forth procedures by which student conduct matters will be handled at the University. Student conduct matters shall be handled in a prompt, fair, and impartial manner. The Standards shall govern the conduct of students and their guests on the campus of the University of Richmond, at University-sponsored activities and functions and as otherwise provided herein.

All students of the University are expected to conduct themselves, both within the University and elsewhere, in such a manner as to be a credit to them and to the University of Richmond. As responsible citizens and members of the University community, students are expected to comply with local, state, and federal laws, and with all published University policies and regulations.

In order to fulfill its functions as an educational institution and to protect all members of the University community, the University of Richmond has the right to maintain order within the University and to exclude persons who disrupt the educational process.

Matriculation and/or continued enrollment at the University of Richmond is a privilege, not a right. Any revocation of such a privilege would be an intention to protect or support the standards of the University community. All students are expected to familiarize themselves with the details of these standards, issued annually or more frequently by the University.

The Vice President for Student Development is the person designated by the University President to be responsible for the administration of the Standards of Student Conduct.

The Standards of Student Conduct, University policies, and related conduct procedures are not contracts and do not confer contractual rights upon any individual. The University has the right to amend or modify the Standards of Student Conduct, University policies, and related conduct procedures from time to time, without prior notice. Additionally, the Standards of Student Conduct, University policies, and related conduct procedures are not intended to replicate or supersede state, federal, criminal, or civil laws or procedures.

University policies differ from the criminal and civil justice system and a finding of responsibility for a violation of the Standards of Student Conduct or a University policy shall not be construed as a finding that any criminal or civil statute has been violated.
# Table of Contents

<table>
<thead>
<tr>
<th>Article</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>I: Definitions</td>
<td>81</td>
</tr>
<tr>
<td>II: Standards of Student Conduct Authority</td>
<td>83</td>
</tr>
<tr>
<td>III: Jurisdiction and Prohibited Conduct</td>
<td>84</td>
</tr>
<tr>
<td>IV: Reporting, Charges, Preliminary Hearing, and Interim Suspension</td>
<td>87</td>
</tr>
<tr>
<td>V: Student Rights and Responsibilities</td>
<td>90</td>
</tr>
<tr>
<td>VI: Student Conduct Board Procedures</td>
<td>93</td>
</tr>
<tr>
<td>VII: Sanctions</td>
<td>97</td>
</tr>
<tr>
<td>VIII: Appeals</td>
<td>99</td>
</tr>
<tr>
<td>IX: Interpretation and Revision</td>
<td>100</td>
</tr>
<tr>
<td>Appendix A: Procedures Specific to Matters Involving the University’s Policy Prohibiting Sexual Misconduct</td>
<td>101</td>
</tr>
</tbody>
</table>
Article I: Definitions

A. Administrator / Staff Member. The terms “staff member” and “administrator” mean any person employed by the University to conduct administrative, professional, or trade assignments.

B. Appellate Administrator. The term “Appellate Administrator” means any person authorized by the Vice President for Student Development to consider an appeal from a Student Conduct Board.

C. Campus. The term “campus” includes any building or property owned or controlled by the University within the same reasonably contiguous geographic area of the University and used by the University in direct support of, or in a manner related to, its educational purposes, including residence halls and apartments and any building or property within or reasonably contiguous to the campus that is owned by the University, is frequently used by students, and supports University purposes.

D. Chair. The term “Chair” means the chairperson of the applicable Student Conduct Board.

E. College. The term “College” means either “Richmond College” or “Westhampton College.”

F. Complainant. The term “Complainant” means the student or other individual who is alleged to be the victim or subject of conduct that forms the basis for a disciplinary charge.

G. Conduct Officer. The term “Conduct Officer” means any person or persons authorized on an on-going or a case-by-case basis by the Vice President for Student Development to: (i) charge a student with a violation of the Standards of Student Conduct; (ii) conduct preliminary hearings; and (iii) impose sanctions upon any student(s) who accept(s) responsibility for a violation of the Standards of Student Conduct. Conduct Officers of the rank of Dean are empowered to impose a sanction of suspension, to issue No Contact Orders, and to impose Interim Suspensions.

H. Copy. The term “copy” includes all methods of duplication to include, but not limited to, use of a camera, recording device, mobile phone and/or mobile phone application(s), scanner and copy machine,

I. Faculty Member. The term “faculty member” means any person hired by the University to conduct classroom or teaching activities or who is otherwise considered by the University to be a member of the faculty.

J. Hearing Officer. The term “Hearing Officer” means any person or persons authorized on an on-going or a case-by-case basis by the Vice President for Student Development to conduct the pre-hearing and hearing process on behalf of the University Hearing Board. The Hearing Officer is not a member of the University Hearing Board and does not vote on any decision of the University Hearing Board. In the case of a hearing involving an alleged violation of the University’s Policy Prohibiting Sexual Misconduct, the Hearing Officer shall not be an employee of the University.

K. Hearing Officer for Specific Matters Involving the University’s Policy Prohibiting Sexual Misconduct. The term “Hearing Officer” means any person or persons authorized on an on-going or a case-by-case basis by the Vice President for Student Development to conduct the hearing process on behalf of the University Hearing Board. The Hearing Officer is considered a non-voting member of the University Hearing Board. The Hearing Officer shall not be an employee of the University.

L. May. The term “may” is used in the permissive sense.

M. Member of the University Community. The term “member of the University community” includes any person who is a student, faculty member, staff member, administrator, University official, or any other person employed by the University or acting as a University volunteer. The Vice President for Student Development or their designee shall determine a person’s status in a particular situation.

N. Off-Campus Buildings or Property. The term “off-campus buildings or property” means any building or property owned or controlled by a student organization officially recognized by the University and any building or property owned or controlled by the University, used in direct support of, or in relation to, the University’s educational purposes, and frequently used by students.
O. Off-Campus Education Programs and Activities. The term “off-campus programs and activities” means educational, extra-curricular, or athletic activities involving organizations or programs or activities recognized or sponsored by the University, such as University-sponsored trips, athletic team travel, events for organizations that occur off campus (e.g., a debate team trip to another school or to a weekend competition).

P. Organization. The term “organization” or “organizations” means any number of persons who have complied with the formal requirements for University recognition and registration.

Q. Presiding Officer. The term “Presiding Officer” means the Advisor of the Student Conduct Council or the Hearing Officer of the University Hearing Board.

R. Public Property. The term “public property” means streets, sidewalks, or parking facilities within the campus or immediately adjacent to and accessible from campus.

S. Respondent. The term “Respondent” means any student charged with violating the Standards of Student Conduct or a University policy.

T. School. The term “School” means the School of Arts & Sciences, the Robins School of Business, the Jepson School of Leadership Studies, the University of Richmond School of Law, or the School of Professional and Continuing Studies.

U. Shall. The term “shall” is used in the mandatory sense.

V. Student. The term “student” includes all persons taking courses at the University, either full-time or part-time, pursuing undergraduate, graduate, or professional studies. Persons who withdraw during an investigation or with a pending conduct charge or proceeding, or who are not officially enrolled for a particular term but who have a continuing relationship with the University are considered “students” for purposes of these Standards of Student Conduct.

W. Student Conduct Administrator. The term “Student Conduct Administrator” means any person authorized by the Vice President for Student Development to follow the Standards of Student Conduct in determining the appropriate Conduct Officer, Presiding Officer, or Conduct Board authorized to hear each matter.

X. Student Conduct Board. The term “Student Conduct Board” or “Board” means a group authorized by the Vice President for Student Development to determine whether a student, students, or a student organization has violated the Standards of Student Conduct and to determine sanctions that may be imposed when a violation has been committed. This term includes the Student Conduct Council and the University Hearing Board.

Y. Student Conduct Council. The term “University of Richmond Student Conduct Council” or “Student Conduct Council” means a specific Student Conduct Board comprised of students specially selected and trained by the University.

Z. University. The term “University” means “University of Richmond”.

AA. University Hearing Board or UHB. The term “University Hearing Board” or “UHB” means a specific Student Conduct Board comprised of University staff members specially selected and trained by the University.

BB. University Official. The term “University official” includes any individual employed by the University, performing assigned administrative or professional duties. A University official may include student staff such as Resident Advisors and Emergency Medical Technicians.

CC. University Policy. The term “University policy” means any policy, rule, or regulation of the University.

DD. University Premises. For purposes of these Standards of Student Conduct, the term “University premises” includes: (1) any building or property that is part of the University’s campus; (2) any building or property that is not located on or adjacent or contiguous to the campus, but is owned or controlled by a University recognized organization or that is used in direct support of or in relation to the University’s educational purposes and is frequently used by students; (3) public property within the campus or immediately adjacent to and accessible from campus (such as public roads, sidewalks, parking lots); or (4) other areas that are within the patrol jurisdiction of the University Police Department.
Article II: Standards of Student Conduct Authority

A. The Vice President for Student Development or their designee shall develop policies for the administration of the student conduct system and procedural rules for the conduct of the Student Conduct Board Hearings that are not inconsistent with the provisions of the Standards of Student Conduct.

B. Subject to the appeal rights set forth in these Standards, decisions made by a Student Conduct Board and/or Conduct Officer shall be final.
Article III: Jurisdiction and Prohibited Conduct

A. Jurisdiction of the Standards of Student Conduct

The Standards of Student Conduct shall apply to conduct that occurs on the campus of the University, on or in off-campus buildings or property of the University, and at University sponsored activities, including off-campus education programs and activities, or on public property, as defined in Article I.

The Standards of Student Conduct also apply to University students studying abroad through a University approved study abroad program. The Standards of Student Conduct apply to conduct by a University student or organizations occurring at other locations or in connection with other activities if the Vice President for Student Development or their designee determines that such conduct may adversely affect any member of the University community, the University itself, or its educational programs.

For matters involving sexual harassment under Title IX covered by the University’s Policy Preventing Sexual Misconduct, jurisdiction is limited to conduct that has occurred within the University's education program or activity which includes locations, events, or circumstances over which the University exercised substantial control over both the respondent and the context in which the sexual harassment occurs and also includes any building owned or controlled by a student organization that is officially recognized by the University. Title IX actions involve conduct that has occurred within the United States only.

Each student shall be responsible for their conduct from their first day on campus through the actual awarding of a degree (even though the conduct may occur before classes begin or after classes end) as well as during the academic year and during periods between terms of actual enrollment. Students who have accepted admittance to the University but have not yet enrolled are expected to comport themselves according to the Standards. The Standards of Student Conduct shall apply to a student’s conduct even if the student withdraws from the University while a disciplinary matter is pending.

B. Prohibited Conduct. The following conduct is prohibited by the University.

1. Violence. Any act of violence, force, coercion, threat, or intimidation that includes, but is not limited to:
   a. Physical abuse of or assault upon any person;
   b. Conduct that threatens, intimidates, or endangers the health or safety of any person;
   c. Physical detainment of any person against their will; or
   d. Possession, storage, use of, or attempt or threat to use any kind of ammunition, explosives, firearms, or weapon.

2. Property. a. Theft or possession of University property or the property of others.
   b. Vandalism or damage to, defacement, or destruction of University property or the property of others.
   c. Alteration, fabrication, misuse, or destruction of University documents including records, identification cards, or parking stickers/permits.

3. Disruption. a. Obstruction, disruption, or attempts at obstruction of disruption of teaching, research, administration, disciplinary procedures, or other University or University-authorized activities, functions, events, or operations.
   b. Blocking the entrance or exit of any University facility or building, or any corridor or room therein.
   c. Blocking or impeding normal pedestrian or vehicular traffic on or adjacent to University property.
   d. Disorderly conduct.
   e. Disturbing the residence hall/community.
4. **Trespass.**
Unauthorized entry into, presence in, seizure, or occupation of any University facility or area that is locked, closed to student activities, or otherwise restricted as to its use where one’s presence is unauthorized.

5. **Illegal Activity.**
Conduct that the University determines may violate local, state, or federal laws, including, but not limited to:
   a. Possession and/or use of illegal drugs, narcotics, pharmaceuticals, and/or drug paraphernalia;
   b. Distribution or sale of illegal drugs, narcotics, pharmaceuticals, and/or drug paraphernalia;
   c. Violation of Alcohol and Beverage Control (ABC) Laws;
   d. Driving under the influence and/or while intoxicated;
   e. Possession and/or use of false identification; or
   f. Conviction of any felony or conviction of a misdemeanor involving, fraud, theft, lying or moral turpitude.
      i. A student may, at the discretion of the Conduct Officer or Student Conduct Board Chair, be found responsible of Prohibited Conduct III (B)(5)(f) solely upon the introduction into evidence at a Student Conduct Board hearing of a certified copy of an order of conviction or other document satisfactorily evidencing conviction of a felony or of a misdemeanor.

6. **Other Regulations and Policies.**
   a. Acts of harassment and/or discrimination, or violation of the University’s Policy on Preventing and Responding to Discrimination and Harassment Against Students.
   b. Violation of the University’s Policy Prohibiting Sexual Misconduct.
      i. Sexual Harassment
      ii. Sexual Assault
      iii. Stalking
      iv. Dating Violence
      v. Domestic Violence
      vi. Sexual Exploitation
   c. Violation of the University’s Hazing Policy.
   d. Violation of the University’s Retaliation Policy.
   e. Violation of rules and regulations including those pertaining to the University’s Alcohol, Tobacco & Other Drug Policy. Students charged through the student conduct system for alcohol violations and found responsible will be issued sanctions as outlined in the University’s Alcohol, Tobacco & Other Drug Policy.
      i. Consumption of alcohol under the legal drinking age.
      ii. Possession of alcohol under the legal drinking age.
      iii. Possession of an open container of alcohol in a public space.
      iv. Hosting an illegal/unregistered event with alcohol.
      v. Hosting a registered event with alcohol that violated the University’s alcohol regulations.
      vi. Having an underage guest who possessed and/or consumed alcohol while in attendance at your event.
      vii. Consumption of an alcoholic beverage in public.
      viii. Public intoxication.
      ix. Violation of the alcohol policy at The Cellar.
      x. Purchase, possession, or consumption of tobacco products, nicotine vapor products, and/or alternative nicotine products under the age of 21.
      xi. Contribution of alcohol to a person under the age of 21.
   f. Violation of University policies or College rules or regulations including, but not limited to, those governing University housing.
   g. Failure to comply with directions of a University official acting in the authorized performance of duty.
   h. Failure to present proper identification upon request by a University official.
i. Lying or intentionally misleading University officials performing their assigned duties. Lying includes knowing misrepresentations or material omissions.

j. Violation of the University’s Information Services policies.

k. Violation of the University’s Gambling Policy.

l. Providing information about a member of the University Community to organizations or individuals that are not affiliated with the University without the member’s permission.

m. Violation of a “No Contact Order” issued by a University official.

n. Inciting others to commit prohibited acts of the kinds herein prohibited.

7. Use of Recorded Material.

Many classes will be recorded using Zoom and faculty may prepare video recordings of lectures or teaching segments using other software. Recordings of any type will be made available only to students registered for the course and should be used only for personal study by students enrolled in the course.

a. Students shall not disclose, share, trade, or sell these recordings with/to any other person, organization, business, or institution.

b. Students shall not post/store these recordings in a location accessible by anyone other than the student, including but not limited to social media accounts.

c. Students must comply with any instructions or directions from their faculty regarding the use of such recordings.

d. Students are required to destroy any recordings that were made when they are no longer needed for the student’s academic work.

C. Violation of Law and University Discipline.

1. University disciplinary proceedings may be instituted against a student charged with conduct that potentially violates both the criminal law and the Standards of Student Conduct or University policy (that is, if both possible violations result from the same factual situation) without regard to the pendency of civil or criminal litigation in court or criminal arrest or prosecution. At the discretion of the Vice President for Student Development, and consistent with other University policies, proceedings under the Standards of Student Conduct may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus.

Determinations made or sanctions imposed under the Standards of Student Conduct shall not be subject to change because criminal or civil charges arising out of the same facts giving rise to violation of University rules were dismissed, reduced, or resolved in favor of or against the criminal or civil law defendant.

2. When a student is charged by federal, state, or local authorities with a violation of the law, the University will not request or agree to special consideration for that individual because of their status as a student. If the alleged offense is also being processed under the Standards of Student Conduct, the University may advise off-campus authorities of the existence of the Standards of Student Conduct and of how such matters are typically handled within the University community. Subject to applicable laws, the University will attempt to cooperate with law enforcement and other agencies in the enforcement of criminal laws on campus and in the conditions imposed by criminal courts for the rehabilitation of student violators (provided that the conditions do not conflict with campus rules or sanctions).
Article IV: Reporting, Charge, Preliminary Hearing, and Interim Suspension

[Please see Appendix A for specific reporting and emergency removal procedures for matters involving the University’s Policy Prohibiting Sexual Misconduct.]

A. Reporting.

Any member of the University community with knowledge of an act by a student that may constitute a violation of the Standards of Student Conduct, including a violation of University policy, may file a complaint in writing to the appropriate dean of the College or School.

Complaints should be submitted as soon as possible following the event that precipitated the complaint, preferably within seven (7) days. However, no complaint will be dismissed solely on the basis of the time it was filed.

B. Preliminary Investigation and Charge.

1. Upon receipt of a complaint, the Student Conduct Administrator shall determine whether there has been any preliminary investigation or inquiry into the facts underlying the complaint (for example, by the University of Richmond Police Department).
   a. If there has been a preliminary inquiry or investigation, the Student Conduct Administrator shall review the findings of that inquiry or investigation to determine whether a preliminary charge under the Standards of Student Conduct is warranted. The Student Conduct Administrator, at their sole discretion, may conduct a follow-up investigation in order to gain sufficient information to determine whether a preliminary charge is warranted.
   b. In the process of assessing whether a preliminary charge is warranted, the Student Conduct Administrator, at their sole discretion, may seek the advice and counsel of individuals not involved in the potential hearing process. These individuals include but are not limited to University Police, University Counsel, and other administrators.

2. The Student Conduct Administrator shall assign the complaint to the appropriate Conduct Officer. The Student Conduct Administrator shall share the preliminary charges and the findings of any inquiries or investigations conducted to that point with the Conduct Officer.
   a. A complaint that may require the imposition of a No Contact Order and/or Interim Suspension, result in suspension of the Respondent as a possible sanction, or would result in a referral to the University Hearing Board shall be assigned to a Dean.
   b. A complaint that involves students living in off-campus residences shall be referred to a Conduct Officer with the rank of Dean.
   c. The Conduct Officer, at their sole discretion, may conduct follow-up or additional investigation in order to gain sufficient information to determine if the specific preliminary charges are appropriate or if additional charges are warranted.
      i. In the process of determining appropriate and specific charges, the Conduct Officer, at their sole discretion, may seek the advice and counsel of individuals not involved in the potential hearing process. These individuals include but are not limited to University Police, University Counsel, and other administrators.
   d. The final decision on whether a formal charge under the Standards of Student Conduct is warranted rests with the Conduct Officer. The Conduct Officer, at their discretion, may seek advice and counsel in the determination of formal charges.
      i. Conduct Officers with the rank of Area Coordinator shall consult with a Dean of the respondent’s College.
      ii. Conduct Officers with the rank of Dean shall consult with the respondent’s College Dean.
      iii. A complaint shall be reassigned from a Conduct Officer with the rank of Area Coordinator to a Conduct Officer with the rank of Dean if, in the process of determining appropriate and
specific charges, the complaint may require: (a) the imposition of a No Contact Order, (b) an Interim Suspension, (c) the suspension of the Respondent as a possible sanction, and/or (d) the decision of the Respondent as outlined in Article IV (C)(2) would result in a referral to the University Hearing Board.

e. In determining whether to formally charge a student with a violation of the Standards of Student Conduct, the Conduct Officer will consider whether the results of the investigation provide sufficient facts and evidence upon which a reasonable decision-maker could find, by a preponderance of the evidence, that the Respondent violated the Standards of Student Conduct. However, the decision to initiate a conduct or other disciplinary proceeding is not a final determination of responsibility and will not be used as evidence in any subsequent hearing or proceeding.

C. Preliminary Hearing.

1. The Conduct Officer shall notify the Respondent of the charge(s) and date of the preliminary hearing in writing and request the attendance of the Respondent at that hearing. During the preliminary hearing, the Conduct Officer shall:
   a. Provide the Respondent with a copy of Article V of the Standards of Student Conduct as appropriate;
   b. Review the complaint filed against the Respondent;
   c. Explain the charge(s) and any associated policy or policies; and
   d. Review the options available for resolution of the charge(s), including possible sanction(s).

2. The Respondent is asked if they accept responsibility for the alleged violation(s) charged.
   a. The Respondent may accept responsibility for the alleged violation(s) charged.
      i. If the Respondent accepts responsibility for the violation(s) and accepts the sanction(s) assigned by the Conduct Officer, the Respondent waives their right to a hearing and an appeal.
      ii. If the Respondent accepts responsibility, but does not accept the sanction(s) assigned by the Conduct Officer, the matter will be referred to the appropriate Student Conduct Board for a hearing to determine appropriate sanctions.
         a. In limited circumstances, the matter will be referred to the Presiding Officer of the appropriate Student Conduct Board for an administrative hearing to determine the appropriate sanction.
   b. The Respondent may deny responsibility for the alleged violation(s) charged. If the Respondent denies responsibility, the matter will be referred to the appropriate Student Conduct Board for a hearing and a determination of responsibility and sanctions, if any.
   c. The Conduct Officer may conclude that there is insufficient evidence to warrant a charge, or that a student was not present or involved in the alleged violation.
      i. If the conclusion is that there is insufficient evidence to warrant a charge, the Respondent will be found Not Responsible for the charge.
      ii. If the conclusion is that the Respondent was not present or involved in the alleged violation, the Respondent will be found Not Responsible/Charges Unfounded for the charge.
3. Within twenty-four (24) hours after the preliminary hearing, the Respondent must advise the Conduct Officer in writing of their choice of the available procedural options.
   a. If the Respondent does not advise the Conduct Officer in writing of their choice within twenty-four hours, the Respondent will be found responsible and will be subject to the sanction(s) assigned by the Conduct Officer in accordance with the Standards of Student Conduct. The respondent will be notified in writing of the determination of the Conduct Officer and any possible sanctions.
   b. The Conduct Officer at their discretion can extend this deadline up to seventy-two (72) hours, with good cause.
      i. If the Respondent does not advise the Conduct Officer in writing of their choice within seventy-two hours, the Respondent will be found responsible and will be subject to the sanction(s) assigned by the Conduct Officer in accordance with the Standards of Student Conduct. The respondent will be notified in writing of the determination of the Conduct Officer and any possible sanctions.

4. Referral to Student Conduct Board.
   a. If the matter is referred to a Student Conduct Board, the Conduct Officer will prepare a statement for the Student Conduct Board listing the specific charges against the Respondent, summarizing the facts supporting each charge, setting forth the recommended sanction(s) and summarizing the rationale for sanction(s), if applicable.

D. Interim Suspension and Class Removal.
   1. In certain circumstances a University or housing “interim” suspension may be imposed. Interim suspensions shall be imposed by a Conduct Officer with the rank of Dean, the Vice President of Student Development in their role as Chair of the Threat Assessment Team, or by the Title IX Coordinator, on their own accord or after consultation with other University officials.

   2. An interim suspension may be imposed when there is a reasonable basis to conclude that: (a) the continued presence of the Respondent on campus or in a residence hall may create a risk to the health or safety of one or more students or of other members of the University community; or (b) the Respondent poses an ongoing threat of disruption of, or interference with, the normal operations of the University.

   3. During the period of interim suspension, the Respondent must leave campus immediately and shall not participate in academic, extracurricular, or other activities of the University except as may be authorized by the party who imposed the interim suspension. The Respondent is not permitted on the campus without the prior written consent from the party who imposed the interim suspension. Such interim suspension, if imposed, shall be in addition to any other interim remedial measures, such as No Contact Orders, put into place by University officials, including the Title IX Coordinator. The interim suspension does not replace the regular hearing and appeal process, which shall proceed on the normal schedule. Unless provided with explicit, written permission for an exception in advance, as above, the Respondent subject to an interim suspension will be permitted to return to campus solely for purposes of participating in a hearing before the appropriate Student Conduct Board.

   4. A Respondent may be denied attendance in a specific class if there is a reasonable basis to conclude that the Respondent may pose an ongoing threat to the health and safety of any person in the class. Arrangements will be made for the Respondent to either attend another section of the class or to make an arrangement with the instructor of record to complete the course in another manner.

   5. See Appendix A for information regarding emergency removals in connection with alleged violations of the University’s Policy Prohibiting Sexual Misconduct.
Article V: Student Rights and Responsibilities

[Please see Appendix A for specific rights and responsibilities for matters involving the University’s Policy Prohibiting Sexual Misconduct.]

A. Rights and Responsibilities of the Respondent. The Respondent shall be afforded the following rights and responsibilities throughout the conduct process:

1. **Hearing.** The Respondent has the right to a hearing, conducted in accordance with the Standards of Student Conduct and the procedures of the appropriate Student Conduct Board.
   a. The Respondent has the right to a conduct process outcome based on reliable evidence presented during the conduct process, including reasonable inferences drawn from such evidence, and reasonable determinations by the fact finder as to the credibility of witness testimony.

2. **Rules and Procedures.** The Respondent has the right to a copy of the rules and procedures of the University’s conduct process.

3. **Advisors.** The Respondent has the right to the services of an advisor of their choice. The advisor must be a member of the University community and may not be an attorney.
   a. Advisors are not permitted at the preliminary hearing.
   b. The Respondent is responsible for presenting their own information, and therefore, advisors are not permitted to participate in any hearing before a Student Conduct Board, including, but not limited to making oral arguments or statements, questioning witnesses, or raising objections during a hearing. An advisor may request a brief recess of the proceedings to provide advice to the Respondent.
   c. The Respondent should select as an advisor a person whose schedule allows attendance at the scheduled date and time for the Student Conduct Board hearing, as delays will not normally be allowed due to the scheduling conflicts of an advisor.

4. **Attorney.** The Respondent has the right to the services of an attorney of their choice at their own personal expense. The Respondent does not have the right to have an attorney present during any interviews or during any hearing.

5. **Right to Remain Silent.** The Respondent has the right to remain silent and is advised that any statement they make may be used in evidence against them.

6. **Access to Complaint.** The Respondent has the right to read the complaint during the preliminary hearing upon request. The Respondent does not have the right to obtain a copy of the complaint or reproduce the complaint in any manner from the preliminary hearing.

7. **Notice of Hearing.** If the Respondent seeks to have the charge(s) and/or the sanctions determined by a Student Conduct Board in accordance with these Standards, the Presiding Officer of the Student Conduct Board or their designee shall prepare and deliver to the Respondent a notice of hearing. Such notice may be delivered to the Respondent in person, by electronic mail, by U.S. Mail, or by campus mail. The date of the hearing shall not be less than five (5) or more than twenty (20) business days from the date of such notice. The time frame for conducting the hearing may be extended by the Presiding Officer of the Student Conduct Board, for good cause. The notice of hearing shall include:
   a. The name and address of the Respondent.
   b. The date, time, and location of the Student Conduct Board hearing.
   c. The alleged violations of Article III (B) of the Standards of Student Conduct.
   d. The date, and place of the alleged violation (if known).
   e. The name of the Complainant and, if not the same, the name of the person who filed the complaint.
f. The name and administrative title of the Presiding Officer of the Student Conduct Board.

g. The names and administrative titles of the voting members of the Student Conduct Board.

8. Bias or Conflict of Interest on the Part of Student Conduct Board Member. The Respondent has the right to petition that any member of the Student Conduct Board be removed on the basis of bias or conflict of interest.

a. The Respondent must submit a written petition to the Vice President for Student Development at least ninety-six (96) hours prior to the scheduled hearing seeking removal of a member of the Student Conduct Board and stating the reasons for such request.

b. The Vice President for Student Development shall respond to such request, in writing, within forty-eight (48) hours of receipt of the request.

9. Witness List. The Respondent has the right to receive the list of witnesses that the Presiding Officer of the Student Conduct Board intends to call at a Student Conduct hearing at least forty-eight (48) hours in advance of the scheduled hearing. If the Presiding Officer of the Student Conduct Board identifies an additional witness or witnesses, who were previously unknown to the Presiding Officer of the Student Conduct Board, within such forty-eight (48) hour time frame, they shall promptly notify the Respondent prior to commencement of the hearing.

a. Witness Statements. If a witness submits a written statement, the Respondent will be provided an opportunity to review, but not copy, such statement at least twenty-four (24) hours prior to the hearing. If the Presiding Officer of the Student Conduct Board identifies an additional witness or witnesses, who were previously unknown to the Presiding Officer of the Student Conduct Board within such twenty-four (24) hour time frame, they shall promptly notify the Respondent prior to commencement of the hearing. The Respondent will be provided with copies of witness statements that the Presiding Officer of the Student Conduct Board intends to introduce at the commencement of the hearing. In order to ensure the confidentiality of the disciplinary hearing and to protect the privacy rights of the Respondent and other witnesses, the Respondent shall not copy, reproduce, disseminate, or disclose to anyone other than their advisor any such witness statements and shall return such witness statements to the Presiding Officer at the conclusion of the hearing. Following the hearing, the Presiding Officer shall permit the Respondent to have access to such witness statements to the extent needed for any appeal conducted under these Standards of Student Conduct.

10. Documentary Evidence. Subject to applicable privacy laws, including FERPA, the Respondent has the right to review, but not copy, all documentary evidence that the Presiding Officer of the Student Conduct Board intends to present at the hearing at least twenty-four (24) hours prior to commencement of the hearing. If the Presiding Officer of the Student Conduct Board identifies additional documentary evidence previously unknown to the Presiding Officer of the Student Conduct Board within such twenty-four (24) hour time frame, the Presiding Officer of the Student Conduct Board shall notify the Respondent prior to commencement of the hearing. The Respondent will be provided with copies of all documentary evidence that the Presiding Officer of the Student Conduct Board intends to introduce at the commencement of the hearing. In order to ensure the confidentiality of the disciplinary hearing and to protect the privacy rights of the Respondent, Complainant, and other witnesses, the Respondent shall not copy, reproduce, disseminate, or disclose to anyone other than their advisor any such documentary evidence and shall return such documentary evidence to the Presiding Officer at the conclusion of the hearing. Following the hearing, the Presiding Officer shall permit the Respondent to have access to such documentary evidence to the extent needed for any appeal conducted under these Standards of Student Conduct.

11. Attendance at the Hearing. The Respondent and their advisor have the right to attend the entire Student Conduct Board hearing except for the deliberations of the Student Conduct Board.

12. Right to Offer Evidence and Witness Testimony. The Respondent has the right to offer evidence and oral testimony of witnesses that is relevant or reasonably related to the issues before the Student Conduct Board. The Respondent must inform the Presiding Officer, in writing of the names,
and email addresses of any witness at least seventy-two (72) hours in advance of the scheduled hearing. If the Respondent identifies an additional witness or witnesses, who were previously unknown to the Respondent within such seventy-two (72) hour time frame, they shall promptly notify the Presiding Officer of the Student Conduct Board prior to commencement of the hearing.

13. Right to Offer Witnesses Statements. The Respondent has the right to offer written statements of witnesses that are relevant or reasonably related to the issues before the Student Conduct Board. The Respondent must inform the Presiding Officer, in writing, of the names and email addresses of those witnesses whose statement they intend to offer into evidence at least seventy-two (72) hours before the scheduled Student Conduct Board hearing.

a. Witnesses must submit written statements (either in print or electronically) directly to the Presiding Officer at least forty-eight (48) hours in advance of the scheduled hearing in order to be introduced to the Student Conduct Board at the hearing. If the Respondent identifies an additional witness or witnesses, who were previously unknown to the Respondent within such forty-eight (48) hour time frame, they shall promptly provide the Presiding Officer of the Student Conduct Board with copies of any written statement of such witness or witnesses prior to commencement of the hearing.

14. Questions for Witnesses. The Respondent has the right at a Student Conduct Board hearing to submit to the Presiding Officer of the Student Conduct Board a list of questions that the Respondent wishes the Presiding Officer of the Student Conduct Board to ask any witness who gives oral testimony. The Respondent must submit their initial list of questions to the Presiding Officer of the Student Conduct Board at least twenty-four (24) hours prior to the hearing. The Presiding Officer shall use their reasonable discretion in determining the relevance or appropriateness of any proposed question submitted by the Respondent and the Presiding Officer shall not be obligated to ask all of the questions proposed by the Respondent. Where appropriate, the Respondent may request a brief recess of the hearing to prepare such questions. The Presiding Officer, in their reasonable discretion, may grant or deny such request.

15. Closed Hearing. Student Conduct Board hearings are closed to the public. Admission of any person not directly connected to the hearing shall be at the sole discretion of the Presiding Officer.

16. Failure to Attend Hearing. The Respondent has the responsibility to attend the scheduled Student Conduct Board hearing. If the Respondent, without valid excuse or authorization from the Vice President for Student Development, fails to attend the hearing as scheduled, the Student Conduct Board may proceed in the Respondent’s absence to a determination of the matter, and if appropriate, impose sanctions.

17. Notice of Outcome. The Respondent has the right to written notice of the outcome and sanctions (if applicable) of the Student Conduct Board hearing by 5:00 PM on the second business day following the conclusion of the hearing. The Presiding Officer of the board at their discretion can extend this timeline.

18. Appeal. The Respondent has the right to appeal the decision of the Student Conduct Board, in accordance with the standards for appeal established in Article VIII of the Standards of Student Conduct.
Article VI: Student Conduct Board Procedures

[Please see Appendix A for specific conduct board procedures for matters involving the University’s Policy Prohibiting Sexual Misconduct.]

A. Procedures Applicable to all Student Conduct Board Hearings. The following procedures will apply to all Student Conduct Board hearings. Specific rules and guidelines for the University of Richmond Student Conduct Council are outlined in the Statutes of the Council.

1. In situations where more than one student is accused of violating Article III of the Standards of Student Conduct, the Presiding Officer, at their discretion, may permit the Student Conduct Board Hearings concerning each student to be conducted either separately or jointly.

2. Student Conduct Hearings shall be closed to the public. Admission of any person not directly connected to the hearing shall be at the sole discretion of the Presiding Officer.

3. Formal rules of process, procedure, and/or technical rules of evidence, such as are applied in criminal or civil court, are not used in Student Conduct Board proceedings.

4. There shall be a single verbatim record, typically an audio recording, of all Student Conduct Board hearings except for deliberations of the Student Conduct Board, which shall not be recorded. The record shall be the property of the University.
   a. If it appears vital to the disposition of the case, the Presiding Officer or the Vice President for Student Development, at their sole discretion, may order that the proceedings be transcribed in addition to the recording.
   b. The Respondent and the Complainant (if applicable) may request the opportunity to review the recording of the hearing, but will not be provided with a copy of the recording and may not copy the recording in any manner.

5. The Presiding Officer, at their sole discretion, shall determine the admissibility of evidence, witness testimony, and witness statements and shall only admit evidence, testimony, or witness statements that is relevant or reasonably related to the issues before the Student Conduct Board.

6. All procedural questions are subject to the final decision of the Presiding Officer of the Student Conduct Board.

7. After the portion of the Student Conduct Board hearing concludes in which all evidence, witness testimony, and witness statements have been received, the Student Conduct Board shall deliberate in private to determine whether the Respondent is responsible for the violation or violations of Article III (B) of the Standards of Student Conduct for which the Respondent was charged.

8. The Student Conduct Board’s determination shall be made based on a preponderance of the evidence standard, meaning that in order to find the Respondent responsible, the Student Conduct Board must find that the greater weight of the evidence presented at the hearing supports a finding of responsibility for the violations(s) of Article III (B) with which the Respondent was charged. A preponderance or the greater weight of the evidence is a matter of quality, not quantity.

B. Procedures Specific to the University Hearing Board. The University Hearing Board is charged with the disposition of charges as outlined in Article IV (C)(2)(a)(ii) and Article IV (C)(2)(b) of the Standards of Student Conduct. The Vice President for Student Development shall assign a Hearing Officer to be responsible for the administration of the University Hearing Board.

1. Composition of the University Hearing Board. The University Hearing Board shall consist of three (3) voting members chosen from the University Hearing Board Pool.
   a. The University Hearing Board Pool shall consist of a minimum of ten (10) staff/administrators appointed annually by the Vice President for Student Development and who have received annual training on issues related to sexual misconduct, Title IX, the impact of trauma on victims, the investigative and disciplinary process, and the hearing process.
b. Any member of the University Hearing Board Pool selected to serve on a University Hearing Board must disqualify themselves for any bias or conflict of interest.

2. Pre-Hearing Procedures.

a. The Hearing Officer shall notify the Respondent in accordance with the Standards of Student Conduct.

b. The Respondent shall be afforded the opportunity to meet (in person or by telephone or videoconference) with the Hearing Officer prior to the hearing. The purpose of this meeting is to advise the Respondent of the hearing procedures and their rights in connection with the hearing.

c. The Hearing Officer shall create six (6) copies of an evidence packet containing all submitted information to be considered during the hearing. The packets are distributed as follows:

i. One (1) copy for the Hearing Officer’s use which will be added to the official case file;

ii. Three (3) copies distributed to the University Hearing Board Members at the Pre-Hearing Meeting;

iii. One (1) copy given to the Respondent in accordance with the time frames set forth in these Standards of Student Conduct; and

iv. One (1) copy is made available for witness reference during the hearing.

d. The Hearing Officer or their designee shall convene a Pre-Hearing Meeting of the members of the University Hearing Board to review the charge(s), go over the contents of the evidence packet, and to answer any procedural questions. This meeting shall be held at least twenty-four (24) hours prior to the hearing.

3. General Procedural Rules of the University Hearing Board.

a. The Hearing Officer shall preside over and conduct the hearing and is specifically empowered to:

i. Appoint a recording secretary or other staff as needed;

ii. Control the admission of persons to the hearing. The Hearing Officer may order any person in attendance that does not conduct themselves in an orderly and respectful manner to leave. Obstructive, contemptuous, disruptive, or noisy conduct in the presence of the hearing board by any person, including the Respondent, a witness, or an advisor, may result in that person being removed from the hearing and, if a student, charged with a violation of prohibited conduct as outlined in Article III (B) of the Standards of Student Conduct;

iii. Control the conduct of the University Hearing Board members and of the Respondent to protect witnesses from improper questions, insulting treatment, and unnecessary inquiry into their private affairs; and

iv. Exclude witnesses from the hearing room except when they are testifying.

b. All members of the University Hearing Board must be present throughout the hearing.

i. If a member of the University Hearing Board must leave the before the hearing is complete with good cause, the Hearing Officer may at their sole discretion recess the hearing and reconvene the hearing within twenty-four (24) hours.

ii. If a voting member disqualifies themselves or for good cause must withdraw from the hearing, the Hearing Officer shall select a replacement from the University Hearing Board Pool. The Hearing Officer shall, after consultation with the Respondent, in open session, provide the replacement with a summary of all prior proceedings.

c. No person shall address the University Hearing Board or submit questions to the Hearing Officer for any witness (including the Respondent or an advisor) without first being recognized by the Hearing Officer.
d. The taking of photographs in the hearing room, the streaming or broadcasting from the hearing room of the proceedings by social media, telephone, radio or television, or the recording of the proceedings for non-official use, or for later release or broadcast to the general public, shall not be permitted.

4. **Order of the Hearing.**

   a. The Hearing Officer will ask the members of the University Hearing Board, the Respondent and the Respondent’s advisor to introduce themselves.

   b. The Hearing Officer shall read the charge(s) to the Respondent, and the Respondent shall state whether they accept responsibility for each charge.

      i. In the absence of a response, the Respondent shall be deemed not to have accepted responsibility for the charge(s).

      ii. If the Respondent does not accept responsibility for the charge(s), evidence, witness testimony, and/or witness statements shall be presented that will support or refute the charge.

      iii. If the Respondent accepts responsibility for the charge(s), evidence, testimony, and/or witness statements shall be presented that will assist the University Hearing Board in assigning an appropriate sanction.

   c. The Hearing Officer reminds all parties that the burden of proof shall be *preponderance of evidence*, meaning that in order to find the Respondent responsible, the University Hearing Board must find, based on a preponderance of the evidence presented at the hearing, that the Respondent is responsible for the violation charged.

   d. The Respondent shall be provided an opportunity to make an opening statement.

   e. The Members of the University Hearing Board shall direct the Hearing Officer to call witnesses and/or present evidence and witness statements.

   f. The Respondent shall have the opportunity to present evidence and call witnesses.

   g. Members of the University Hearing Board shall have the opportunity to ask questions of the Respondent.

   h. The Respondent shall be given the opportunity to make a closing statement to the University Hearing Board.

   i. The Hearing Officer shall excuse all parties and witnesses so that the members of the University Hearing Board may deliberate in private.

   j. After deliberations are completed, the hearing will reconvene and the Hearing Officer will read the decision of the University Hearing Board and any sanctions if applicable.

   k. The Hearing Officer will provide information related to notification of the decision and appeal information.

   l. The Hearing Officer will adjourn the hearing.

5. **Procedure for Oral Testimony.** The following procedures shall apply to all oral testimony presented at the hearing:

   a. Witnesses shall testify under oath or affirmation.

   b. The members of the University Hearing Board shall be given the opportunity to ask questions of the witness.

   c. The Hearing Officer will ask questions submitted by the Respondent under procedures outlined in Article VI of the Standards of Student Conduct.

   d. The Members of the University Hearing Board shall have the opportunity to ask questions of the witness.
e. The Respondent shall have the opportunity to submit follow-up questions for the witness to the Hearing Officer. The Hearing Officer will ask questions for the witness under the procedures outlined in Article VI of the Standards of Student Conduct.

6. **Procedure for Other Evidence and Witness Statements.** The following procedures shall apply to all documentary or other evidence presented at the hearing:
   a. Evidence submitted by the Conduct Officer, and/or Respondent will be permitted at the sole discretion of the Hearing Officer.
   b. Written statements of witnesses who cannot attend the hearing must be submitted in advance as outlined in the Standards of Student Conduct.
   c. If the Hearing Officer permits evidence or witness statements, six (6) copies should be provided for distribution as outlined in Article VI (B)(2)(c) of the Standards of Student Conduct.

7. **Deliberation of the University Hearing Board.**
   a. The members of the University Hearing Board shall deliberate in private and reach a decision based only upon the evidence introduced at the hearing. The Hearing Officer is present during the deliberation, but does not have a vote.
   b. The members of University Hearing Board shall not make any finding of fact that is not supported by the evidence presented at the hearing.
   c. If two or more University Hearing Board members find the Respondent responsible for a charge, the student is “responsible” for that charge.
   d. If the Respondent is found responsible, the recommended sanction shall be chosen generally from those listed in Article VIII of the Standards of Student Conduct. In evaluation of the sanction(s), the University Hearing Board shall consult with any sanctioning guidelines implemented by the University and, in cases involving a violation of the University’s Policy Prohibiting Sexual Misconduct, past precedent in similar cases.
   e. The Hearing Officer shall write a brief statement outlining the rationale for the decision and sanction after the University Hearing Board has reached its decision. The members of the University Hearing Board shall sign the statement, and the statement will be placed in the case file.
Article VII: Sanctions

[Please see Appendix A for specific sanctions for matters involving the University’s Policy Prohibiting Sexual Misconduct.]

A. List of Possible Sanctions. Violations of prohibited conduct as outlined in Article III of the Standards of Student Conduct may result in one or more of the following disciplinary sanctions. Additional sanctions, if any, are listed in the handbooks or official announcements of the School or College concerned. Following a determination of responsibility by a Student Conduct Board as outlined in Articles V and VI, the board will impose sanctions from the following:

1. **Disciplinary Warning.** A written notice that a continuation or repetition of prohibited conduct will be grounds for more serious disciplinary action.

2. **University Housing Probation.** Action permitting the student to remain in residence on probationary status. During the period of probation, if the student is found responsible for additional violations, the student may be evicted from University housing.

3. **Conduct Probation.** Action permitting the student to remain at the University on probationary status. During the period of probation, if the student is found responsible for further violations, the student may be subject to suspension, dismissal, or separation from the University. Students are prohibited from studying abroad in any semester for which they are on conduct probation for all or part of the semester.

4. **Housing Relocation.** Serious housing matters or repeated violations of University policy may result in relocation from one University housing area to another.

5. **Housing Eviction.** Serious housing matters or repeated violations of University policy may result in removal from University housing.

6. **Suspension.** A forced, temporary leave from the University. The time period of a suspension is typically a semester or a full academic year, but can be set for any duration. A suspension shall only be imposed by a Conduct Officer with a rank of Dean or by a Student Conduct Board.

7. **Separation.** Immediate and permanent separation from the University. A student who is separated from the University is not eligible for readmission, and is typically barred from University events, activities, and property. Separation shall only be imposed by a Conduct Officer with a rank of Dean or by the University Hearing Board.

B. List of Additional Sanctions and Remedies. A Student Conduct Board may also impose additional sanctions and remedies to the disciplinary sanctions listed in VII (A). Additional sanctions and remedies include, but are not limited to, the following:

1. **Community Service.** An assignment to perform a task or service for the University or a University sponsored organization.

2. **Fine/Restitution.** Reimbursement for damage to, destruction of, or misappropriation of property, to include but not limited to personal and medical reimbursement.

3. **No Contact Order.** An order to have no contact in any form with an identified student or students. No Contact Orders are bilateral to protect all parties involved, and are issued by either the Title IX office or by the College Deans’ Offices.

4. **Notification of parents/guardians** by the College Dean or their designee if deemed appropriate.

5. **No Trespass Order.** An order banning a student from specific buildings, portions of the campus, or from the entire campus or off-campus buildings or property. No Trespass Orders may be recommended by a Conduct Officer, a Student Conduct Board, the Chair of the Threat Assessment Team, or by the Title IX Coordinator. No Trespass Orders shall be imposed and enforced by the University of Richmond Police Department.
6. **Revocation of Privilege.** Including, but not limited to, registered events, using University dining facilities, having an automobile on campus, and/or access to other University facilities. In serious matters, a student may have additional privileges revoked during and/or while University charges are being processed through the University conduct system.

7. **Substance Abuse Education.** Alcohol or other drug prevention program designed to assist students with making safe and healthier choices regarding their substance use.

C. **Multiple Sanctions.** More than one of the sanctions listed above may be imposed for any single violation.

D. **Record Keeping.** Except as described in Article VII (E), below, disciplinary sanctions shall not be noted on the student’s permanent academic transcript, but shall become part of the student’s conduct record.

1. A student found responsible of a violation of prohibited conduct as outlined in Article III (B) of the Standards of Student Conduct will have an “active” conduct file until graduation, at which time the file becomes “inactive.”
   a. An “active” conduct file is subject to disclosure to any University department with an educational need to know or outside agency with written permission from the student.
      i. Sanctions subject to disclosure include Conduct Probation, Suspension, and Separation.
      ii. Disciplinary Warning is generally not subject to disclosure.
   b. In the event that a student is on “conduct probation” at the time of their graduation, the student’s conduct file will remain “active” for one year following the student’s graduation.
   c. Conduct records may remain “active” indefinitely at the discretion of the Vice President for Student Development or their designee.
   d. When a student has completed all of the sanctions assigned to them, and/or when their period of probation has ended, the student shall be considered in good standing.

2. A student’s disciplinary record must be maintained for a minimum period of seven (7) years after the student’s graduation. After that period, the student’s disciplinary record will be destroyed. Conduct records may be maintained indefinitely at the discretion of the Vice President for Student Development or their designee.

E. **Transcript Notation.**

1. **Suspension or Permanent Separation.** Generally, a student’s suspension or permanent separation from the University will be noted on the student’s academic transcript. Except for those conduct violations described in Article VII(E)(2), the transcript notation shall not specifically reference a violation of the Standards of Student Conduct.

2. **Suspension, Separation or Withdrawal for Certain Violations of the Standards of Student Conduct.** The University is required by Virginia law to include a prominent notation on the academic transcript of each student who has been suspended for, permanently separated for, or withdraws while under investigation for a violation of the Standards of Student Conduct involving sexual violence, as defined in the University’s Policy Prohibiting Sexual Misconduct. This transcript notation will be removed if the student is subsequently found not to have committed an offense involving sexual violence or if the student completes the terms of their suspension and is determined to be in good standing according to applicable University policy. Consistent with state law and federal regulations, the notation will be removed from a transcript after three years for a student that withdraws while under investigation or is permanently dismissed from the University.
Article VIII: Appeals

[Please see Appendix A for specific appeal procedures for matters involving the University’s Policy Prohibiting Sexual Misconduct.]

A. Right to Appeal. The Respondent shall have the right to appeal the decision of the Student Conduct Board to the appropriate Appellate Administrator. In hearings that involved a violation of the University’s Policy Prohibiting Sexual Misconduct, the Complainant also has the right to appeal the decision of the University Hearing Board.

B. Time for Filing Appeal. An appeal must be received by the designated Appellate Administrator in writing (a document as an email attachment is acceptable) by 5:00 PM on the fifth business day after delivery of the written notification of the finding of the Student Conduct Board. The Presiding Officer of the Student Conduct Board may extend the time frame for submitting an appeal, at their sole discretion, for good cause upon written notice to the Respondent, and the Complainant (where appropriate) setting forth the reason for the extension.

C. Access to Hearing Record. The party filing the appeal shall be provided with reasonable access to the hearing record in the hearing from which the appeal is taken.

D. Time for Deciding Appeal. The decision on a request for an appeal shall be made within thirty (30) days of the receipt of the appeal, unless there is good cause for a reasonable extension of this time period. If an extension is deemed appropriate, the Appellate Administrator shall provide written notice to the Respondent, and, where applicable, the Complainant, setting forth the reason for the extension.

E. Review Board.

1. Matters Not Involving the University’s Policy Prohibiting Sexual Misconduct.
   a. The Appellate Administrator, at their sole discretion, may seek the advice and counsel of a Review Board. The final decision, however, rests with the Appellate Administrator.
   b. The review board shall consist of two members of the appropriate Student Conduct Board membership who were not involved in the original hearing.
   c. The Appellate Administrator does not hold a new hearing.
   d. If the Appellate Administrator finds grounds to grant an appeal, the Appellate Administrator shall determine a remedy as prescribed in Article IX (F) of the Standards of Student Conduct.

2. Matters Involving the University’s Policy Prohibiting Sexual Misconduct.
   a. The Appellate Administrator shall convene a Review Board comprised of two members of the University Hearing Board who were not involved in the original hearing. The Appellate Administrator shall be also be a voting member of the Review Board.
   b. The Review Board does not hold a new hearing. The decision of the Review Board shall be made by majority vote.
   c. If the Review Board finds grounds to grant an appeal, the Review Board shall determine a remedy as prescribed in Article VIII (F) of the Standards of Student Conduct.
F. **Grounds for Appeal.** An appeal shall be granted to the person filing if the Appellate Administrator or Review Board finds, by clear and convincing evidence that one or more of the following occurred:

1. A witness at the Student Conduct Board hearing lied and the testimony was both material and adverse to the appealing party.
2. New evidence of a material nature is available that was not available at the time of the Student Conduct Board hearing, unless such evidence was or could have been available prior to or at the time of the Student Conduct Board hearing.
3. The Student Conduct Board hearing was conducted in a manner materially inconsistent with the Standards of Student Conduct and the written procedures of such Student Conduct Board.
4. The sanction(s) determined by the Student Conduct Board was disproportionate to the findings.

G. **Remedies.** If an appeal is granted, the Appellate Administrator or Review Board may determine the appropriate remedy at their sole discretion from the following:

1. The case may be remanded to the original Student Conduct Board for reconsideration of the finding or responsibility and/or the sanction(s), in which event, the Student Conduct Board may: (a) consider any evidence presented at the original hearing; (b) at the direction of the Appellate Administrator, disregard evidence presented at the original hearing; and/or (c) at the direction of the Appellate Administrator, consider new evidence that was not available and could not have been available prior to or at the time of the original hearing;
2. The case may be remanded to a new Student Conduct Board for a hearing;
3. The sanction(s) may be dismissed, amended, or revised; or
4. The Appellate Administrator or Review Board may take such other action as is appropriate to remedy the issue upon which the appeal was granted in a fair and equitable manner.

G. **Notice of Outcome.** Upon reaching a decision on a request for an appeal, the Appellate Administrator shall provide written notification of their decision to the Respondent, the Complainant (if applicable), and to the Chair of the original Student Conduct Board.

1. The written notification of the appeal decision should include:
   a. The grounds for request for appeal as outlined in Article VIII (E) of the Standards of Student Conduct;
   b. A description of the pertinent points the Appellate Administrator or Review Board considered in rendering a decision;
   c. The decision of the Appellate Administrator or Review Board on the request for appeal; and
   d. Any remedy or prescribed action if applicable.

**Article IX: Interpretation and Revision**

A. The Vice President for Student Development has the final authority to interpret and apply Standards of Student Conduct.

B. The Standards of Student Conduct shall be reviewed annually under the direction of the Vice President for Student Development or their designee.
Appendix A
Procedures Specific to Matters Involving the University’s Policy Prohibiting Sexual Misconduct

The procedures, rights, and responsibilities set forth in this Appendix shall apply to all grievance procedures in which the Respondent is charged with a violation of the University’s Policy Prohibiting Sexual Misconduct. These procedures, rights, and responsibilities shall apply to all hearings in which at least one charge involves an alleged violation of the University’s Policy Prohibiting Sexual Misconduct. The University shall respond to allegations of sexual misconduct in a prompt and equitable manner. The University shall complete the grievance process in a timely manner designed to provide all parties with a resolution. The time frame for completion of a specific matter may vary depending upon a number of factors, including, but not limited to, the complexity of the case or investigation, the availability of witnesses, and the academic calendar.

Section 1: Student Rights and Responsibilities
The Respondent and Complainant shall be afforded the following rights and responsibilities throughout the grievance process:

A. Rules and Procedures. The Respondent and Complainant have the right to a written notice, upon the filing of a formal complaint that includes notice of the following:
   1. A description of the University’s grievance process as well as the University’s mediation process.
   2. The allegations of conduct potentially constituting sexual misconduct under the University’s Policy Prohibiting Sexual Misconduct including information on the identities of the parties involved in the incident(s), if known, and the date and location of the incident(s), if known.
   3. The Respondent is presumed to be not responsible for the alleged conduct until a determination regarding responsibility is made at the end of the grievance process.
   4. Any subsequent allegations not included in the original notice.
   5. A dismissal by the University of the formal complaint including reasons for the dismissal.
   6. That pursuant to the University’s Policy Prohibiting Retaliation making a report “in good faith” means the individual making the report has a reasonable basis to believe that there has been or may have been a violation of applicable laws or regulations or University policies or that there is a reasonable possibility that such a violation may occur in the near future. Individuals who make frivolous or false reports shall not be deemed to be acting in good faith.

B. Advisors. The Respondent and Complainant have a right to the services of an advisor of their choice. The advisor may be an attorney. Advisors may attend any related meetings, proceedings, investigative interviews and/or hearing with the respective parties.
   1. During the outreach and investigative phase, the role of the advisor is to provide support, guidance, and advice to the respective parties. The Respondent and Complainant are responsible for presenting their own information. The advisor may not reach out to the opposing party or opposing parties witnesses to ask questions or gather information on behalf of the respective parties.
   2. During a hearing before a University Hearing Board, the advisor, in addition to offering advice and guidance, will conduct cross-examination of all parties and witnesses on behalf of the respective party. An advisor may also request a brief recess of the proceedings to provide advice to the respective party.
   3. The Respondent and Complainant should select as an advisor a person whose schedule allows attendance at the scheduled date and time for the University Hearing Board hearing, as delays will not normally be allowed due to the scheduling conflicts of an advisor.
   4. If the Respondent or the Complainant do not have an advisor to conduct cross examination at a hearing before a University Hearing Board, the University will provide an advisor of its choice, at no cost or fee to the respective party, to conduct cross examination on the respective party’s behalf.
C. Right Not to Participate. The Respondent and the Complainant have the right to not participate in any meetings, proceedings, interviews or hearing. If, however, a Respondent or Complainant choses to be absent from a hearing or attends the hearing and does not submit to cross examination during a hearing before a University Hearing Board, the University Hearing Board cannot rely on any statements made by that party in reaching a determination regarding responsibility. The University Hearing Board cannot draw an inference about the determination regarding responsibility based solely on the party’s presence at a hearing or refusal to submit to cross examination.

D. Investigation. The Respondent and Complainant have the following rights involving an investigation of a formal complaint:

1. The right to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.
2. The ability to discuss the allegations under investigation and to gather and present relevant evidence.
3. Written notice of the date, time, location, participants and purpose of all investigative interviews or other meetings with sufficient time to prepare to participate.
4. An opportunity to inspect and review any evidence that is obtained as part of the investigation and that is directly related to the allegations, including evidence that the University does not intend to rely on in reaching a determination regarding responsibility including both inculpatory or exculpatory evidence. Neither the Respondent, Complainant nor their respective advisors have a right to reproduce the evidence in any manner.
5. The Respondent and Complainant will have 10 days after receipt of the above referenced evidence to submit a written response which the investigator will consider prior to completion of the investigative report.
6. The University will provide the Respondent, the Complainant and their respective advisors with a complete investigative report that fairly summarizes relevant evidence at least 10 days prior to a hearing by the University Hearing Board for review. Neither the Respondent, the Complainant nor their respective advisor will have the right to reproduce the investigative report in any manner.

E. Hearing. The Respondent and Complainant have the right to a hearing conducted in accordance with the procedures set forth in Appendix A of the Standards of Student Conduct.

F. Notice of Hearing: The Hearing Officer of the University Hearing Board or their designee shall prepare and deliver to the Respondent and Complainant a notice of hearing. Such notice may be delivered to the Respondent and Complainant in person, by electronic mail, by U.S. Mail, or by campus mail. The date of the hearing shall not be less than seven (7) or more than twenty (20) business days from the date of such notice. The time frame for conducting the hearing may be extended by the Hearing Officer, for good cause and upon written notice to the Respondent and Complainant setting forth the reason for the extension. The notice of hearing shall include:

1. The name of the Respondent and Complainant.
2. The date, time, and location of the University Hearing Board hearing.
3. The alleged violations of Article III (B) (5) of the Standards of Student Conduct.
4. The date and place of the alleged violation(s) (if known)
5. The name of the Hearing Officer of the University Hearing Board
6. The names and administrative titles of the voting members of the University Hearing Board.

G. Bias or Conflict of Interest on the Part of University Hearing Board Members. The Respondent and Complainant have the right to petition that any member of the University Hearing Board be removed on the basis of conflict of interest or bias for or against respondents or complainants generally or the individual Respondent or Complainant.

1. The party must submit a written petition to the Hearing Officer or their designee at least ninety-six (96) hours prior to the scheduled hearing seeking removal of a member of the University Hearing Board and stating the reasons for such request.
2. The Hearing Officer or their designee shall respond to such request, in writing, within forty-eight (48) hours of receipt of the request.
H. Witnesses
   1. **Witness List.** The Respondent and Complainant have the right to call expert and/or fact witnesses at the hearing whose testimony is relevant to the issues before the University Hearing Board and provided the list of such witnesses is submitted to the Hearing Officer as specified in Appendix A, Section 2 (B) (1) of the Standards of Student Conduct. The parties have the right to access the list of witnesses that the University Hearing Board and/or the other party intend to call at a University Hearing Board hearing.
   2. **Character Witnesses.** The Complainant and Respondent may not list more than two-character witnesses each.
   3. **Documentary, Electronic and Other Evidence.** The Respondent and Complainant have the right to offer documentary, electronic, and other evidence that is relevant to the issues before the University Hearing Board. Subject to applicable privacy laws, including FERPA, the Respondent and Complainant have the right to review, but not copy, all documentary, electronic, and other evidence that the University Hearing Board and/or the other party intends to present at the hearing. In order to ensure the confidentiality of the hearing and to protect the privacy rights of the Respondent, Complainant, and other witnesses, the parties shall not copy, reproduce, disseminate or disclose to anyone other than their respective advisor any such documentary, electronic, or other evidence and shall return such evidence to the Hearing Officer at the conclusion of the hearing.

I. **Attendance at the Hearing.** The Respondent and the Complainant and their respective advisor have the right to attend the entire University Hearing Board hearing except for the deliberations of the University Hearing Board and the verbal notification of the outcome by the Hearing Officer to the other party.

J. **Questions for Cross-Examination.** The Respondent’s and Complainant’s respective advisors have the right to cross examine the other party and any witnesses who give oral testimony at the hearing with relevant questions including those that challenge credibility. Before a party or witness answers any question, the Hearing Officer will make a determination of the question’s relevancy and will explain any decision to exclude a question as not relevant. The Hearing Officer shall protect witnesses, including the parties from improper or irrelevant questions, insulting treatment and unnecessary or irrelevant inquiry into private affairs. Questions and evidence about the Complainant’s sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence are offered to prove that someone other than the Respondent committed the alleged conduct or if the questions and evidence concern specific incidents of the Complainant’s prior sexual behavior with the Respondent and are offered to prove consent. Where appropriate, the Respondent or Complainant may request a brief recess of the hearing to prepare such questions. The Hearing Officer, in their reasonable discretion, may grant or deny such request.

K. **Right to a Live Hearing.** At the request of either party, the live hearing may occur with the parties in separate rooms with technology enabling the Hearing Office, Hearing Board and parties to simultaneously see and hear the party and/or the witness answering questions.

L. **Failure to Attend.** The Respondent, Complainant and their respective advisors have the right to attend the scheduled University Hearing Board hearing. If the Respondent or Complainant, fails to attend the hearing as scheduled, the University Hearing Board may proceed in the party’s absence. If the party is absent and is therefore unavailable for live cross examination, the Hearing Board cannot rely on any statement of that party in making a determination nor can the Hearing Board draw any inference about the determination of responsibility based solely from the party’s absence. If a party’s advisor fails to attend a hearing, the University will provide an advisor of its choice, at no cost to the party, to cross examine the other party and any witnesses at the hearing on behalf of the Respondent or Complainant.

M. **Notice of Outcome.** The Respondent and Complainant have the right to written notice of the outcome and sanctions (if applicable) of the University Hearing Board including:
   1. Identification of the allegations potentially constituting sexual harassment;
2. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including notifications to the parties, interviews with the parties and witnesses, site visits (if any), methods used to gather evidence, and hearings held;
3. Findings of fact supporting the determination;
4. Conclusions regarding the application of the University’s Policy Prohibiting Sexual Misconduct to the facts;
5. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility;
6. A listing of all relevancy determinations made during the hearing;
7. Disciplinary sanctions (if any) imposed on the Respondent;
8. Remedies (if any) that will be provided to the Complainant designed to restore or preserve equal access to the University’s education program or activity; and
9. A description of the procedures and bases for appeal.

The written notice outcome will be provided by 5:00 PM on the third business day following the conclusion of the hearing. The Hearing Officer, at their discretion, can extend this timeline upon written notice to the parties setting forth the reason for the extension. The notice(s) described in this section shall be sent simultaneously to the Respondent and the Complainant.

N. Privacy of the Respondent & Complainant. The Respondent and Complainant have the right to preservation of privacy to the extent reasonably possible and allowed by law. The parties have the right not to have irrelevant prior sexual or relationship history admitted as evidence in a University Hearing Board hearing.
1. The University will not access, consider, disclose or otherwise use a party’s records that are made or maintained by a physician, psychiatrist, psychologist or other recognized professional or paraprofessional acting or assisting in their professional capacity, and which are made and maintained in connection with the provision of treatment of the party, without voluntary, written consent from the respective party.
2. The Respondent and Complainant have the right not to have released to the public by University officials any personally identifiable information about the complaint, without their consent, except to the extent such disclosure is required by applicable law, regulation, or court order.

O. Appeal. The Respondent and Complainant have the right to appeal the decision of the University Hearing Board in accordance with the standards for appeal established in Appendix A, Section 4.

Section 2: Hearing Procedures

The University Hearing Board is charged with the disposition of charges as outlined in the Standards of Student Conduct. The Vice President for Student Development shall assign a Hearing Officer to be responsible for the administration of the University Hearing Board.

A. Composition of the University Hearing Board. The University Hearing Board shall consist of the three (3) voting members and one alternate chosen from the University Hearing Board Pool.
1. The University Hearing Board pool shall consist of a minimum of ten (10) staff/administrators appointed annually by the University President and who have received training on the definition of sexual harassment in the University’s Policy on Prohibiting Sexual Misconduct, the scope of the University’s education program or activity, the hearing process, impartiality, conflicts of interest and bias, technology used during a hearing, relevance of questions and evidence and the investigative and disciplinary process.
2. Any member of the University Hearing Board pool selected to serve on a University Hearing Board must disqualify themselves for any bias or conflict of interest.
B. Pre-Hearing Submission Deadlines.
1. Submission of Witness Lists. The Complainant and the Respondent shall provide the Hearing Officer or their designee with their respective lists of witnesses at by 5:00 p.m. on the fourth (4th) day before the hearing.
2. Submission of Documentary, Electronic, and Other Evidence. The Complainant and the Respondent shall submit copies of all documentary, electronic, or other evidence to the Hearing Officer or their designee by 5:00 p.m. on the fourth (4th) day before the hearing.
3. Access to Other Party’s Pre-Hearing Submissions. Upon receipt of a pre-hearing submission from either the Complainant or the Respondent, the Hearing Officer or their designee shall provide the other party with access to such submission as soon as reasonably possible and in no event, later than twenty-four (24) hours following the submission.
4. Extension of Submission Deadlines. The Hearing Officer may extend the time frame for submitting evidence, and witness lists, at their sole discretion, and only for good cause. If timelines are extended, the Hearing Officer or their designee shall provide written notice to the Respondent and the Complainant.

C. Pre-Hearing Procedures.
1. The Hearing Officer or their designee shall notify the Respondent and the Complainant of the scheduled hearing date in accordance with this Appendix A of the Standards of Student Conduct.
2. The Respondent shall be afforded the opportunity to meet (in person, by telephone or videoconference) with the Hearing Officer or their designee prior to the hearing. The purpose of this meeting is to advise the Respondent of the hearing procedures and their rights in connection with the hearing. The Respondent’s advisor is permitted to attend this meeting.
3. The Complainant shall be afforded the opportunity to meet (in person, by telephone or videoconference) with the Hearing Officer or their designee prior to the hearing. The purpose of this meeting is to advise the Complainant of the hearing procedures and their rights in connection with the hearing. The Complainant’s advisor is permitted to attend this meeting.
4. The Hearing Officer shall review all written materials prior to submission to the University Hearing Board to ensure that the hearing record does not contain irrelevant, unfairly prejudicial, or inadmissible information, as determined by the Hearing Officer in their reasonable discretion.

D. The Hearing Record
1. The Hearing Officer shall create a hearing record comprising the following:
   a. The Title IX investigative report with its attachments;
   b. The documentary, electronic, and other evidence submitted by the University Hearing Board, including a list of all witnesses.
2. The Hearing Officer or their designee shall provide the Complainant and the Respondent with access to the hearing record at least forty-eight (48) hours prior to the hearing.
   1. The Hearing Officer or their designee shall convene one or more Pre-Hearing Meetings of the members of the University Hearing Board to review the charge(s), to go over the contents of the hearing record, and to answer any procedural questions. This meeting shall be held at least twenty-four (24) hours prior to the hearing.
   2. The Hearing Officer or their designee, at their discretion, may provide materials to the Board utilizing a secure server and convene the pre-hearing Meeting directly prior to the hearing itself.
   3. The Hearing Officer or their designee shall create seven (7) copies of the hearing record.
The copies of the hearing record are distributed as follows:

a. One (1) copy for the Hearing Officer’s use which will be added to the official case file;
b. Three (3) copies distributed to the University Hearing Board Members;
c. One (1) copy given to the Respondent;
d. One (1) copy given to the Complainant; and
e. One (1) copy is made available for witness reference during the hearing.

E. General Procedural Rules of the University Hearing Board.

1. The Hearing Officer shall preside over and conduct the hearing and is specifically empowered to:
   a. Appoint a recording secretary or other staff to audio record the hearing.
   b. Control the admission of persons to the hearing. The Hearing Officer may order any person in attendance that does not conduct themselves in an orderly and respectful manner to leave. Obstructive, contemptuous, disruptive or noisy conduct in the presence of the hearing board by any person, including the Respondent, the Complainant, a witness, or an advisor, may result in that person being removed from the hearing and, if a student, charged with a violation of Article III (B)(6) (b) of the Standards of Student Conduct. If a party’s advisor is removed from a hearing pursuant to this section, the hearing will be recessed until such time that the University can provide an alternate advisor of the University’s choice at no cost or fee to the party, in order to conduct cross examination on behalf of that party.
   c. Control the conduct of the University Hearing Board members and of the Respondent and Complainant to protect witnesses from improper questions, insulting treatment, and unnecessary inquiry into their private affairs; and
   d. Exclude witnesses from the hearing room except when they are testifying.

2. All members of the University Hearing Board must be present throughout the hearing.
   a. If a member of the University Hearing Board must leave before the hearing is complete with good cause, the Hearing Officer may at their sole discretion recess the hearing and reconvene the hearing within twenty-four (24) hours.
   b. If a voting member disqualifies themselves or for good cause must withdraw from the hearing, the Hearing Officer shall call upon the alternate to serve. The Hearing Officer shall, after consultation with the Respondent and the Complainant, in open session, provide the replacement with a summary of all prior proceedings.

3. No person shall address the University Hearing Board or pose questions to any witness (including the Respondent, the Complainant or an advisor) without first being recognized by the Hearing Officer.

4. The taking of photographs in the hearing room, the streaming or broadcasting from the hearing room of the proceedings by social media, telephone, radio or television (with the exception of videoconferencing as outlined in Appendix A, Section 1(K) of the Standards of Student Conduct), or the recording of the proceedings for non-official use, or for later release or broadcast to the general public, shall not be permitted.

F. Order of the Hearing

1. The Hearing Officer will ask the members of the University Hearing Board, the Respondent, the Respondent’s advisor, the Complainant, and the Complainant’s advisor to introduce themselves.
   a. The Hearing Officer shall read the allegations to the Respondent, and the Respondent shall state whether they accept responsibility for each allegation.
   b. In the absence of a response, the Respondent shall be deemed not to have accepted responsibility for the allegation(s).
   c. If the Respondent does not accept responsibility for the allegation(s), evidence, witness testimony, admitted by the Hearing Officer shall be presented that will support or refute the allegation
2. If the Respondent accepts responsibility for the allegation(s), evidence, witness testimony, admitted by the Hearing Officer shall be presented that will assist the University Hearing Board in assigning an appropriate sanction.

3. The Hearing Officer reminds all parties that the burden of proof shall be preponderance of evidence, meaning that in order to find the Respondent responsible, the University Hearing Board must find, based on a preponderance of the evidence presented at the hearing, that the Respondent is responsible for the alleged violation.

4. The Respondent and Complainant shall each be provided an opportunity to make an opening statement.

5. The Members of the University Hearing Board shall direct the Hearing Officer to call witnesses and/or present evidence.

6. The Complainant shall have the opportunity to testify, present evidence, and call witnesses. The Complainant’s advisor shall have the opportunity to conduct cross examination of all witnesses including the Respondent.

7. The Respondent shall have the opportunity to testify, present evidence, and call witnesses. The Respondent’s advisor shall have the opportunity to conduct cross examination of all witnesses including the Complainant.

8. Prior to the initial deliberations by the University Hearing Board, the Complainant shall have the opportunity to make a closing statement summarizing their evidence. This statement shall not address the impact of the alleged incident, the investigation, or the hearing, on the Complainant.

9. Prior to the initial deliberations by the University Hearing Board, the Respondent shall be given the opportunity to make a closing statement to the University Hearing Board. This statement shall not address the impact of the incident, the investigation or the hearing, on the Respondent.

10. The Hearing Officer will excuse all parties and witnesses so that the members of the University Hearing Board may deliberate in private on the issue of responsibility for the charges at issue.

11. After deliberations on the issue of responsibility are completed, the Hearing Officer shall meet separately with the Respondent and the Complainant to notify them of the decision of the University Hearing Board on the issue of responsibility.

12. If the University Hearing Board finds the Respondent responsible for the allegations at issue, the hearing will be reconvened after notice to each party. The Complainant will then have an opportunity to make an impact statement to the University Hearing Board regarding the issue of sanctions and the impact of the conduct on the Complainant. Following that statement, the Respondent will have an opportunity to make an impact statement to the University Hearing Board regarding the issue of sanctions and the impact of the conduct on the Respondent.

13. The Hearing Officer will excuse both parties so that the members of the University Hearing Board may deliberate in private on the issue of sanctions.

14. After deliberations on the issue of sanctions are completed, the Hearing Officer shall meet with the Respondent to notify the Respondent of the sanctions imposed by the University Hearing Board and the effective date of such sanctions. The Hearing Officer will then meet with the Complainant to notify them of the sanctions imposed upon the Respondent that relate directly to the Complainant and the effective date of such sanctions.

15. The Hearing Officer will also provide information to both parties about the remedies that will be provided (if any) the Complainant designed to restore or preserve equal access to the University’s educational program or activity.

16. The Hearing Officer will also provide information related to written notification of the decision and the procedure and bases for appeal.

17. The Hearing Officer will adjourn the hearing.

G. Procedure for Oral Testimony. The following procedures shall apply to all oral testimony presented at the hearing:

1. The Title IX Coordinator shall not testify as a witness.

2. The Title IX investigator may be called to testify as a witness.

3. Witnesses shall testify under oath or affirmation.

4. The members of the University Hearing Board shall be given the opportunity to ask questions of the witness.
5. The Hearing Officer will ask questions submitted by the student calling the witness (either
the Complainant or the Respondent) under procedures outlined this Appendix A of the
Standards of Student Conduct.
6. The Respondent’s and Complainant’s advisor shall have the opportunity to cross examine a
witness. If a witness does not submit to cross examination, the University Hearing Board
cannot rely on any statement of that witness in making a determination nor can the Hearing
Board draw any inference about the determination of responsibility based solely from the
witness’s absence. The advisor can not yell, berate or talk over the party/witness when
providing cross-examination.
7. Members of the University Hearing Board shall have a final opportunity to ask questions of
the witnesses.

H. Deliberation of the University Hearing Board.
1. The members of the University Hearing Board shall deliberate in private and reach a de-
cision based only upon the evidence introduced at the hearing. The Hearing Officer is pre-
sent during the deliberation, but does not have a vote.
2. The members of University Hearing Board shall not make any finding of fact that is not
supported by the evidence presented at the hearing.
3. If two or more University Hearing Board members find the Respondent responsible for the
alleged conduct, the student is “responsible” for that conduct.
4. If the Respondent is found responsible, the recommended sanction shall be chosen generally
from those listed in Appendix A, Section 3 of the Standards of Student Conduct.

Section 3: Sanctions

A. List of Possible Sanctions. Respondents found responsible for violating the Policy Prohibiting
Sexual Misconduct will be sanctioned. Sanctions include but are not limited to the following:
1. University Housing Probation. Action permitting the student to remain in residence on proba-
tionary status. During the period of probation, if the student is found responsible for addi-
tional violations, the student may be evicted from University housing.
2. Conduct Probation. Action permitting the student to remain at the University on probationary
status and subject to certain terms and conditions as outlined by the University Hearing Board.
During the period of probation, if the student is found responsible for further violations, the
student may be subject to suspension, dismissal, or separation from the University. Students
are prohibited from studying abroad in any semester for which they are on conduct probation
for all or part of the semester.
3. Housing Relocation. Relocation from one University housing area to another.
4. Housing Eviction. Removal from University housing.
5. No Trespass Order. An order banning a student from specific buildings, portions of the
campus, or from the entire campus or off-campus buildings or property.
6. Revocation of Privilege. The revocation of a privilege including, but not limited to, registered
events, using University dining facilities, having an automobile on campus, and/or access to
other University facilities.
7. Suspension. A forced, temporary leave from the University. The time period of a suspension
is typically a semester or a full academic year, but can be set for any duration by the Uni-
versity Hearing Board.
8. Separation. Immediate and permanent separation from the University. A student who is
separated from the University is not eligible for readmission, and is typically barred from
University events, activities, and property.

B. Multiple Sanctions. More than one of the sanctions listed above may be imposed for any
single violation.

C. Record Keeping. Please see Article VIII of the Standards of Student Conduct, (4)(5) for infor-
mation on record keeping and transcript notation.
Section 4: Appeal

A. Right to Appeal. The Respondent and Complainant have the right to appeal the decision of the University Hearing Board to the Appellate Administrator.

B. Time for Filing Appeal. An appeal must be received by the designated Appellate Administrator in writing (a document as an email attachment is acceptable) by 5:00 PM on the fifth business day after delivery of the written notification of the finding of the Hearing Board. The Hearing Officer may extend the time frame for submitting an appeal, at their sole discretion, for good cause upon written notice to the Respondent, and the Complainant (where appropriate) setting forth the reason for the extension.

C. Access to Hearing Record. The party filing the appeal shall be provided with reasonable access to the hearing record in the hearing from which the appeal is taken.

D. Time for Deciding Appeal. The decision on a request for an appeal shall be made within thirty (30) days of the receipt of the appeal, unless there is good cause for a reasonable extension of this time period. If an extension is deemed appropriate, the Appellate Administrator shall provide written notice to the Respondent, and Complainant, setting forth the reason for the extension.

E. Both the Complainant and the Respondent will be provided a reasonable and equal opportunity to submit a written statement in support of or challenging the Hearing Board outcome.

F. Appeal Review Board

1. The Appellate Administrator shall convene a Review Board comprised of two members of the University Hearing Board who were not involved in the original hearing. The Appellate Administrator shall be also be a voting member of the Review Board.

2. The Appellate Administrator shall notify the other party Complainant in writing that an appeal has been filed.

3. The Review Board does not hold a new hearing. The decision of the Review Board shall be made by majority vote.

4. If the Review Board finds grounds to grant an appeal, the Review Board shall determine a remedy as prescribed in Article VIII (G) of the Standards of Student Conduct.

G. Grounds for Appeal. An appeal shall be granted to the person filing if the Appellate Administrator or Review Boards finds, by clear and convincing evidence, that one or more of the following occurred:

1. Procedural irregularity that affected the outcome of the matter;

2. New evidence that was not reasonably available at the time of the determination regarding responsibility was made that could affect the outcome of the matter;

3. The Title IX Coordinator, investigator(s), or Hearing Board member(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual Respondent or Complainant affected by the outcome.

H. Notice of Appeal Outcome. Upon reaching a decision on a request for an appeal, the Appellate Administrator shall provide written notification of their decision to the Respondent and the Complainant simultaneously. The written notification of the appeal decision should include:

1. The grounds for request for appeal as outlined above;

2. A description of the pertinent points the Appellate Administrator or Review Board considered in rendering a decision;

3. The decision of the Appellate Administrator or Review Board on the request for appeal; and

4. Any remedy or prescribed action if applicable.
Purpose:

This policy is designed to foster the University of Richmond’s commitment to the principle that every University of Richmond student, faculty and staff member has the right to work and learn in an environment free from discrimination and harassment.

Scope:

This policy applies to the University of Richmond and all of its Affiliates. As used in this policy, the term “Affiliates” means organizations or entities in which the University owns a controlling interest or has the right to elect the majority of the entity’s governing board.

This policy sets forth the process for handling complaints of discrimination and harassment.

Sexual Misconduct. Sexual misconduct is a type of sex discrimination. The University’s Policy Prohibiting Sexual Misconduct specifies, in detail, the University’s prohibition of sexual misconduct and the process by which reports of sexual harassment involving students, faculty, and staff are investigated by the University.

This policy details the process for handling complaints of sex discrimination and sexual misconduct following completion of an investigation as described in the Policy Prohibiting Sexual Misconduct. This policy and the University’s Policy Prohibiting Sexual Misconduct are intended to complement each other.

Academic Freedom. This policy is not intended to and shall not be used to limit or restrict, in any manner, academic freedom, including, but not limited to, the curricular or pedagogical choices of faculty members. Members of the University community are expected to promote academic freedom, including the freedom to discuss all relevant matters in the classroom; to explore all avenues of scholarship, research, and creative expression; and to speak or write as a public citizen without institutional restraint or discipline. Members of the University community are also expected to foster intellectual honesty and freedom of inquiry and to respect those with differing views.
If a report or complaint relates to an academic issue, including, but not limited to, the selection of course materials, the content of a course, the content of a class discussion, or course assignments and projects, the dean of the appropriate school shall evaluate the report or complaint and conduct any follow-up that may be warranted.

**INDEX:**

GOV-3104.1..... Policy
GOV-3104.2..... Definitions
GOV-3104.3..... Reporting Concerns about Discrimination or Harassment
GOV-3104.4..... The Role of the Title IX Coordinators
GOV-3104.5..... Responding to a Report of Discrimination, Harassment, or Sexual Misconduct
GOV-3104.6..... The Process for Alternative Resolution of a Complaint for Matters not Involving Allegations of Sexual Misconduct Including Sexual Harassment Under Title IX
GOV-3104.7..... The Process for Formal Resolution of a Complaint for Matters Not Involving Allegations of Sexual Misconduct Including Sexual Harassment Under Title IX
GOV-3104.8..... The Process for Formal Resolution of a Complaint for Matters Involving Allegations of Sexual Misconduct Including Sexual Harassment Under Title IX
GOV-3104.9..... Sanctions
GOV-3104.10..... Appeal of Findings and/or Remedies
GOV-3104.11..... Retaliation is Prohibited

**POLICY STATEMENT:**

**GOV-3104.1 – Policy**

The University of Richmond prohibits discrimination against applicants, students, faculty, or staff on the basis of race, religion, national or ethnic origin, age, sex, sexual orientation, gender identity, gender expression, disability, status as a veteran or any classification protected by local, state, or federal law. The University also prohibits any form of harassment based on race, religion, national or ethnic origin, age, sex, sexual orientation, gender identity, gender expression, disability, status as a veteran or any classification protected by local, state, or federal law. The University prohibits such harassment by all students, faculty and staff, and Affiliates of the University.

As a recipient of federal funds, the University complies with federal laws prohibiting discrimination, including Title IX of the Education Amendments of 1972 (Title IX). Title IX provides that: “No person in the United States shall, on the basis of sex, be excluded from participation in, be denied benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.”
The University is committed to preventing and responding to conduct that violates its non-discrimination policy. Any individual whose conduct violates this policy will be subject to remedial action in accordance with applicable University policies and procedures.

The University of Richmond shall make reasonable efforts to investigate and appropriately address reports of discrimination and harassment (as defined in this policy). Upon receipt of a complaint, report, or information about possible discrimination or harassment, the University will respond in an effort to stop such conduct, eliminate any hostile environment, take reasonable steps to prevent a recurrence of such conduct, and address any effect that such conduct may have on the larger University community.

For questions about discrimination in education, including sex discrimination, please contact the University’s Director of Compliance and Title IX Coordinator, Kristine Henderson, Puryear Hall, Suite 101, (804) 289-8186, khender3@richmond.edu or the University’s Senior Associate Vice President for Human Resources and Deputy Title IX Coordinator for Employees, Carl Sorensen, Weinstein Hall, (804) 289-8166, csorense@richmond.edu. Further information about Title IX and sexual discrimination in education is available from the Assistant Secretary for Civil Rights, U.S. Department of Education, Office of Civil Rights, 400 Maryland Avenue, SW, Washington, DC, 20202-1100; 800-421-3481; OCR@ed.gov; or at the website: http://www.ed.gov/ocr.

**GOV-3104.2 – Definitions**

**Complainant:** The Complainant is any individual who is alleged to be the victim of conduct that could constitute sexual misconduct or discrimination. The Complainant may or may not be the individual who makes the report of sexual misconduct.

A Complainant can be a person of any gender, sexual orientation, gender identity or gender expression. A Complainant need not be a University student, alumnus, faculty, or staff member, but, in such case, the administrative response and investigation described in this Policy will apply only if the Respondent is a University student, staff, or faculty member. The University Police Department will respond to reports of crimes within the Department’s jurisdiction regardless of the status of the Complainant and Respondent.

**Discrimination:** Discrimination is inequitable treatment by the University or its Affiliates based on an individual’s Protected Status, as defined in this policy, that adversely affects a term or condition of an individual's employment or limits or denies an individual's opportunity to participate in or benefit from a University program or activity.

**Harassment:** Harassment is unwelcome conduct directed against an individual, based on that individual’s Protected Status, as defined in this policy, that is sufficiently severe, persistent OR pervasive such that it limits or denies an individual’s employment, academic performance, or ability to participate in or benefit from University programs or activities.

**Protected Status:** For purposes of this policy, the term protected status means an individual’s race, religion, national or ethnic origin, age, sex, sexual orientation, gender identity, gender expression, disability, status as a veteran or any classification protected by local, state, or federal law.

**Respondent:** Respondent is any individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

A Respondent can be a person of any gender, sexual orientation, gender identity or gender expression. The University Police Department will respond to reports of crimes within the Department’s jurisdiction regardless of the status of the Complainant and Respondent.

**Sexual Misconduct:** As used in this policy, the term sexual misconduct is defined under the University’s Policy **Prohibiting Sexual Misconduct.**
GOV-3104.3– Reporting Concerns about Discrimination or Harassment

The University strongly encourages prompt reporting of incidents that may constitute discrimination or harassment.

Any member of the University community who believes that they may have been or knows someone who may have been discriminated against or subjected to harassment, including sexual harassment, in violation of the University’s policy, should report that concern or those concerns as follows:

- **Students:** For matters involving students either as the subject of the alleged discrimination or harassment or as the person alleged to be discriminating or engaging in misconduct, contact:
  
  Tracy Cassalia, Deputy Title IX Coordinator for Students, at (804) 289-8464, tcassali@richmond.edu

  For disability related concerns, contact:
  
  Emily J. Helft, M.Ed., Ed.S., Director, Disability Services, at (804) 289-8615, ehelft@richmond.edu

- **Faculty and Staff:** For cases involving faculty or staff as the subject of possible discrimination or harassment, please contact:
  
  Carl Sorensen, Deputy Title IX Coordinator for Employees and Senior Associate Vice President of Human Resource at (804) 289-8166, csorensen@richmond.edu

  You may also contact:
  
  Kristine Henderson, Director of Compliance and Title IX Coordinator at (804) 289-8186, khender3@richmond.edu.

While the University encourages people to report concerns regarding alleged discrimination directly to the individuals listed above, reports may also be made via the University’s Ethics and Compliance Helpline. The Ethics and Compliance Helpline can be reached at (804) 287-1800 or by submitting an online report.

**Reporting Concerns about Sexual Misconduct**

For more information on reporting sexual misconduct, see the University’s Policy Prohibiting Sexual Misconduct. Unless designated as a confidential resource under the University’s Policy Prohibiting Sexual Misconduct, all University employees designated as Responsible Employees are required to report incidents of possible sex discrimination and sexual misconduct to the University’s Title IX Coordinators. The definition of Responsible Employees can be found in the University’s Policy Prohibiting Sexual Misconduct.

The University has adopted a policy that prohibits retaliation or retribution, in any form, against an individual who reports, in good faith, an actual, potential or suspected violation of this policy.
**GOV-3104.4 – The Role of the Title IX Coordinators**

The University’s Title IX Coordinators are responsible for ensuring the University’s compliance with Title IX of the Education Amendments of 1972. Additionally, the appropriate Title IX Coordinator will investigate any report or complaint of discrimination or harassment prohibited by this policy.

For more information on the role of Title IX Coordinators at the University, see the University’s Title IX Coordinators Policy.

**GOV-3104.5 – Responding to a Report of Discrimination, Harassment or Sexual Misconduct**

The following process applies to complaints of discrimination, harassment or sexual misconduct involving University staff or faculty members as the Respondent. For information on the process for complaints involving students as the Respondent, see the University’s Policy Prohibiting Sexual Misconduct and/or the Policy on Preventing and Responding to Discrimination Against Students. The Deputy Title IX Coordinator for Employees or their designee will respond to information or reports of possible discrimination regardless of whether a formal complaint is made.

**For matters involving allegations of sexual misconduct including sexual harassment under Title IX:** The Deputy Title IX Coordinator for Employees or their designee will ensure the process for responding to a report, including the provision of appropriate supportive measures is in accordance with the University Policy Prohibiting Sexual Misconduct.

**For matters involving allegations of discrimination and harassment:** The Deputy Title IX Coordinator for Employees or their designee will meet with the person making the report or on whose behalf the report is made (the “Complainant”) to review the Complainant’s concerns, to explain the University’s procedures for handling a complaint of discrimination, to determine whether an investigation is warranted and to discuss with the Complainant the options for formal and alternative resolution of the complaint.

**Supportive Measures**

After gathering preliminary information from the Complainant and considering any request by the Complainant for confidentiality, the Deputy Title IX Coordinator for Employees, or their designee, will determine whether supportive measures are reasonable and appropriate during the pendency of an investigation or complaint process to protect the Complainant and/or the campus. Examples of supportive measures include, but are not limited to:

- Issuing a “no contact order” or a “no trespass order;”
- Allowing the Complainant to take a paid leave of absence pending completion of the formal resolution process;
- Placing the accused individual on a paid or unpaid leave of absence pending completion of the formal resolution process; and
- Working with the supervisor for the Complainant and/or accused individual to prevent or address retaliation.

For a detailed description of other supportive measures that may be implemented in cases alleging sexual misconduct including sexual harassment under Title IX please see the [Policy Prohibiting Sexual Misconduct](#).
GOV-3104.6 - The Process for Alternative Resolution of a Complaint for Matters not Involving Allegations of Sexual Misconduct

Purpose of Alternative Resolution

Alternative resolution provides an opportunity for the Complainant to discuss their complaint with the Respondent and to communicate their feelings and perceptions regarding the incident, the impact of the incident, and their wishes and expectations regarding protection in the future. The Respondent will have an opportunity to respond. The Complainant may, at their option, seek to resolve the matter informally, but will not be required to pursue an alternative resolution before filing a formal complaint. Additionally, a Complainant may terminate the alternative resolution process at any time and initiate a formal resolution process. For matters involving sexual misconduct, the Deputy Title IX Coordinator for Employees or their designee shall ensure that an alternative resolution be carried out in accordance with the University’s Policy Prohibiting Sexual Misconduct.

Discussion with Human Resources Staff Present

The Complainant may wish to discuss their complaint with the Respondent in a discussion facilitated by a member of the University’s Human Resources office. In such case, the Complainant should notify the Deputy Title IX Coordinator for Employees or their designee to pursue this option. The Deputy Title IX Coordinator for Employees or their designee will make an independent assessment as to whether alternative resolution is appropriate, given the nature of the allegation, and, if it is, will coordinate such a discussion. The Respondent will be encouraged, but not required, to participate in the alternative resolution.

If, during the course of the alternative resolution, the Respondent elects to take responsibility for the alleged conduct, the alternative resolution process will be concluded and the Human Resources staff member will propose a sanction. If both the Complainant and the Respondent agree to such proposed sanction, the complaint will be resolved without any further rights to a hearing or appeal by either party.

If the Respondent does not take responsibility for the alleged conduct, or either the Complainant or the Respondent object to such proposed sanction, the matter will be handled in accordance with the formal resolution process outlined below.

The University, the Complainant, or the Respondent may, at any time prior to the conclusion of the alternative resolution, elect to end such proceedings and initiate the formal resolution process instead. In such cases, statements or disclosures made by the parties in the course of the alternative resolution may be considered in the subsequent formal resolution.

GOV-3104.7 - The Process for Formal Resolution of a Complaint for Matters NOT Involving Allegations of Sexual Misconduct

A. Filing a Formal Complaint

A Complainant has the option to pursue a formal resolution of their complaint regarding a possible violation of this policy. As stated above, the Deputy Title IX Coordinator for Employees or their designee may require that the complaint be resolved through formal rather than alternative resolution. Additionally, as indicated above, a formal complaint is not required to initiate an investigation of a report or other information indicating a possible violation of this policy. A Complainant may file a formal complaint with the Deputy Title IX Coordinator for Employees. Formal complaints alleging violation of this policy should be filed in a timely manner, ordinarily within thirty (30) days of the offending conduct, or shortly after the conclusion of the alternative resolution process, usually within ten (10) working days. However, no complaint will be dismissed solely on the basis of the time it was filed.
The formal complaint must be in writing and must include the following:

- A statement that the Complainant intends for the document submitted be treated as a formal complaint;
- The date or approximate date on which the alleged behavior occurred;
- The identity of the person(s) allegedly responsible;
- A specific description for the conduct or behavior upon which the complaint is based; and
- The names of all witnesses to the conduct or behavior at issue (if any) and any evidence supporting the complaint, including attaching any tangible evidence or documentation.

The formal complaint must be signed and dated by the Complainant.

B. Confidentiality

For cases in which the Complainant wishes to keep their name, the name of the Respondent, and other information confidential or decides not to file a formal complaint under this policy, the Deputy Title IX Coordinator for Employees, or their designee will gather as much information as reasonably possible about the alleged discrimination or harassment.

The University will respond to this information as it deems necessary to protect the campus community, while seeking to respect the Complainant’s request for confidentiality. The Deputy Title IX Coordinator for Employees will inform the Complainant that keeping the Complainant’s name confidential or declining to identify the accused individual may limit the University’s ability to thoroughly investigate and respond to the alleged violation of this policy. The Deputy Title IX Coordinator for Employees will also inform the Complainant that in some cases it may not be possible to ensure confidentiality.

For information on how requests for Confidentiality are handled in cases involving potential sexual misconduct, see the University’s Policy Prohibiting Sexual Misconduct.

C. Investigation

If an investigation is warranted and the person accused of the discrimination or harassment is a student, the Deputy Title IX Coordinator for Students or their designee will conduct the investigation or shall engage the University’s Title IX investigator to conduct the investigation. The investigation will be conducted in a prompt, objective, and thorough manner. The time period for such investigation may vary depending upon the complexity of the investigation. In the case of an allegation of sexual misconduct, the Deputy Title IX Coordinator for Students shall ensure that the investigation is conducted in accordance with the University’s Policy Prohibiting Sexual Misconduct.

If an investigation is warranted and the person accused of the discrimination or harassment is a member of the faculty or staff, the Deputy Title IX Coordinator for Employees or their designee shall conduct the investigation. In the case of a faculty member, the Title IX Coordinator for Employees
The Deputy Title IX Coordinator for Employees or their designee will investigate all reports of possible discrimination or harassment about which he or she becomes aware, regardless of the source of the report or information. The nature and extent of the investigation will vary based on the specific circumstances of the incident, but in all cases the investigation will be prompt, fair and impartial. The time period for such investigation may vary depending on the complexity of the investigation.

As part of that investigation, the Deputy Title IX Coordinator for Employees or their designee will interview the Complainant and the Respondent and any witnesses and will gather relevant evidence. At the conclusion of the investigation, the Deputy Title IX Coordinator for Employees or their designee will share a summary of the investigative findings with the Complainant and the Respondent, and other appropriate officials at the University. The Deputy Title IX Coordinator for Employees or their designee will also determine based upon a preponderance of evidence whether the incident should be referred for further evaluation of potential disciplinary charges or other remedial action. The Deputy Title IX Coordinator for Employees or their designee may consult with other appropriate University officials for evaluation of potential disciplinary action or remedial action under applicable University policies and procedures.

If the Deputy Title IX Coordinator for Employees determines based upon a preponderance of the evidence, that there is not enough information to warrant an evaluation of potential disciplinary action or remedial action, he or she will close the investigation. The investigation may be reopened when and if additional evidence becomes available. Additionally, even if the Deputy Title IX Coordinator for Employees determines that there is not enough information to warrant an evaluation of potential disciplinary action or remedial action, they will evaluate and, where appropriate implement other types of supportive measures for the Complainant, the Respondent, witnesses, or other involved individuals, such as issue or continuing a “no contact” order, implementing or continuing other workplace accommodations, or facilitating access to counseling or other support services.

Additionally, in collaboration with other University officials, the Deputy Title IX Coordinator for Employees will consider and, where appropriate, implement remedial actions targeted at the broader campus community, such as increased monitoring or security at the location where the conduct occurred, creating additional education or training, and revising and publicizing the University’s policies and resources.

D. Advisors

In cases involving alleged sexual misconduct, the Complainant and the Respondent each have the right to the services of an advisor of their choice. The advisor may be an attorney. The Complainant and the Respondent may have their advisors attend any appeal proceeding, as described herein, and any other related meeting, hearing, or investigative interviews.

In all other cases, the Complainant and Respondent may have an advisor who is an employee of the University present at any appeal proceeding described herein.
The role of the advisor is to provide support, guidance, and advice to the Complainant or Respondent. Other than providing advice and guidance directly to the Complainant or Respondent, advisors are not permitted to participate in the appeal proceeding, other related meetings or interviews, including, but not limited to making oral arguments or statements, questioning witnesses, or raising objections during a proceeding. An advisor may request a brief recess of the proceedings to provide advice to the Complainant or Respondent. In matters involving allegations of sexual misconduct under Title IX, the party’s advisor will be responsible for all cross examination during a hearing.

GOV-3104.8 - The Process for Formal Resolution of a Complaint for Matters Involving Allegations of Sexual Misconduct

A. Filing a formal Complaint

The Deputy Title IX Coordinator for Employees or their designee will ensure the process for responding to a report, including confidentiality and the provision of appropriate supportive measures is in accordance with the University Policy Prohibiting Sexual Misconduct.

B. Administrative Leave

The University may place a non-student employee respondent on administrative leave during the pendency of the formal resolution process.

C. Hearing

If the Respondent is a faculty member, the hearing process shall be governed by the provisions of the Faculty Handbook and other applicable policies and procedures.

If the Respondent is a staff member, the hearing process shall be as follows:

Appointment of Staff Hearing Board

The Deputy Title IX Coordinator for Employees or their designee shall select five (5) members of the University Hearing Board to serve on a Staff Hearing Board to consider the charges against the Respondent. The Staff Hearing Board will also include an independent, qualified third-party non-voting Hearing Officer, who shall be responsible for the orderly conduct of the hearing and who agrees, in writing to maintain the confidentiality of the proceedings. The Deputy Title IX Coordinator for Employees or their designee should use reasonable efforts to ensure that the Staff Hearing Board members and Hearing Officer have no bias for or against the Complainant or Respondent in the case at hand or complainants or respondents generally. The Deputy Title IX Coordinator for Employees or their designee shall notify the Complainant and the Respondent of the names of the proposed Staff Hearing Board members and the Hearing Officer.

The Respondent and the Complainant have the right to petition that any member of the Staff Hearing Board or the Hearing Officer be removed on the basis of bias or conflict of interest. The party must submit a written petition to the Deputy Title IX Coordinator for Employees at least ninety-six (96) hours prior to the scheduled hearing seeking removal of a member of the Staff Hearing Board or the Hearing Officer stating the reasons for such request. The Deputy Title IX Coordinator for Employees or their designee shall respond to such request, in writing, within forty-eight (48) hours of receipt of the request.
D. Rights and Responsibilities of the Respondent

The Respondent shall be afforded the following rights and responsibilities throughout the hearing process:

i. **Hearing.** The Respondent has the right to a live hearing, conducted in accordance with the procedures set forth in this Policy. At the discretion of the Hearing Officer, the hearing may be conducted with all parties, advisors, and witnesses physically present in the same location or any or all parties, advisors, and witnesses may appear virtually with technology enabling participants to simultaneously see and hear each other. The hearing will be recorded and a transcript of the hearing shall be made available to the Respondent for inspection and review.

ii. **Evidence.** The Respondent has the right to a hearing based on reliable evidence presented during the hearing process, including reasonable inferences drawn from such evidence, and reasonable determinations by the fact finder as to the credibility of witness testimony. The burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility shall rest with the University and not the parties to the hearing.

iii. **Advisor.** The Respondent has the right to the services of an advisor of their choice. The Respondent is responsible for presenting their own information, and therefore, advisors are not permitted to participate in any hearing before a Staff Hearing Board, including, but not limited to making oral arguments or statements or raising objections during a hearing. The advisor will be responsible for conducting cross examination on behalf of the Respondent during the hearing. An advisor may request a brief recess of the proceedings to provide advice to the Respondent.

The Respondent should select as an advisor a person whose schedule allows attendance at the scheduled date and time for the Staff Hearing Board hearing, as delays normally will not be allowed due to the scheduling conflicts of an advisor.

If the Respondent does not have an advisor present at the hearing, the University will provide an advisor of the University’s choice, at no cost or fee to the Respondent to conduct cross-examination on behalf of the Respondent. Such advisor may be, but is not required to be an attorney.

iv. **Right Not to Participate.** The Respondent has the right to not participate in any meetings, proceedings, interviews or the hearing. If, however, a Respondent chooses to be absent from a hearing or attends the hearing and does not submit to cross examination, the Staff Hearing Board cannot rely on any statements made by the Respondent in reaching a determination regarding responsibility. The Staff Hearing Board cannot draw an inference about the determination regarding responsibility based solely on the party’s presence at a hearing or refusal to submit to cross examination.

v. **Notice of Hearing.** The Hearing Officer shall prepare and deliver to the Respondent a notice of hearing. Such notice may be delivered to the Respondent in person, by electronic mail, by U.S. Mail, or by campus mail. The date of the hearing shall not be less than seven (7) or more than twenty (20) days from the date of such notice. The notice of hearing shall include:
a. The name and address of the Respondent;

b. The date, time, and location of the Staff Hearing Board Hearing;

c. A description of the alleged misconduct at issue including the specific policy section allegedly violated;

d. The date, and place of the alleged misconduct (if known);

e. The name of the Complainant;

f. The name of the Hearing Officer;

g. The names and titles of the voting members of the Staff Hearing Board;

h. A statement that the Respondent is presumed to be not responsible for the alleged misconduct until a determination is made at the conclusion of the hearing and any appeal process that the Respondent is responsible;

i. A statement that the Respondent may have an advisor who may be, but is not required to be, an attorney;

j. A statement that pursuant to the University’s Policy Prohibiting Retaliation making a report “in good faith” means the individual making the report has a reasonable basis to believe that there has been or may have been a violation of applicable laws or regulations or University policies or that there is a reasonable possibility that such a violation may occur in the near future. Individuals who make frivolous or false reports shall not be deemed to be acting in good faith.

vi. **Right to inspect evidence:**

   a. The Respondent has a right to inspect and review any evidence that is obtained as part of the investigation and that is directly related to the allegations, including evidence that the University does not intend to rely on in reaching a determination regarding responsibility including both inculpatory and exculpatory evidence. Neither the Respondent nor the Respondent’s advisor have a right to reproduce the evidence in any manner.

   b. The Respondent will have 10 days after receipt of the above referenced evidence to submit a written response which the investigator will consider prior to completion of the investigative report.

   c. The University will provide the Respondent and their advisor with a complete investigative report that fairly summarizes relevant evidence at least 10 days prior to a hearing by the Staff Hearing Board for review and written response. Neither the Respondent, nor their advisor will have the right to reproduce the investigative report in any manner.

vii. **Witness List.** The Respondent has the right to receive the list of witnesses that the Staff Hearing Board and the Complainant intend to call at a hearing. The witness list must be submitted to the Hearing Officer of their designee by 5:00 pm on the fourth (4th) day before the hearing.
viii. **Documentary Evidence.** Subject to applicable privacy laws, including FERPA, the Respondent has the right to review all documentary evidence that the Staff Hearing Board and the Complainant intend to present at the hearing. All documentary evidence must be submitted to the Hearing Officer of their designee by 5:00 pm on the fourth day (4TH) before the hearing.

In order to ensure the confidentiality of the disciplinary hearing and to protect the privacy rights of the Respondent, Complainant, and other witnesses, the Respondent shall not copy, reproduce, disseminate, or disclose to anyone other than their advisor any such documentary evidence and shall return such documentary evidence to the Hearing Officer at the conclusion of the hearing. Following the hearing, the Hearing Officer shall permit the Respondent to have access to such documentary evidence to the extent needed for any appeal conducted under this policy.

ix. **Attendance at the Hearing.** The Respondent and their advisor have the right to attend the entire hearing except for the deliberations of the Staff Hearing Board. The Hearing Officer shall have the ability to arrange for the participation of the Respondent or the Complainant in all or part of the hearing by real-time video conferencing. If the Respondent chooses to participate in the videoconference option, the Hearing Officer or their designee must be notified at least forty-eight (48) in advance of the scheduled hearing.

x. **Right to Offer Evidence and Witness Testimony.** The Respondent has the right to offer evidence and oral testimony of witnesses that is relevant and reasonably related to the issues before the Staff Hearing Board.

xi. **Questions for Witnesses.** The Respondent has the right to submit to the Hearing Officer a list of questions that the Respondent wishes the Hearing Officer to ask any witness who gives oral testimony. If the Respondent chooses to submit their initial list of questions to the Hearing Officer or their designee, they should be submitted at least twenty-four (24) hours prior to the commencement of the hearing. Notwithstanding the foregoing, the advisor for the Respondent may, directly, orally, and in real time, ask the other party and any witnesses relevant questions and follow-up questions, including those challenging credibility. The Hearing Officer shall use their reasonable discretion in determining the relevance or appropriateness of any proposed question submitted by the Respondent or posed by an advisor on behalf of the Respondent and the Hearing Officer shall not be obligated to ask or permit all of the questions proposed by the Respondent or their advisor. The Hearing Officer shall comply with 34 C.F.R. §100.45(b)(6)(i) in determining the relevance of proposed questions and explaining any ruling on relevance. Where appropriate, the Respondent may request a brief recess of the hearing to prepare such questions. The Hearing Officer, in their reasonable discretion, may grant or deny such request.

xii. **Extension of Submission Deadlines.** The Hearing Officer may extend the time frame for submitting evidence, witness lists, and witness questions, at their sole discretion, and only for good cause. If timelines are extended, the Hearing Officer or their designee shall provide written notice to the parties.
xiii. **Closed Hearing.** Staff Hearing Board hearings are closed to the public. The Hearing Officer will control admission of persons to the hearing. Any person not a party or witness in the hearing will be prohibited. The Respondent shall have the right to attend the entire hearing, except for the deliberations of the Staff Hearing Board.

xiv. **Failure to Attend Hearing.** The Respondent has the responsibility to attend the scheduled hearing. If the Respondent, without valid excuse or authorization from the Hearing Officer, fails to attend the hearing as scheduled, the Staff Hearing Board may proceed in the Respondent’s absence to a determination of the matter, and if appropriate, impose sanctions. If the Respondent’s advisor fails to attend the hearing as scheduled, the University will appoint an advisor of its choice at no cost or fee to the Respondent for the sole purpose of conducting cross-examination on behalf of the Respondent.

xv. **Notice of Outcome.** The Respondent has the right to written notice of the outcome of the Staff Hearing Board hearing, and the notice shall be provided to the Respondent and the Complainant simultaneously by 5:00 PM on the fifth business day following the conclusion of the hearing. The Hearing Officer at their discretion can extend this timeline for good cause and with written notice to the parties. The notice of outcome shall include a description of the appeal rights of the Respondent and Complainant under this Policy. The Respondent also has the right to written notice of any change in the outcome or sanctions imposed and notice as to when such outcome and sanctions shall be deemed final.

xvi. **Privacy of the Respondent.** The Respondent has the right to preservation of privacy, to the extent reasonably possible and allowed by law. The Respondent has the right not to have irrelevant prior sexual or relationship history or physical or mental health history admitted as evidence in a Staff Hearing Board hearing. The Respondent has the right not to have released to the public by University officials any personally identifiable information about the Respondent, without their consent, except to the extent such disclosure is required by applicable law, regulation, or court order.

E. **Rights and Responsibilities of the Complainant.**

The Complainant shall be afforded the same rights as and shall have the same responsibilities of the Respondent as outlined in this Policy.

F. **Pre-Hearing Submission Deadlines.**

i. **Submission of Witness Lists.** The Respondent and Complainant shall provide the Hearing Officer or their designee their respective lists of witnesses by 5:00 p.m. on the fourth (4th) day before the hearing.

ii. **Submission of Documentary, Electronic, and Other Evidence.** The Respondent and Complainant shall submit copies of all documentary, electronic, or other evidence to the Hearing Officer or their designee by 5:00 p.m. on the fourth (4th) day before the hearing.

iii. **Access to Other Party’s Pre-Hearing Submissions.** Upon receipt of a pre-hearing submission from either the Complainant or the Respondent, the Hearing Officer or their designee shall provide the other party with access to such submission as soon as reasonably possible and in no event, later than twenty-four (24) hours following the submission.
iv. **Staff Hearing Board Witnesses, Documentary, Electronic, and Other Evidence.** The Hearing Officer or their designee shall provide the Respondent & Complainant with access to the list of witnesses to be called by the Staff Hearing Board and any documentary, electronic, or other evidence not included in the investigative report at least three (3) days prior to the hearing.

v. **Questions for Witnesses.** The Respondent & Complainant may submit their respective lists of questions for witnesses to the Hearing Officer or their designee at least twenty-four (24) hours prior to the commencement of the hearing.

vi. **Extension of Submission Deadlines.** The Hearing Officer may extend the time frame for submitting evidence, witness lists, and witness questions, at their sole discretion, and only for good cause. If timelines are extended, the Hearing Officer or their designee shall provide written notice to the parties.

G. **Pre-Hearing Procedures.**

i. The Respondent shall be afforded the opportunity to meet (in person, by telephone or videoconference) with the Hearing Officer or their designee prior to the hearing. The purpose of this meeting is to advise the Respondent of the hearing procedures and their rights in connection with the hearing. The Respondent’s advisor is permitted to attend this meeting.

ii. The Complainant shall be afforded the opportunity to meet (in person, by telephone or videoconference) with the Hearing Officer prior to the hearing. The purpose of this meeting is to advise the Complainant of the hearing procedures and their rights in connection with the hearing. The Complainant’s advisor is permitted to attend this meeting.

iii. The Hearing Officer shall review all written materials prior to submission to the Staff Hearing Board to ensure that the hearing record does not contain irrelevant, unfairly prejudicial, or inadmissible information, as determined by the Hearing Officer in their reasonable discretion.

H. **The Staff Hearing Board and the Hearing Officer**

The Hearing Officer shall create a hearing record comprising the following: (a) the hearing written notice to the Respondent; (b) the investigative report with its attachments; (c) the documentary, electronic, and other evidence submitted by the Staff Hearing Board, the Complainant (if applicable), and the Respondent; and (e) the hearing transcript, following completion of the hearing.

1. The Hearing Officer or their designee shall provide the Complainant and the Respondent with access to the hearing record at least forty-eight (48) hours prior to the hearing.

   i. The Hearing Officer or their designee shall convene one or more pre-hearing meetings of the members of the Staff Hearing Board to review the charge(s), to go over the contents of the hearing record, and to answer any procedural questions. This meeting shall be held at least twenty-four (24) hours prior to the hearing.

   ii. The Hearing Officer or their designee shall ensure that there are sufficient copies of the hearing record available during the hearing for all Staff Hearing Board members, the Respondent, the Complainant (if applicable), for testifying witnesses to use during their testimony.
2. The Hearing Officer shall preside over and conduct the hearing and has the authority described herein
   i. The Hearing Officer may appoint a recording secretary or other staff as needed. The Hearing Officer shall also arrange for the preparation of a transcript of the hearing, excluding the deliberations of the Staff Hearing Board. The Hearing will be audio recorded.
   ii. The Hearing Officer may control the admission of persons to the hearing. The Hearing Officer may order any person in attendance that does not conduct themselves in an orderly and respectful manner to leave. Obstructive, contemptuous, disruptive or noisy conduct in the presence of the hearing board by any person, including the Respondent, the Complainant, a witness, or an advisor, may result in that person being removed from the hearing. If a party’s advisor is removed from a hearing pursuant to this section, the hearing will be recessed until such time that the University can provide an alternate advisor of the University’s choice at no cost or fee to the party, in order to conduct cross examination on behalf of that party;
   iii. The Hearing Officer may control the questioning of the Respondent, the Complainant, and any witnesses by Staff Hearing Board members, the Respondent or their advisor, and the Complainant or their advisor to protect witnesses from improper questions, insulting treatment, and unnecessary inquiry into their private affairs.
   iv. The Hearing Officer may exclude witnesses from the hearing room except when they are testifying.

   i. All members of the Staff Hearing Board must be present throughout the hearing.
   ii. If a member of the Staff Hearing Board must leave before the hearing is complete with good cause, the Hearing Officer may at their sole discretion recess the hearing and reconvene the hearing within twenty-four (24) hours.
   iii. If a voting member disqualifies themselves or for good cause they must withdraw from the hearing, the Hearing Officer shall select a replacement from the Staff Hearing Committee. The Hearing Officer shall, after consultation with the Respondent and the Complainant in open session, provide the replacement with a summary of all prior proceedings.
   iv. No person shall address the Staff Hearing Board or submit questions to the Hearing Officer for any witness (including the Respondent, the Complainant or an advisor) without first being recognized by the Hearing Officer.

I. The Hearing

1. Order of the Hearing:
   i. The Hearing Officer shall read a summary of the alleged misconduct at issue to the Respondent and the Respondent shall state whether they accept or deny responsibility for such alleged misconduct. In the absence of a response, the Respondent shall be deemed not to have accepted responsibility for the alleged misconduct.
   ii. If the Respondent does not accept responsibility for the alleged misconduct, evidence, and/or witness testimony admitted by the Hearing Officer shall be presented that support or refute such allegation.
   iii. If the Respondent accepts responsibility for the charge(s), evidence, witness testimony, admitted by the Hearing Officer shall be presented that will assist the Staff Hearing Board in determining a recommended sanction.
iv. The Hearing Officer shall remind all parties that the standard of evidence is preponderance of the evidence, or the greater weight of the evidence presented at the hearing. It is that evidence that the finders of fact find most persuasive. A preponderance, or the greater weight of the evidence, is a matter of quality, not quantity. The testimony of one witness whom you find credible can, for example, be greater than the weight of two witnesses who have no firsthand knowledge or poor recollections of the event in question. The preponderance of the evidence standards is sometimes described as a “more likely than not” standard.

v. The Respondent and Complainant shall be provided an opportunity to make an opening statement.

vi. The members of the Staff Hearing Board shall direct the Hearing Officer to call witnesses and/or present evidence.

vii. The Respondent and Complainant shall have the opportunity to testify, present evidence, and call witnesses.

viii. Prior to the initial deliberations by the Staff Hearing Board, the Respondent and Complainant shall be given the opportunity to make a closing statement to the Staff Hearing Board. This statement shall not address the impact of the incident, the investigation or the hearing, on the Respondent or Complainant.

ix. The Hearing Officer will excuse all parties so that the members of the Staff Hearing Board may deliberate in private on the issue of responsibility for the charges at issue.

x. After deliberations on the issue of responsibility are completed, the Hearing Officer shall meet with the Respondent and Complainant to notify them of the decision of the Staff Hearing Board on the issue of responsibility.

xi. If the Staff Hearing Board finds the Respondent responsible for the charges at issue, the hearing will be reconvened after the notice required herein. The Respondent and Complainant will have an opportunity to make an additional statement to the Staff Hearing Board regarding the issue of sanctions and the impact of the conduct on the Respondent.

xii. The Hearing Officer will excuse all parties and so that the members of the Staff Hearing Board may deliberate in private on the issue of sanctions.

xiii. After deliberations on the issue of sanctions are completed, the Hearing Officer shall meet with the Respondent, to notify the Respondent of the sanctions recommended by the Staff Hearing Board and the effective date of such sanctions. The Hearing Officer will notify the Complainant of the sanctions that relate directly to their complaint.

xiv. The Hearing Officer will also provide information to the Respondent and Complainant related to written notification of the decision and appeal rights.

xv. The Hearing Officer will adjourn the hearing.
2. Procedure for Oral Testimony.

i. The investigator may be one of the witnesses called to testify.

ii. The Respondent, the Complainant and all witnesses shall testify under oath or affirmation.

iii. The members of the Staff Hearing Board shall be given the opportunity to ask questions of the Respondent, Complainant, and all witnesses.

iv. The Hearing Officer will ask questions submitted by the party calling the witness.

v. The advisor for the Respondent and Complainant shall conduct cross-examination on behalf of their respective party.

vi. The members of the Staff Hearing Board shall have the opportunity to ask questions of the parties and all witnesses.

3. Deliberation of the Staff Hearing Board.

i. The voting members of the Staff Hearing Board shall deliberate in private and reach a decision based only upon the evidence introduced at the hearing. The Hearing Officer is present during the deliberation, but does not have a vote.

ii. The members of Staff Hearing Board shall not make any finding of fact that is not supported by the evidence presented at the hearing. In making findings of fact the members of the Staff Hearing Board shall apply the preponderance of evidence.

iii. If a majority of Staff Hearing Board members find the Respondent responsible for the alleged misconduct, the recommendation of the Staff Hearing Board shall be that the Respondent be found responsible.

iv. If the Respondent is found responsible, the recommended sanction generally shall be determined in accordance with the University’s Progressive Disciplinary Policy. The Hearing Officer will notify both parties of the agreed upon sanction.

v. The Hearing Officer shall write a determination regarding responsibility after the Staff Hearing Board has reached its decision that will include:

(1) Identification of the allegations;

(2) A description of the procedural steps taken from the receipt of the formal complaint through the determination including notifications the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings;

(3) Findings of fact supporting the determination;

(4) Conclusions regarding the application of the Policy Prohibiting Sexual Misconduct to the facts;

(5) A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility;
The bases and procedures for an appeal;

(7) The members of the Staff Hearing Board shall sign the statement, and the statement will be placed in the case file. The statement shall be furnished to the Respondent and the Complainant simultaneously.

4. Advice and Assistance for the Hearing Officer and Staff Hearing Board.
   At any time during the formal resolution process, the Hearing Officer and the Staff Hearing Board may seek advice and assistance from the Deputy Title IX Coordinator for Employees or the University’s General Counsel, or their designee. Such advice and guidance shall generally be limited to procedural matters, interpretative matters, or legal matters and shall not go to the ultimate issues of responsibility or the appropriate sanction.

**GOV-3104.9 - Sanctions**

A. Staff Members
   
   **For cases involving Discrimination and Harassment:**
   
   If the accused individual is a staff member and the Deputy Title IX Coordinator for Employees, or their designee, determines that there is sufficient evidence to support a finding that the accused individual violated this policy then the Deputy Title IX Coordinator for Employees, or their designee, shall, after consultation with the accused individual’s supervisor, determine the appropriate disciplinary and/or remedial action and shall notify the Respondent of the outcome in accordance with the University’s [Progressive Discipline Policy](#).

   **For cases involving sexual misconduct including sexual harassment under Title IX:**
   
   In cases where there is a finding of sexual misconduct or sexual harassment under Title IX by the Staff Hearing Board, that same Board will make a determination regarding appropriate remedies in accordance with the University’s [Progressive Discipline Policy](#).

B. Faculty Members

   If the accused individual is a faculty member, sanctions shall be determined in accordance with the Faculty Handbook and all other applicable policies and procedures.

**GOV-3104.10 - Appeal of Findings and/or Remedies**

A. Staff Members

   1. **For cases involving Discrimination and Harassment:**
      
      The Respondent, or where applicable, a Complainant may appeal findings of the investigation or the recommended remedial action on the following grounds:

      - A witness in the investigation lied and such witness’ account was both material and adverse to the appealing party;
      - New evidence of a material nature is available that was not and could not have been available at the time of the investigation;
      - The appealing party was denied their rights, as specifically set forth in University policies and procedures, during the investigation; or
2. For cases involving sexual misconduct including sexual harassment under Title IX:
The Respondent or a Complainant, may only appeal a finding or recommended remedial action on the following grounds:
   a. Procedural irregularity that affected the outcome of the matter;
   b. New evidence that was not reasonably available at the time of the determination regarding responsibility was made that could affect the outcome of the matter;
   c. The Title IX Coordinator, investigator(s), or Hearing Board member(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual Respondent or Complainant affected by the outcome.

3. Filing an Appeal
   A Complainant or Respondent wishing to appeal the findings of an investigation or the remedial action imposed against the Respondent, must file a written appeal with the Executive Vice President and Chief Operating Officer of the University. The appeal must be filed within ten (10) working days from the date the Complainant and Respondent were notified of the findings and sanctions.
   The appeal must include the following:
   - The basis for the appeal, which must be detailed and consistent with the grounds for appeal set forth above; and
   - Any factual information supporting the basis for the appeal.
   - In matters involving sexual harassment under Title IX, both the Complainant and the Respondent will be provided a reasonable and equal opportunity to submit a written statement in support of or challenging the appeal.

4. Appeal Committee
   The appeal will be considered by an Appeal Committee of three or more persons to be appointed by the Executive Vice President and Chief Operating Officer of the University. In cases involving sexual misconduct or sexual harassment under Title IX, the Executive Vice President and Chief Operating Officer shall select three members of the University Hearing Board pool to serve on the appeal committee. The Respondent and, where applicable, the Complainant, has the right to petition that any member of the appeal committee be removed on the basis of bias or conflict of interest. The Executive Vice President and Chief Operating Officer shall respond to such request, in writing.
   The Appeal committee will meet with the Complainant and/or Respondent at a mutually convenient time.
   The committee may also elect to meet separately with the Deputy Title IX Coordinator for Employees or their designee, the Respondent or the Complainant’s supervisor and any other person(s) it deems necessary for a full review of the facts. The committee will make a recommendation based upon a standard of clear and convincing evidence to the Executive Vice President for Business and Chief Operating Officer. The decision of the Executive Vice President and Chief Operating Officer to approve, disapprove, or modify the recommendation shall be final.
The decision on a request for an appeal shall be made within thirty (30) days of the receipt of the appeal, unless there is good cause for a reasonable extension of this time period. In which event, the Deputy Title IX Coordinator for Employees or their designee shall provide written notice to the Respondent, and the Complaint setting forth the reason for the extension.

Upon reaching a decision on a request for an appeal, the Executive Vice President and Chief Operating Officer shall provide written notification of their decision to the Respondent, the Complainant, and to the Deputy Title IX Coordinator for Employees.

B. Faculty Members

The appeal process for faculty members shall be conducted in accordance with the provisions of the Faculty Handbook and other applicable faculty policies and procedures.

**GOV-3104.11 - Retaliation is Prohibited**

All members of the University community, including faculty, staff and students, who have a good faith concern regarding possible violations of this policy are expected to report such concerns to the Title IX Coordinators.

The University prohibits retaliation or retribution, in any form, against an individual who reports, in good faith, an actual, potential or suspected violation of this policy. As used in this policy, reporting “in good faith” means the individual making the report has a reasonable basis to believe that there has been or may have been a violation of this policy. Individuals who make frivolous or false reports shall not be deemed to be acting in good faith.

Anyone who engages in or attempts to engage in retaliation or retribution against an individual who reports, in good faith, an actual, potential or suspected violation of this policy shall be subject to discipline in accordance with the policies and procedures of the University.

**RELATED POLICIES:**

- GOV-3101 - Policy Prohibiting Discrimination
- GOV-3102 - Policy Prohibiting Sexual Misconduct
- GOV-3103 - Policy on Preventing and Responding to Discrimination and Harassment Against Students
- Standards of Student Conduct
- Faculty Handbook

**POLICY BACKGROUND:**

The August 2020 version this policy includes major revisions to be in compliance with the Final Rule for Non-Discrimination on the Basis of Sex in Education Programs or Activities receiving Federal Financial Assistance (Title IX) issued from the Department of Education on May 19, 2020.

**POLICY CONTACTS:**

Director of Compliance and Title IX Coordinator

Senior Associate VP for Human Resources & Deputy Title IX Coordinator for Faculty & Staff