Sexual Misconduct

As an educational institution, the University of Richmond values a learning community in which all members feel secure physically and intellectually. Behavior that harms others or threatens campus security challenges the institution's key mission to "sustain a collaborative learning and research community that supports the personal development of its members and the creation of new knowledge." Sexual misconduct is such behavior and is prohibited at the University of Richmond. Sexual misconduct is a broad range of behavior that includes, but is not limited to, non-consensual sexual intercourse, non-consensual sexual contact, sexual exploitation, sexual harassment, dating/relationship violence, domestic violence, and stalking. Additionally, the University prohibits retaliation against anyone who reports or witnesses an incident of possible sexual misconduct.
Sexual Misconduct Policy: Overview

As an educational institution, the University of Richmond values a learning community in which all members feel secure, physically and intellectually. 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.

Sexual misconduct is prohibited at the University of Richmond. Sexual misconduct is a broad range of behavior that includes, but is not limited to, non-consensual sexual intercourse, non-consensual sexual contact, sexual exploitation, sexual harassment, dating/relationship violence, domestic violence, and stalking.

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 of Policy:

This sexual misconduct policy ("Policy") applies to all students (regardless of current enrollment status), employees (including staff, faculty, and Resident Assistants), applicants for admission, and third parties, such as contractors or vendors serving the University or visitors to the University.

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. For purposes of this Policy, 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. For purposes of this policy 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. For purposes of this policy, the term “public property” includes streets, sidewalks, or parking facilities within the campus or immediately adjacent to and accessible from campus.

The Policy also applies to University students studying abroad through a University-approved study abroad program.

The Policy applies to conduct involving a University student that occurs at other locations or in connection with other activities if the Vice President for Student Development or their designee, the Title IX Coordinator, or the Associate Vice President for Human Resources determines that such
conduct may adversely affect any member of the University community, the University itself, or its educational programs. 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 a student 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.

Summary of the University’s Obligation:

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 complaint, report, or information about sexual misconduct, the University will respond in an effort to stop such 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.

Questions or More Information:

For questions about sex discrimination in education, please contact the University's Title IX Coordinator and Director of Compliance, Maura Smith, at (804) 289-8654. 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.
What is Sexual Misconduct?

Sexual misconduct is a broad range of behavior that includes, but is not limited to, non-consensual sexual intercourse, non-consensual sexual contact, sexual exploitation, sexual harassment, dating/relationship violence, domestic violence, and stalking. Sometimes students are unsure if what they or their friends experienced was sexual misconduct. If you are unsure, please contact the University's Title IX Coordinators:

- **Maura Smith**, Title IX Coordinator and Director of Compliance, (804) 289-8654
- **Tracy Cassalia**, Manager of Health Education & Wellness and Interim Deputy Title IX Coordinator, (804) 289-8464
- **Carl Sorensen**, Associate Vice President, Human Resources and Deputy Title IX Coordinator, (804) 289-8166

Members of the University community may also contact:

- **Beth Simonds**, Assistant Chief of Police, University of Richmond Police Department, (804) 289-8722

The University of Richmond strongly encourages reporting of potential sexual misconduct. Reports of possible sexual misconduct may be made to the Title IX Coordinators and to the University of Richmond Police Department. Please call the University Police Department Emergency Number (804) 289-8911 if you witness a possible crime or if you or someone else needs immediate assistance.

Definitions

What is 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, by ignoring objections, or by taking advantage of another's incapacitation. Consent may not be inferred from silence or any other lack of active resistance. It may not be implied by attire or inferred from an individual by spending money on that individual (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 between two people 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 another type of sexual act.

Consent may be withdrawn at any time. Once a person withdraws consent, it does not matter if or what kind of sexual behavior has occurred up to that moment at an earlier date or time. For example, if one individual says "no" and the other forces penetration, 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.

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 create a mental incapacity if the nature and degree of the intoxication go beyond the stage of merely 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.

A person violates the sexual misconduct policy if they have sexual contact with someone they know or should know is mentally 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 as a result of the consumption of alcohol or drugs is physically helpless and is not able to consent.

**What is Non-Consensual Sexual Contact?**

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. Examples of sexual contact include 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 is sexual misconduct prohibited by the University.

**What is Non-Consensual Sexual Intercourse?**

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 is sexual misconduct prohibited by the University.

**What is Sexual Exploitation?**

Taking sexual advantage of another person without effective consent constitutes sexual exploitation. This does not include non-consensual sexual contact or intercourse, which constitute separate violations of the University’s sexual misconduct 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 transmitting a sexually transmitted infection, including HIV, to another person. Sexual exploitation is sexual misconduct prohibited by the University.

What is Stalking?
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.

What is Sexual Harassment?
Sexual harassment is unwanted or offensive conduct or communication of a sexual nature directed toward another in which either:

- Submission to or rejection of such conduct is made a term or condition of an individual's employment or academic success or is used as the basis for employment or academic decisions; or
- The conduct or communication was severe and/or persistent and, as a result, created a hostile environment.

The following type of conduct or behavior may constitute sexual harassment:

- Making unwelcome or offensive comments about a person's clothing, body, or personal life;
- Use of unwelcome or offensive nicknames or terms of endearment;
- Offensive jokes or unwelcome innuendoes;
- Unwelcome sexual advances or requests for sexual favors;
- Any suggestion that sexual favors, or status as being in any protected classification identified above, would affect one's job, promotion, performance evaluations, grades, working, or educational conditions;
- Insults, epithets, jokes, slurs, or offensive comments that relate to sex, sexual orientation, gender identity, or gender expression; or
- The placement, dissemination, or circulation of any written, graphic, virtual, or electronic material of a sexual nature.

Sexual harassment is sexual misconduct prohibited by the University.

What is 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.

What is 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.

What are 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."

What is Intimidation?
Intimidation can be 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.

What is Dating/Relationship Violence?
Dating or relationship 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/relationship violence is sexual misconduct prohibited by the University.

What is Domestic Violence?
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 with 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.

What is Sexual Violence?
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, sexual violence may also include dating/relationship violence or domestic violence.

What is Hazing?
The University’s policy against hazing is separate from the sexual misconduct policy. In some cases conduct may violate both policies. Hazing is an act that, as an explicit or implicit condition for initiation to, admission into, affiliation with, or continued membership in a group organization,
could be seen by a reasonable person as endangering the physical health of an individual or as causing mental distress to an individual through, for example, humiliating, intimidating, or demeaning treatment; destroys or removes public or private property; involves the consumption of alcohol, other drugs, or other substances; or violates any of the policies of the University of Richmond. Hazing that involves sexual misconduct will be investigated by the Title IX Coordinators in addition to other campus officials. Hazing is prohibited by the University.

**What is a Hostile Environment?**
In the context of sexual misconduct, unwanted conduct or communications of a sexual nature may create a hostile environment when the conduct is severe and/or persistent and, as a result, is likely to interfere with or limit a person’s work or education and/or ability to benefit from the University’s programs, such as courses, extracurricular activities, or study abroad, or affect adversely the person’s living conditions on campus. The more severe the conduct at issue, the less likely that it needs to be repetitive to create a hostile environment. Any reported incident of sexual misconduct will be investigated by the University and may result in a disciplinary charge regardless of whether a hostile environment has been created.
What is Retaliation?
Retaliation is retribution in any form against an individual who reports, in good faith, an actual, potential, or suspected violation of applicable laws, regulations, or University policies, including the Sexual Misconduct Policy. This includes retribution or retaliation against third party witnesses aiding in the investigation of a sexual misconduct report. Retaliation is misconduct prohibited by the University. Retaliation is also prohibited by Title IX and the Campus Sexual Violence Elimination Act.

Who is the Complainant?
The term “complainant” as used in this policy and in the University’s Standards of Student Conduct refers to the individual who is the subject of an act or incident of alleged sexual misconduct. The complainant may or may not be the individual who makes the report of sexual misconduct. The complainant may also be referred to as the accusing student, the victim, or the survivor of an act of sexual misconduct.

Who is the Respondent?
The term “respondent” as used in this policy and in the University’s Standards of Student Conduct refers to the person who is alleged to have violated the University’s Sexual Misconduct Policy. The respondent may also be referred to as the accused student or the alleged perpetrator.

Who is a Responsible Employee?
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, including sexual violence, to the Title IX Coordinators, or whom a student could reasonably believe has this authority or responsibility.

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 of Westhampton College and Richmond College, the Law School’s Associate Dean Student Services & Administration, Law School Dean's Office, the Program Coordinator for Graduate Studies in Business, and 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 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 staff including Resident Advisors 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 in the following divisions, departments, or offices:
  - Academic Deans;
  - Academic Skills Center;
  - Admissions;
  - Athletics;
  - Bursar;
  - Camps and Conferences;
  - Career Services;
  - Chaplaincy;
  - Financial Aid;
  - Human Resources;
  - International Education;
  - President’s Office;
  - Provost’s Office;
  - Registrar;
  - Student Development; and
  - University of Richmond Police Department.
- All employees identified as Campus Security Authorities.
How Can I Get Help? What Resources Are Available to Me?

What Should I Do Right Away?
If you have experienced sexual misconduct, especially misconduct involving non-consensual sexual intercourse or contact, we urge you to do the following:

- Get to a safe place as soon as you can.
- 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.
- Contact University Police by calling 8911 (from a campus phone) or (804) 289-8911. On campus, a blue light emergency phone will connect you directly to the University Police dispatcher.
- Get medical attention as soon as possible. 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 you 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. Physical evidence should be collected immediately—ideally within the first 24 hours. It can be collected up to 120 hours later, but the quality and quantity of evidence may be diminished.

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 Virginia Commonwealth University Health System. The hospital emergency departments follow national standards for survivor care, sexual assault exams, and evidence collection procedures. If you are concerned about anonymity or your parents being notified, hospital personnel can talk with you about your options. Should you choose, you can remain anonymous in order to report and receive care—just inform the triage nurse of your request for anonymity upon your arrival to an emergency room. There are many resources available to survivors that may assist with PERK exam costs, and medical personnel will give you more information. At the hospital, you may choose to undergo a PERK exam even if you are unsure whether you want to report the sexual misconduct to the police and want time to think about it. If you choose to report anonymously, hospital authorities will collect the evidence without revealing your identity to the authorities. The evidence will be held for two years before being discarded, and you would need to contact the storage facility for an
extension beyond that point. The forensic nurses can speak with you further about your options.

How Can I Report Possible Sexual Misconduct? Whom Can I Talk To?

- Contact the University Police by calling 8911 (from a campus phone) or (804) 289-8911. On campus, a blue light emergency phone will connect you directly to the University Police dispatcher.
- Contact one of the University of Richmond's Title IX Coordinators. Students should contact: Tracy Cassalia at (804) 289-8464. Faculty and staff should contact: Carl Sorensen, Associate Vice President, Human Resources and Deputy Title IX Coordinator, (804) 289-8166. Any member of the University community can contact: Maura Smith, Title IX Coordinator and Director of Compliance, (804) 289-8654. They can talk with you about your options on campus and refer you to resources in the University community. The University's Title IX Coordinators are Safe Zone Allies.
- Talk with a counselor who will maintain confidentiality, help explain your options, give you information, and provide emotional support. On campus, you can call Counseling and Psychological Services (CAPS) at (804) 289-8119. When the CAPS office is closed, a University counselor is on-call and may be reached through the University Police dispatcher at (804) 289-8715 or through your Resident Assistant; you only need to say that you would like to speak with the counselor on call. Please note that all CAPS Counselors are Safe Zone Allies.
- Students may file an anonymous report. (Please note that University employees cannot use this form anonymously and must provide all requested information when making a report.)
- The 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. Calling the hotline will connect you 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 and open to survivors and their supporters. It is sponsored by the YWCA, Safe Harbor and other area organizations. The YWCA also provides support groups for survivors of sexual violence.
- Safe Harbor supports those who are experiencing or have experienced domestic and/or sexual violence. Safe Harbor offers comprehensive services for survivors of sexual assault and/or intimate partner violence including: a 24-hour helpline at (804) 287-7877, children/youth services, community education and training, counseling, court advocacy, emergency shelter, and hospital accompaniment.
- 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 Helpline is available Monday-Friday 8am-8pm at 1-866-356-6998.
- Contact someone you trust, such as a close friend, to be with you and support you.

Contact your dean's office about the incident. Many students find it difficult to focus on academic work or have other difficulties after an incident of sexual misconduct. The dean’s offices want to
support you. 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 Kristine Henderson, Associate Dean Student Services & Administration, Law School Dean's Office, (804) 289-8186. For MBA students, contact Debbie Fisher, Associate Director, MBA Program, (804) 289-8012. For SPCS students, contact Ellen Walk, Associate Dean, School of Professional and Continuing Studies, (804) 287-8770. Please note that these individuals are required to report incidents of possible sexual misconduct to the Title IX Coordinators.

Do I Need to Report Right Away? What If I Want to Report 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 survivors 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 survivor 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 you had an unwanted sexual experience weeks ago or even years ago, assistance, including counseling and other support, is still available. The University will investigate a report of possible sexual misconduct even if it is made weeks, months or even years after the incident, although the ability to gather important information may be affected by the passage of time. The University’s Title IX Coordinators 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.

Is the Process the Same for Survivors of All Genders?

Yes. The University of Richmond prohibits discrimination based on gender identity and gender expression. The University uses the same process to respond to and investigate reports by survivors of any gender. No matter how someone identifies (e.g. female, gender fluid, male, questioning, trans, etc.), all survivors receive the same services and support. Emotional support, counseling, and medical treatment are available to assist any individuals recovering from sexual misconduct.

Is the Process the Same for Survivors of All Sexualities?

Yes. The University of Richmond prohibits discrimination based on sexual orientation. The University uses the same process to respond to and investigate reports by survivors of any sexuality. No matter the sexuality of the survivor (e.g. bisexual, gay, lesbian, queer, straight, etc.), all survivors receive the same services and support. Emotional support, counseling, and medical treatment are available to assist any individuals recovering from sexual misconduct.

The University’s Title IX Coordinators are Safe Zone Allies.

The University of Richmond also recognizes that the LGBTQ community may need additional assistance finding supportive resources. The Office of Common Ground offers several resources both on and off-campus to support the LGBTQ community.
What Counseling and Emotional Support Resources Are Available?

On-Campus
Counselors at the University’s Counseling and Psychological Services (“CAPS”) are available to assist in a crisis situation and to provide you with any information about your options including medical assistance, psychological counseling, University disciplinary procedures, and legal prosecution. You may reach a CAPS counselor 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 for you 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.

Another important source of support is the University’s Coordinator for Sexual Misconduct Education who can be reached at (804) 287-1217. They are available to assist students and can provide information on University resources, how to report an incident of sexual misconduct, and the University’s process for Title IX investigations and for disciplinary action.

Members of the University community seeking pastoral care and support may contact the Office of the Chaplaincy at (804) 287-6501.

Off-Campus
The 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. Calling the hotline will connect you 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 and open to survivors and their supporters. It is sponsored by the YWCA, Safe Harbor and other area organizations. The YWCA also provides support groups for survivors of sexual violence.

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) 287-7877, children/youth services, community education and training, counseling, court advocacy, emergency shelter, and hospital accompaniment.

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 Helpline is available Monday-Friday 8am-8pm at 1-866-356-6998.

The victim's and witness's roles in the criminal justice process can be difficult ones. The University Police Department’s Victim/Witness Coordinator serves as a liaison between the City of Richmond and the County of Henrico courts systems. In addition, the Coordinator secures services for victims and witnesses of crimes. These services include counseling and psychological support, guidance to area resources, and assistance through the court process. Any faculty, staff, or student can use this service. The Victim/Witness Coordinator, Officer Angie Dubose, is available by calling University Police at (804) 289-8715.
What Other Resources and Support Are Available?

Transportation
The University Police are always available to transport victims of sexual misconduct to the hospital. To arrange transportation, call the University Police dispatcher at (804) 289-8715 and indicate your need for immediate assistance.

Non-Emergency Medical Procedures
Even if you choose 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.

How Can I Help a Survivor?
**Tend to needs:** Medical attention, safety, and support are important needs.

**Believe them:** Being believed is the most important factor in recovery.

**No more violence:** Threatening to harm “the person who did this” will only make the survivor feel afraid.

**Provide comfort:** They need to know they are valued and important.

**Listen:** Let them get it all out before you talk. Avoid 'why' questions and suggestions, as well as any questions or statements that could be interpreted as blaming the survivor.

**Give control:** They need to regain a feeling of control in their life. Accept their decisions even if you disagree. Ask before you touch.

**Be aware of your limitations:** Be aware of your limitations. Healing can be a long process. Utilize the resources on and off campus to support yourself and the survivor.

**Encourage them to seek help from the various resources on and off campus.**

**Report:** All students and other members of the University community are encouraged to report possible sexual misconduct. **Responsible Employees** are required to report possible sexual misconduct to the Title IX Coordinators. All University employees designated as Campus Security Authorities are required to report possible sexual misconduct to the University Police.
Reporting Sexual Misconduct to University Officials

The University of Richmond strongly supports and encourages prompt reporting of sexual misconduct. Reporting provides resources to survivors and contributes to keeping the campus safe.

If you believe you or someone you know has experienced sexual misconduct, you should report incident(s) to the University's Title IX Coordinators and to the University Police Department. Instances of sexual misconduct may violate both the University's sexual misconduct policy and the law. As a result, the University encourages survivors to pursue their complaints through both the University's process for sexual misconduct and through the criminal justice system. If a survivor makes a report to the University police, the University police will notify the Title IX Coordinator of the report. If the survivor reports first to the Title IX Coordinator, the Title IX Coordinator will assist the survivor with making a report to the University police, if the survivor chooses to do so.

Unless designated as a confidential resource in this Policy, all Responsible Employees 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.

How Do I Report Sexual Misconduct?

Seeking Immediate Assistance: If you or someone you know has experienced sexual misconduct, please contact the University of Richmond Police Department, reachable 24 hours a day at 8911 (from on-campus phones) or (804) 289-8911 (from cell phones or off-campus phones).

Students are strongly encouraged to report to one of the Title IX Coordinators.

For cases involving students, contact:

- Tracy Cassalia, Interim Deputy Title IX Coordinator and Manager of Health Education & Wellness, at (804) 289-8464.

For cases involving faculty or staff, contact:

- Carl Sorensen, Deputy Title IX Coordinator and Associate Vice President of Human Resource at (804) 289-8166.

Members of the University community may also contact:

- Maura Smith, Title IX Coordinator and Director of Compliance, at (804) 289-8654.
- Beth Simonds, Assistant Chief of Police, University Police, at (804) 289-8722.

Which University Employees Are Required to Report Sexual Misconduct?

All University employees, except confidential resources, 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, each Responsible Employee, other than a confidential resource, who, in the course of his or her employment by the University, obtains information regarding a possible act of sexual misconduct, including but not limited to sexual violence against:

(a) a University student; or
(b) any person on campus, in a noncampus 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 reporting requirement does not apply to Responsible Employees or other University employees who are designated as a confidential resource in this policy.

All University employees are also encouraged to report potential crimes to the University Police Department. All employees designated a Campus Security Authority must report to the University Police Department.

What Happens If I Contact the University Police?

Reporting an incident is a separate step from choosing to pursue a criminal prosecution. When you file a report, you are not required to continue with criminal proceedings. It is always best to call the University Police at (804) 289-8911 in an emergency or at (804) 289-8715 for non-emergencies. The University Police can explain the procedures for pursuing a criminal investigation of sexual misconduct. If the victim wishes to pursue a criminal investigation, the University Police will investigate the incident reported to police 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 victim.

By reporting to the University Police you help to:

- Maintain future options regarding criminal prosecution, University judicial action, and/or civil action against the accused individual.
- Warn other community member.
- Bring awareness to the community.

When you report the incident, a University Police officer will talk to you about the events and may take notes during the conversation. You will be asked to remember, to the best of your ability, any information that may help to identify the accused individual, also known as the “respondent,” including their physical descriptions (e.g., clothing, hair color, etc.). You may be asked questions about the location(s) of the incident, whether there are any other witnesses, and what happened
before and after the incident. Many people are afraid to report alcohol or drug use to the police; however, it is important that your investigator know all the relevant facts. If a case involves underage drinking or use of illicit substances, the University shall not pursue disciplinary charges against the following: the victim, the witnesses, and other individuals reporting, in good faith, incidents and/or assisting victims of sexual misconduct. The police officers and investigators are trained to handle your information with sensitivity, privacy, and respect.

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

**Criminal Investigation and Charges**

If you choose to pursue criminal charges in your case, your assigned investigator, the Commonwealth's Attorney, and Victim/Witness Services representative will be available to assist you in understanding and following through with this 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 need to speak with you regarding your case. You may also wish to speak with a personal or family attorney for legal advice.

**What Happens If I Report to the Title IX Coordinators?**

Regardless of whether a complainant decides to pursue a criminal investigation, the University's Title IX Coordinators will take immediate steps to investigate the complaint, to protect the complainant, to provide support and resources to all involved individuals, and to ensure the safety of the campus community. Except in very unusual circumstances, the investigation by the Title IX Coordinator 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 collaborate on the investigation to the extent possible and as appropriate and will seek to avoid unnecessary burdens on the complainant. Once in a while, 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 request, but will promptly resume the investigation as soon as notified that the law enforcement officials have completed gathering evidence. The suspension of an investigation under these circumstances will not limit the availability of interim measures or other assistance and support to a complainant, respondent, witness, or other individuals.

The Title IX Coordinator will investigate all reports of sexual misconduct, regardless of the source of the report or information. For example, an investigation will be initiated if the report is made directly by the complainant, by another student, a faculty member, a staff member, or a third party. The Title IX Coordinator will respond to reports or information regarding sexual misconduct that occur on campus or off campus. If the conduct occurred during a University off-campus education program or activity, the University will handle the conduct as if it occurred on campus. Examples of such programs include Greek Life events or parties, athletic and sports club team travel, and events for school clubs such as a Mock Trial competition at another University. If the conduct involving a University student occurred at an off-campus or in connection with other activities, the University will still investigate and take appropriate action if the Vice President for Student Development or their designee, the Title IX Coordinator, or the Associate Vice President for Human Resources determines that such conduct may adversely affect any member of the University community, the University itself, or its educational programs. Regardless of the location of an incident, students,
faculty, and staff are encouraged to report such incidents so that appropriate action may be taken and support and resources provided to the individual or individuals involved. For more information on the scope of this policy follow this link: [http://studentdevelopment.richmond.edu/student-concerns/sexual-misconduct/policy_overview.html](http://studentdevelopment.richmond.edu/student-concerns/sexual-misconduct/policy_overview.html).

**I Want to Report, but I Was Drinking at the Time of the Incident and Don’t Want to Get in Trouble.**

If a case involves underage drinking or use of other illicit substances, the University shall not pursue a conduct or disciplinary charge against the following individuals with a violation of the University's [*alcohol and drug policy*](http://studentdevelopment.richmond.edu/student-concerns/sexual-misconduct/policy_overview.html): the survivor, the witnesses, and other individuals reporting, in good faith, incidents and/or assisting survivors of sexual misconduct.

**Can I Make an Anonymous Report?**

The University encourages students who may be the survivor of 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, students may be reluctant to make a direct report. Students may report an incident anonymously by filling out the [*incident report*](http://studentdevelopment.richmond.edu/student-concerns/sexual-misconduct/policy_overview.html) form. Faculty and staff may also use this form, but may not do so anonymously. Faculty and staff are required to provide identifying information when known.
Responding To Reports of Sexual Misconduct

What is the Role of the Title IX Coordinators?

When the Title IX Coordinators receive a report of possible sexual misconduct, they will provide the complainant, the respondent, any witnesses, or other involved individuals with resources and support and will investigate the report. The Title IX Coordinators seek first and foremost to ensure that the survivor is safe and that the campus community is protected. They will meet with the survivor of the reported sexual misconduct, known as the "complainant." They will meet with the student against whom a complaint is brought, known as the “respondent.” The Title IX Coordinators receive annual training on the issues related to college sexual misconduct, including, but not limited to, sexual violence, dating violence, domestic violence, sexual assault and stalking, and on how to conduct an investigation that protects the safety of survivors and promotes accountability. They will conduct a prompt, fair and impartial investigation, provide assistance and resources to the complainant, the respondent, and any witnesses, and will implement interim or long-term remedial measures, where appropriate. The Title IX Coordinator may delegate responsibility for the investigation to a trained Title IX investigator.

After conducting an investigation, the Title IX Coordinator will decide whether the incident should be referred to the University officials responsible for student conduct, referred to as the “Conduct Officers” (or to other University officials if the respondent is not student). The Title IX Coordinator gathers facts but does not make decisions about whether a student should be charged with a violation of the Standards of Student Conduct.

The Title IX Coordinators’ responsibilities include but are not limited to:

- Ensuring the prompt and thorough investigation of any sexual misconduct complaint or question;
- Meeting with individuals who wish to file a sexual misconduct complaint or raise a question relating to this policy or Title IX;
- Convening the Threat Assessment Team – Sexual Misconduct Review Subcommittee (referred to in this policy as the “Sexual Misconduct Review Subcommittee”), described below upon learning of an incident of possible sexual violence, sexual exploitation, stalking, domestic violence, and/or dating/relationship violence;
- Establishing processes to identify and address patterns or systemic problems that may arise during the investigation of a sexual misconduct complaint;
- Ensuring that the University has in place policies and procedures reasonably necessary to foster compliance with Title IX, including, but not limited to grievance procedures for sexual misconduct complaints;
- Ensuring that school officials receive training regarding Title IX, sexual misconduct, and this policy, including reporting and responding to possible incidents of discrimination or sexual harassment;
• Implementing educational programs and communication plans designed to inform students of their rights under this policy and Title IX and how to file a sexual misconduct or Title IX complaint.

What Happens When a Report is Made to a Title IX Coordinator?
Upon receipt of a report involving possible sexual violence, including non-consensual sexual intercourse, non-consensual sexual contact, stalking, sexual exploitation, dating/relationship violence, or domestic violence, the Title IX Coordinator or their designee shall promptly report the information, including the identification of involved individuals, if known, to the University’s Sexual Misconduct Review Subcommittee (described below).

The Title IX Coordinator shall also begin to gather the preliminary information needed to commence an investigation.

Upon receipt of a report involving possible sexual harassment, the Title IX Coordinator is not required to report to the Subcommittee and will proceed to gathering preliminary information needed to commence an investigation.

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 Standards of Student Conduct;
• The University's obligation to treat both the complainant and the respondent fairly;
• The University's obligation to promptly investigate the reported sexual misconduct;
• The complainant’s reporting rights, including the right to pursue or not pursue criminal action including options for investigation and prosecution in addition to the University of Richmond's student conduct process;
• The importance of 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 to the extent permitted under state or federal law;
• 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. (A complete list of resources is available at the University's Sexual Misconduct Resources webpage);
• Information about the investigation 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 the retaliation;
• Possible options for interim measures to avoid contact with the respondent and to ensure the complainant's well-being, including, no contact orders, housing and academic accommodations and changing transportation, dining, or working situations;
• Possible long-term remedies for the complainant, including housing and academic accommodations, tutoring, medical services, and counseling;
• The Title IX Coordinator's obligation to provide the complainant with periodic updates as the investigation progresses; and
• The process for handling requests for confidentiality or requests not to investigate.

When the Title IX Coordinator meets with the respondent, the Coordinator provides the following information:
• The respondent's Title IX rights and rights under this policy and related University policies, including the Standards of Student Conduct;
• The University's obligation to treat both the complainant and the respondent fairly;
• The University's obligation to promptly investigate the reported sexual misconduct;
• The complainant's right to pursue criminal action in addition to the University of Richmond's student conduct process;
• Resources on campus and within the Richmond community, including counseling services. (A complete list of resources is available at the University's Sexual Misconduct Resources webpage);
• Information about the investigation process and University procedures for pursuing a formal complaint;
• The respondent's right to participate or decline to participate in any investigation and/or conduct process to the extent permitted under state or federal law;
• The respondent's right to an advisor of their choosing;
• Examples of possible retaliation and procedures for reporting the retaliation;
• Possible options for interim measures to avoid contact with the complainant and to ensure the respondent's well-being, including, no contact orders, housing and academic accommodations and changing transportation, dining, or working situations;
• Possible long-term remedies for the respondent, including housing and academic accommodations, tutoring, medical services, and counseling; and
• The Title IX Coordinator's obligation to provide the respondent with periodic updates as the investigation progresses, provided such updates do not compromise the investigation.

When the Title IX Coordinator meets with other witnesses, the Coordinator provides the following information:
• The University's obligation to treat both the complainant and the respondent fairly;
• The University's obligation to promptly investigate the reported sexual misconduct;
• Resources on campus and within the Richmond community, including counseling services. (A complete list of resources is available at the University's Sexual Misconduct Resources webpage);

• Information about the investigation 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 the retaliation; and

• Possible options for interim measures to avoid contact with the complainant or respondent and to ensure the witness’ well-being, including, no contact orders, housing and academic accommodations and changing transportation, dining, or working situations.

**Does the Title IX Coordinator Notify 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 Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("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. In addition, victim names are never published in the crime log or as part of the annual Campus Security Report required by the Clery Act.

Whether a report comes directly from a complainant or from the Title IX Coordinator, 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 if an emergency notification or a timely warning is going to be distributed.

**What is the Role of the Threat Assessment Team - Sexual Misconduct Review Subcommittee?**

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 non-consensual sexual intercourse, non-consensual sexual contact, stalking, sexual exploitation, dating/relationship violence, or domestic violence.

**The membership of the Sexual Misconduct Review Subcommittee shall include:**

• The Title IX Coordinator (or their designee);

• The Deputy Title IX Coordinator who received the report;
• The Chief or Assistant Chief of the University Police Department (or a designee who shall be a sworn office of the University Police Department);

• The Vice President for Student Affairs (or a designee who shall be a members 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 investigation of the report, appropriate interim remedial 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 survivor 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 same access to law enforcement, criminal history, education, personnel, and health records as the full Threat Assessment Team.

After its initial meeting, the Sexual Misconduct Review Subcommittee will meet as necessary as new information becomes available or as the investigation progresses.

What Interim or Long-Term Remedial Measures Are Available?
The Title IX Coordinator will assess whether interim remedial measures are reasonable and appropriate during the pendency of an investigation, any conduct proceeding that may follow, and upon conclusion of the investigation and any conduct proceeding. Interim remedial measures may be put in place on behalf of the complainant, the respondent, and/or witnesses in the investigation or to protect the campus community. Remedial measures may also be implemented to prevent retaliation. Requests for interim or long-term remedial measures can be made by contacting the Title IX Coordinator. In determining and implementing certain remedial measures; the Title IX Coordinator may confer with or seek the assistance of other University officials, including but not limited to the University Police and the Student Conduct Officers. The Title IX Coordinator will
ensure that interim remedial measures are implemented in a prompt, fair, and equitable manner and do not disproportionately impact the complainant.

Interim or long-term remedial measures will be evaluated and reasonable measures will be implemented regardless of whether the complainant wishes to pursue or participate in a criminal investigation, a Title IX investigation, or a disciplinary proceeding.

The interim remedial measures implemented will be tailored to meet the needs of the students involved in the investigation. However, the following are examples of the type of interim remedial or long-term measures that the Title IX Coordinator (or other University officials as noted) 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;
- To the extent authorized by the University Police, issuing a “No Trespass” letter from the University Police Department to the respondent barring that individual from the University campus;
- In collaboration with the Student Conduct Officer, implementing an interim University or residence hall suspension of the respondent prior to completion of the investigation and disciplinary processes when the University believes that the continued presence of the respondent on campus or in a residence hall may create a risk to the health or safety of students or of other members of the University community or that the respondent poses an ongoing threat of disruption of, or interference with, the normal operations of the University;
- 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 two students;
- Changing residence hall assignments of either the complainant or the respondent to eliminate or limit, to the extent possible, contact between the two students;
- Changing work schedules or job assignments;
- Restricting access to certain University facilities altogether or limiting access to certain hours of the day based on schedules (e.g., library, fitness center, dining hall, etc.);
- Contacting faculty members on behalf of the complainant or respondent to request certain academic accommodations such as approved absences from class, extensions on class assignments, or permission to withdraw from a class or to take 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, or witnesses;
- Engaging the University Police Department in seeking a protective order; and/or
- Restricting access to extra-curricular activities such as student clubs and organizations, if complainant and respondent are both members.
At the conclusion of an investigation, the Title IX Coordinator will also assess whether long-term remedial measures are warranted, in addition to any sanctions that may result from the student conduct process, and will implement all appropriate long-term remedial measures.

If the Title IX Coordinator determines that interim or long-term measures are warranted, the Title IX Coordinator will provide written notification of the remedial measure(s) to the individual on whose behalf the measure(s) is implemented, and, if affected by the measure(s), other individuals. The interim or long-term remedial measure(s) will be kept confidential at the request of the individual on whose behalf it is implemented except to the extent disclosure to other individuals, including students and University employees, is necessary in order to effectively implement the remedial measure(s).

How Does The University Investigate a Sexual Misconduct Report?

When a report of possible sexual misconduct is made, the Title IX Coordinator will commence an investigation. The Title IX Coordinator will investigate all reports of sexual misconduct about which they become 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.

As part of that investigation, the Title IX Coordinator will interview the complainant and respondent. The Title IX Coordinator will also interview other people who may have information about the incident and gather relevant information or documents.

At the conclusion of the investigation, the Title IX Coordinator will share their findings with the complainant and the respondent, in writing. The Title IX Coordinator will also determine whether the incident should be referred for further evaluation of potential disciplinary charges or other remedial action. If the respondent is a student, such referral shall be made to the University’s Conduct Officer(s) for evaluation of potential disciplinary charges under the Standards of Student Conduct. If the respondent is an employee, contractor, or vendor of the University, such referral shall be made to the University’s Associate Vice President for Human Resources or other appropriate University officials for evaluation of potential disciplinary action or remedial action under applicable University policies and procedures.

The standard of evidence used throughout the investigative process is a preponderance of the evidence, or the greater weight of the evidence.

If the Title IX Coordinator determines that there is not enough information to refer the matter to the Conduct Officer, the Associate Vice President for Human Resources, or another appropriate University official, the Title IX Coordinator will close the investigation. The investigation may be reopened when and if additional evidence becomes available. Additionally, even if the Title IX Coordinator determines that there is not enough information to refer the matter to the Conduct Officer, the Associate Vice President for Human Resources, or another appropriate University official, the Title IX Coordinator will evaluate and, where appropriate implement other types of interim or longer term remedial measures for the complainant, the respondent, witnesses, or other involved individuals, such as issuing or continuing a “no contact” order, implementing or continuing academic or housing accommodations, or facilitating access to counseling or other support services.

Additionally, in collaboration with other University officials, the Title IX Coordinator 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 sexual misconduct policy and resources.

If the Title IX Coordinator does not refer the matter to the Student Conduct Officer, the complainant may still file a complaint directly with the applicable Student Conduct Officer under the University’s Standards of Student Conduct or with the University’s Human Resources Department under the University’s Policy on Discrimination and Sexual Misconduct Involving Faculty or Staff.

**How Long Does an Investigation Take?**

In general, the Title IX Coordinator and, when applicable, the Conduct Officer will investigate promptly, and the entire investigation, including any disciplinary hearing should last no longer than sixty (60) days, unless extenuating circumstances necessitate a longer time frame.

**What if I Want to Keep Things Confidential or Do Not Want to Pursue a Formal Complaint?**

Except for the confidential resources described in this Policy, all University Responsible Employees are required to notify the appropriate Title IX Coordinator if they become aware of a possible incident of sexual misconduct, including sexual violence, involving a University student. All other members of the University community, except for confidential resources, are strongly encouraged to report any incident of sexual misconduct to the appropriate Title IX Coordinator and, if a possible crime, to the University Police Department. All Campus Security Authorities are required to report possible crimes to the University Police Department.

**Confidential Resources**

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”)*
Sarah Brunet Hall
804-289-8119
Office Hours: Mon. – Fri. 8:30 a.m. to 5:00 p.m.
For after hours, on-call assistance call URPD at 804-289-8715

*Student Health Center*
Special Programs Building
804-289-8700
Office Hours: Mon. – Fri. 8:30 a.m. to 4:30 p.m.
Summer: Closed to Patient Care
After Hours Resources: Anytime the SHC is closed, help is available from Fonemed, a medical advice call line, by dialing 1-855-292-3373. The Fonemed Registered Nurse will assess your problems and direct you to the most appropriate care.
For assistance in determining the need for emergency services, contact University Police at (804) 289-8715.

Students may also discuss an incident of sexual misconduct, on a confidential basis, with ordained personnel within the Office of the Chaplaincy:

*Office of the Chaplaincy*
Licensed health care professionals at CAPS and 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, if 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).

The following off-campus options are also available to students who wish to discuss an incident of sexual misconduct on a confidential basis:

The 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. Calling the hotline will connect you 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 and open to survivors and their supporters. It is sponsored by the YMCA, Safe Harbor and other area organizations. Trained volunteer counselors can provide information and confidential options to survivors of sexual misconduct. The YWCA also provides support groups for survivors of sexual violence.

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: 24-hour helpline at (804) 287-7877, children/youth services, community education and training, counseling, court advocacy, emergency shelter, and hospital accompaniment.

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 Helpline is available Monday-Friday 8am-8pm at 1-866-356-6998.

Confidentiality Requests to the Title IX Coordinator

The complainant may share as much or as little information with the Title IX Coordinator as they choose. The complainant may choose not to participate in the Title IX investigation or the student conduct process.

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 will advise the complainant that keeping the complainant's name confidential or declining to identify the respondent may limit the University's ability to thoroughly investigate the sexual misconduct complaint. The Title IX Coordinator will also inform the complainant that in some cases 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 investigate despite the complainant’s request.
The Title IX Coordinator will seek to balance a complainant’s request for confidentiality with the need to protect other 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; history of 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.

After gathering information from the complainant and incorporating the complainant's request for confidentiality, the Title IX Coordinator will work with University officials to determine whether any of the following actions are appropriate to protect the campus community from any possible ongoing threat:

- Take steps to protect the complainant, including interim remedial measures such as issuing a "no contact order" or a "no trespass order" as the investigation is ongoing;
- Take steps to prevent or address retaliation; and
- Determine if enough evidence exists to warrant an investigation without the complainant’s cooperation.

If 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, will consider and, where appropriate, implement remedial actions to protect the complainant and/or 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 sexual misconduct policy and resources.

If the University determines that it must 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 interim 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.

If the complainant does not wish to participate in the investigation or pursue a formal complaint, the Title IX Coordinator will still work with the complainant to arrange access to support resources and to implement appropriate interim and long-term remedial measures.
How Do I Pursue a Formal Complaint of Sexual Misconduct?

Any Responsible Employee with knowledge of sexual misconduct by a student, faculty member, staff member, or third party must report that incident in writing (email suffices) to a Title IX Coordinator. Any other employee or any student with knowledge of sexual misconduct by a student, faculty member, staff member, or third party is strongly encouraged to report such incident, in writing (email suffices), to a Title IX Coordinator. Reporting to the Title IX Coordinator is the first step in pursuing a formal complaint of sexual misconduct.

In cases where a student is accused of sexual misconduct, the procedures set forth in this policy and the Standards of Student Conduct shall apply. In cases in which the accused person is a faculty member, staff member, or third party, the procedures set forth in the University's Policy on Discrimination and Sexual Misconduct involving faculty or staff shall apply.

How Does the Student Conduct Process Work?

The Title IX Coordinator does not determine whether a disciplinary charge should be brought or whether disciplinary sanctions should be imposed. Instead, the Title IX Coordinator or designee conducts a fair and impartial investigation and makes a determination regarding whether there is sufficient evidence at that time to refer the matter to the Conduct Officer to evaluate possible disciplinary action. The matter will then be handled in accordance with the University's Standards of Student Conduct.

Upon receipt of the referral from the Title IX Coordinator, the Conduct Officer shall review the findings of the Title IX Coordinator or designee’s investigation and the investigative file to determine whether a formal disciplinary charge under the Standards of Student Conduct is warranted. If necessary, the Conduct Officer may conduct a follow-up or additional investigation in order to gain sufficient information to determine whether a disciplinary charge is warranted. The Conduct Officer will confer with the Title IX Coordinator regarding any questions they may have regarding the Title IX Coordinator's investigation. Any investigation by the Conduct Officer shall be conducted in a prompt, fair and impartial manner.

If the Conduct Officer determines that a formal charge against the respondent is warranted, the University will handle the matter under the procedures described in Article VI of the Standards of Student Conduct: “Rights and Responsibilities in All Matters Involving the University's Sexual Misconduct Policy.” The University will never use mediation as a means to settle a sexual misconduct charge involving students. Possible sanctions are listed in Article VIII of the Standards of Student Conduct.

If the Conduct Officer believes that there is insufficient evidence to initiate a disciplinary charge, they shall consult with the Title IX Coordinator who conducted the investigation prior to making a final determination and with other University officials, as appropriate. The purpose of such consultation is to ensure that the Conduct Officer has a complete and accurate understanding of the Title IX Coordinator’s investigation and findings, to share with the Title IX Coordinator the findings and results of the Conduct Officer’s investigation, and to provide an opportunity for the Conduct Officer and the Title IX Coordinator to discuss the Conduct Officer’s tentative decision. Following this consultation, the Conduct Officer shall finalize their decision regarding whether a disciplinary charge will be filed against the respondent.
What are the Rights and Responsibilities of the Complainant and Respondent when a Student Disciplinary Action Is Initiated for an Alleged Violation of this Sexual Misconduct Policy?

The rights and responsibilities of the respondent and complainant in a sexual misconduct disciplinary investigation are included in the Standards of Student Conduct, Article VI: Rights and Responsibilities in All Matters Involving the University's Sexual Misconduct Policy.

How Does the University Handle Retaliation Against Someone Who Brings a Complaint of Sexual Misconduct or Participates in the Investigation or Hearing Process?

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 sexual misconduct 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 sexual misconduct 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 sexual misconduct policy shall be subject to discipline in accordance with the policies and procedures of the University, including this Policy and the Standards of Student Conduct.

Are the Records of a Sexual Misconduct Investigation Confidential?

The University considers the records of a sexual misconduct investigation to be confidential and the University uses reasonable methods to protect the confidentiality of those records. 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 students (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.

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.

Students involved in a sexual misconduct investigation are encouraged to respect the privacy of the complainant, the respondent, and any witnesses by maintaining appropriate confidentiality. However, students are permitted to share appropriate information with counselors, parents, advisors, or members of the deans’ offices.
Sexual Misconduct Support Resources

It is important that all University of Richmond students are aware of their rights and opportunities for support and assistance. The following are resources available both on campus and in the campus community.

Confidential Resources

Disclosure of information to any of the following sources will be completely confidential. Your personal information will not be shared by the following resources:

Counseling and Psychological Center (CAPS)
Sarah Brunet Hall
804-289-8119
Office hours: Mon.–Fri., 8:30 a.m.–5 p.m.

Student Health Center
Special Programs Building
804-289-8064
Regular school session: Mon.–Fri., 8:30 a.m.–4:30 p.m.
Summer: closed to patient care

Office of the Chaplaincy
(ordained personnel only)
Wilton Center
804-289-8500
Office Hours: Mon.–Fri., 8:30 a.m.–5 p.m.

Additional Campus Resources

Richmond College Dean's Office
Whitehurst
804-289-8061
Office Hours: Mon.–Fri., 8:30 a.m.–5 p.m.

Westhampton College Dean's Office
Westhampton Center
804-289-8468
Office Hours: Mon.–Fri., 8:30 a.m.–5 p.m.

Coordinator for Sexual Misconduct Education
Westhampton Center
804-287-1217
Office Hours: Mon.–Fri., 8:30 a.m.–5 p.m.
University of Richmond Police Department  
Special Programs Building  
804-289-8715  

Office of International Education (for questions and concerns about visa and immigration status)  
Director of International Student, Scholar and Internship Services  
103G Carole Weinstein International Center  
804-287-6499  

Off-Campus Resources  

The Richmond Regional Hotline  
(804) 612-6126  

Safe Harbor  
P.O. Box 17996  
Richmond, VA 23226  
(804) 287-7877  

The Virginia Anti-Violence Project  
LGBTQ Partner Abuse and Sexual Assault Helpline  
Monday – Friday 8:00 a.m. – 8:00 p.m.  
(866) 356-6998  

St. Mary's Hospital  
801 Bremo Road  
Richmond, VA 23226  
(804) 285-2011  

VCU Medical Center  
1250 E. Marshall Street  
Richmond, VA  
(804) 828-9000
Education and Prevention

Members of the University of Richmond community strongly believe that educating one another about sexual misconduct and responding to survivors are critical duties of the University community. Several student organizations, including sororities, fraternities, and the WILL* program, hold annual events to acknowledge and educate the campus about sexual misconduct's psychological, structural, and social components and how survivors and allies may get support.

University offices, such as the Richmond College and Westhampton College Dean's Offices, University of Richmond Police Department, Athletics Department, Recreation & Wellness, and the Center for Student Involvement also oversee significant programs that engage all University members in understanding more about sexual misconduct awareness and prevention. These programs bolster the efforts of offices such as the Student Health Center, Counseling and Psychological Services (CAPS), and the Chaplaincy to support survivors and to foster a strong learning community at the University of Richmond.

Below is a list of University programs and student initiatives that aim to educate the campus community about sexual misconduct and its prevention:

Get Involved!

Student Initiatives:

Spiders for Spiders

. . . a student movement to end sexual violence in our community

To join this rapidly growing movement, CLICK HERE TO REGISTER for 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.

University Programs:

Clothesline Project

It Ends Now

Orientation Programs: "Think Again" and “It's On Us!”
Things You Can Do to Help End Sexual Violence at UR:

- **Be an active bystander!** Bystanders, who greatly outnumber perpetrators, have the power to stop abuse and to get help for people who have experienced sexual violence. Active bystanders are people who are aware of an abusive situation and choose to speak up and say or do something without putting their own safety at risk.
- Call 911 if there is immediate danger to you or someone else.
- In intimate situations, communicate clearly about how you feel and what you want. Listen to your partner. Do not rely on body language - stop, ask, and clarify what your partner wants.
- Do not accept the myth that 'no means yes'. Submission does not equal consent.
- Limit alcohol intake. And remember that having sex with someone who is incapacitated is sexual violence, even if you have been drinking.
- Educate yourself and examine your own attitudes that may perpetuate sexism and gender-based violence.
- Challenge actions, comments or jokes that support rape and other gender-based violence.
- Speak up. Don’t just look the other way. Confront friends who are being disrespectful or abusive of any person by speaking up when you think gender-based violence is possible. You could save a friend from an unwanted sexual experience - or from committing one.
- Start conversations with your friends, your partners, and your family about what violence means and how they can help stop gender-based violence.
- Be critical of the media you consume. Only support musical artists, television shows, and movies that treat people with respect and portray gender-based violence accurately. If you don’t like what you see or hear, turn it off. Talk about it.
- Talk to someone you know who makes sexist, racist, homophobic, transphobic or other such remarks. Explain why you think the behavior is inappropriate.
- Invite an educator to speak to your class or student organization about sexual violence.
- If you sense trouble, ask the affected person if help is needed.
- Get involved and do your part to end sexual violence. There are many things you can do on and off campus to help, including attending events, requesting or organizing events, and volunteering your time. Join the student-initiated Spiders for Spiders movement to end sexual violence in our community.