Community Standards

for the University of Richmond

Updated August 2026

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SECTION 1: STUDENT CONDUCT PHILOSOPHY

A fundamental aspect of a University of Richmond education, as stated in its mission, is the fostering of a community "dedicated to the holistic development of students and the production of scholarly and creative work." The purpose of the Community Standards is to provide the foundation of that community.

Our community places a high value on personal integrity, honesty, trust, and responsibility. Respect and care for others and the community are paramount. The actions of students, both inside and outside of the classroom, impact the learning environment and our shared community.

As a result, the regulation of academic and non-academic conduct are the responsibility of the University. These Community Standards uphold our values of personal integrity, academic honesty, and responsible citizenship.

SECTION 2: STUDENT CONDUCT AUTHORITY

A. The Vice President for Student Development is the person designated by the University President with authority for establishing Community Standards and for the development and implementation of policies and procedures to enforce such conduct standards. The Vice President for Student Development, with consideration of the recommendations of the Faculty Senate, either directly or through its Undergraduate (Traditional) Student Academic Integrity Committee, also has responsibility for establishing standards for academic integrity for students in the University's School of Arts & Sciences, Jepson School of Leadership Studies, and Robins School of Business and for the development and implementation of policies and procedures to enforce such academic integrity standards. The Vice President for Student Development may delegate his authority to other University administrators, including the Director of Student Conduct.
    1. The University's School of Law, graduate programs in the Robins School of Business, and School of Professional and Continuing Studies have separate policies and procedures governing student academic integrity.

B. If a report alleges that a student engaged in both Prohibited Conduct or Academic Misconduct, both as defined in these Community Standards, the Director of Student Conduct, in consultation with the Vice President for Student Development, will determine the appropriate process to resolve the matter.

C. Subject to the appeal rights set forth in these Community Standards, decisions made by a Conduct Panel and/or Conduct Officer shall be final.

D. Interpretation and Revision
    1. The Vice President for Student Development has the final authority to interpret and apply the Community Standards.

    2. The Community Standards shall be reviewed annually under the direction of the Director of Student Conduct and, with respect to the provisions addressing Academic Misconduct, in consultation with the Faculty Senate's Undergraduate (Traditional) Student Academic Integrity Committee.

SECTION 3: JURISDICTION

The Community Standards applies to the behavior of students from when they apply to the University until the awarding of a degree or other termination of enrollment. A student's application for admission or enrollment in the University presupposes a commitment to the principles set forward in these Community Standards. It further represents a student's consent to be bound by the terms of the Community Standards throughout their enrollment, including the period between academic terms. The Community Standards shall apply to a student's conduct even if the student withdraws from the University while a disciplinary matter is pending.

The Community Standards 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 educational programs and activities, as defined in Section 11 of these Community Standards, or in connection with any course or other academic program of the University.

The Community Standards applies to visiting students enrolled at the University and University students enrolled elsewhere. The Community Standards also applies to University students studying abroad through a University approved study abroad program.

The Community Standards applies to conduct by a University student occurring at other locations or in connection with other activities if the Vice President for Student Development or their designee determines that such conduct may adversely affect any member of the University community, the University itself, or its educational programs.

Recognized Student Organizations are subject to the same standards as individual members of the University community. If a Recognized Student Organization engages in Prohibited Conduct, as defined in Section 5 of these Community Standards, it shall be subject to disciplinary action as a group offense. Disciplinary action against a Recognized Student Organization may be pursued in addition to or in lieu of disciplinary action against individual members of the Recognized Student Organization.

Refer to the University's Policy on Prohibiting and Responding to Sexual Harassment / Sexual Misconduct - Students (GOV-3103) to understand the scope of such policy.

The Community Standards, University policies, and related procedures are not contracts and do not confer contractual rights upon any individual. The University has the right to amend or modify the Community Standards, University policies, and related procedures from time to time, without prior notice.

The Community Standards, University policies, and related procedures are not intended to replicate or supersede state, federal, criminal, or civil laws or procedures. University policies differ from the criminal and civil justice system and a finding of responsibility for a violation of the Community Standards or a University policy shall not be construed as a finding that any criminal or civil statute has been violated.

SECTION 4: STUDENT EXPECTATIONS AND RIGHTS

A. Student Expectations

1. University of Richmond students are expected to abide by the Community Standards throughout their years of enrollment. If a student should violate the Community Standards, the student is expected to accept full responsibility for their actions.

2. The Honor Pledge is a reinforcement of the student's dedication to the Community Standards. Students are expected to sign the Honor Pledge in its full version printed below at Investiture for Richmond College or Proclamation for Westhampton College:
    a. I, Full Name, having a clear understanding of the basis, spirit, and interpretation of the Community Standards whereby our college community is governed, pledge my personal honor that I will uphold the standards of honesty, integrity, and responsibility in all areas of college life, both academic and social. I will do all in my power to make the ideal of honor, in its highest sense, prevail among my fellow students. If at any time I should violate either the letter or spirit of the Community Standards, I shall accept full responsibility for myself. Full Signature.

3. To reinforce the student's continual dedication to the Community Standards, the student may be expected to provide and sign the following abbreviated Honor Pledge on every assignment that the student submits to an instructor for a grade at the instructor's discretion:
    a. I pledge that I have neither received nor given unauthorized assistance during the completion of this work. Full Signature.

4. A student charged with engaging in Prohibited Conduct or Academic Misconduct is expected to attend any scheduled administrative or conduct panel hearing. If the student, without valid excuse or authorization from either the Vice President for Student Development or the Director of Student Conduct, fails to attend the hearing as scheduled, the Conduct Officer or Conduct Panel may meet in the student's absence to make a finding on the charge, and if appropriate, impose disciplinary outcomes.

B. Student Rights (See Appendix A for matters involving alleged violations of the University's Policy Prohibiting and Responding to Sexual Harassment/Sexual Misconduct-Students.)
    1. A student charged with engaging in Academic Misconduct or Prohibited Conduct, as outlined in Section 5 of the Community Standards, shall have the following rights:
        a. To have a conduct process outcome based on evidence presented during the conduct process, including reasonable inferences drawn from such evidence, and reasonable determinations by the fact finder as to the credibility of witness testimony.
        b. To be informed of the status of their pending conduct proceeding.
        c. To seek support from their family, a dean, and confidential resources such as a counselor, doctor, or confidential advocate.
        d. To seek the advice of an attorney at their own expense. The attorney may not be present in any meeting or hearing, including an appeal.
        e. To receive written notification of the charge(s), a copy of their expectations and rights, and copy of the rules and procedures of the University's conduct process at least three (3) business days prior to an preliminary hearing. The student has the option to waive this right or to request an extension of this period. Only the Conduct Officer may approve the request for extension, at their reasonable discretion.
        f. To affirm with their signature at the commencement of the preliminary hearing that they have been provided a copy of, read, and understand their rights and the rules and procedures of the University's conduct process.
        g. To have the opportunity to read the report of the alleged misconduct during the preliminary hearing. The student does not have the right to obtain a copy of the report or to reproduce the report in any manner.
        h. To choose to have the charge(s) and/or appropriate disciplinary outcome determined by a conduct panel, conducted in accordance with the Section 8 of the Community Standards.
        i. The right to attend the entire conduct panel hearing except for the deliberations of the conduct panel.
        j. To submit an appeal of a finding of responsibility on the grounds specified in Section 10 of the Community Standards.
        k. To be allowed to attend classes and participate in any University function until a disciplinary outcome of suspension or permanent separation is approved by the Conduct Officer. The student shall retain this right of access as long as an appeal is pending.

2. In addition to the rights outlined in Section 4 (B) (1) above, a student charged with Academic Misconduct, as outlined in Section 5 of the Community Standards, shall also have the following rights:
    a. To be notified by the instructor of the alleged academic misconduct within five (5) business days from the instructor's first knowledge of the alleged violation.
    b. To choose whether to accept the determination of the instructor or to opt to have the charge adjudicated under Section 6 of these Community Standards.

SECTION 5: PROHIBITED CONDUCT AND ACADEMIC MISCONDUCT

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

2. Harassment/Discrimination. Conduct that constitutes harassment or discrimination under the University's policies prohibiting harassment and discrimination.

3. Hazing. Conduct that constitutes hazing under the University's Hazing Policy (STU-1001).

4. Retaliation. Conduct that constitutes a violation of the University's Policy Prohibiting Retaliation (GOV-1004).

5. Disruption, Unauthorized Entry, Etc.
    a. Obstruction, disruption, or attempts at obstruction or disruption of teaching, research, administration, disciplinary procedures, or other University or University authorized activities, functions, events, or operations.
    b. Unauthorized entry into, presence in, seizure, or occupation of any University facility or area that is locked, closed to student activities, or otherwise restricted as to its use where one's presence is unauthorized.
    c. Entering or attempting to enter Westhampton Lake, either in person or in a boat, kayak, or other water craft or flotation device, without prior written authorization.
    d. Blocking the entrance or exit of any University facility or building, or any corridor or room therein.
    e. Blocking or impeding normal pedestrian or vehicular traffic on or adjacent to University property.
    f. Disruptive behavior.
    g. Disturbing the residence hall/community.

6. Doxing, Exploitation, and Extortion
    a. Unauthorized distribution of restricted information about a member of the University community without that person's permission and with the intent to threaten, intimidate, or incite the commission of a crime against that individual.

(1) Restricted information is information that has not been made readily available to the public and specifically identifies that individual. However, restricted personal information does not include information that is defined as public as a matter of law, regulation, or policy or information regarding a person's public activities, whether in person or online.

b. Recording, photographing, or transmitting intimate or sexual images, videos, or audio of another person, including images of someone undressed or partially undressed, without that person's consent; recording or photographing someone under circumstances in which they have a reasonable expectation of privacy and without their consent; allowing third parties to observe sexual acts without consent; engaging in voyeurism; and knowingly transmitting a sexually transmitted disease to another person.

c. Obtaining or attempting to obtain money, property, or other benefits from another person using force or threats.

7. Sexual Misconduct
   Violation of the University's Policy Prohibiting and Responding to Sexual Harassment/Sexual Misconduct (Students).

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

9. Failure to Comply
   a. Failure to present proper identification upon request by a University official.
   b. Lying or intentionally misleading University officials performing their assigned duties. Lying includes knowing misrepresentations or material omissions.
   c. Failure to comply with the direction of, and/or interfering with, a University official acting in the authorized performance of duty.
   d. Failure to comply with University health and safety guidelines or policies.
   e. Violation of a "No Contact Order" issued by a University official.

10. Alcohol, Tobacco, & Other Drugs
    Violation of rules and regulations including those pertaining to the University's Alcohol, Tobacco, & Other Drug Policy. Students charged through the Community Standards for alcohol violations and found responsible will be issued sanctions as outlined in the University's Alcohol, Tobacco, & Other Drug Policy.
    a. Alcohol
       (1) Consumption of alcohol under the legal drinking age.
       (2) Possession of alcohol under the legal drinking age.
       (3) Possession and/or use of false identification.
       (4) Possession of an open container of alcohol in a public space.
       (5) Hosting an unauthorized/unregistered on-campus event with alcohol.
       (6) Hosting a registered on-campus event with alcohol that violated the University's alcohol regulations.
       (7) Hosting an off-campus event with alcohol that disturbs the community.

(8) Hosting an off-campus event with alcohol that violated the University's alcohol regulations.
(9) Having an underage guest who possessed and/or consumed alcohol while in attendance at your event.
(10) Contribution of alcohol to a person under the legal drinking age.
(11) Consumption of an alcoholic beverage in public.
(12) Public intoxication
(13) Violation of Virginia Alcohol and Beverage Control (ABC) Laws.
(14) Driving under the influence and/or while intoxicated.
(15) Violation of the alcohol policy at The Cellar.

b. Tobacco
(1) Purchase, possession, or consumption of tobacco products, nicotine vapor products, and/or alternative nicotine products under the age of 21.

c. Other Drugs
(1) Possession and/or use of illegal drugs, narcotics, pharmaceuticals, and/or drug paraphernalia.
(2) Distribution or sale of illegal drugs, narcotics, pharmaceuticals, and/or drug paraphernalia.

11. Violation of Local, State/Commonwealth, or Federal Law
a. Conduct that the University determines may violate local, state/commonwealth, or federal laws.
b. Conviction of any felony or conviction of a misdemeanor involving fraud, theft, lying, or moral turpitude.
(1) A student may, at the discretion of the Conduct Officer or conduct panel chair. Be found responsible for Section 5 (B)(9)(b) solely upon the introduction into evidence at an administrative or conduct panel hearing of a certified copy of an order of conviction or other document satisfactorily evidencing conviction of a felony or misdemeanor.

12. University Housing
a. Violation of University policies or regulations governing University housing.
b. Failure to comply with or respond truthfully to reasonable requests of any Residence Life & Housing (RLH) or other University official when acting in the performance of their duties, administrative instructions, or deadlines, including but not limited to the following:
(1) Being verbally abusive or argumentative with a RLH or other University official.
(2) Failure to leave premises when asked by a RLH or other University official.
(3) Attempts to bribe a RLH or other University official.
(4) Giving false, misleading, or partially truthful information to a RLH or other University official.
(5) Interference or disruption with processes including but not limited to attempts to influence, intimidate, or threaten.

13. Use of Recorded Material
    Subject to applicable University policies and class-specific policies, classes may be recorded and instructors my prepare video recordings of lectures or teaching segments. Recordings of any type will be made available only to students registered for the course and should be used only for personal study by students enrolled in the course.
    a. Students shall not disclose, share, trade, or sell these recordings with/to any other person, organization, business, or institution.
    b. Students shall not post/store these recordings in a location accessible by anyone other than the student, including but not limited to social media accounts.
    c. Students must comply with any instructions or directions from their instructor regarding the use of such recordings.
    d. Students are required to destroy any recordings that were made when they are no longer needed for the student's academic work.

14. Other Regulations and Policies
    a. Violation of a University policy or policies.
    b. Providing information about a member of the University community to organizations or individuals that are not affiliated with the University without the member's permission.
    c. Inciting others to violate University policy.

B. Academic Misconduct. Academic work relies on trust: trust that each student's work is their own, fairly done, and truthfully presented; trust that students deal honestly with their instructors; trust that they protect each other's chance to learn; and trust that when something goes wrong, it is faced openly and honestly. Common violations are often characterized as cheating, plagiarism, unauthorized use of artificial intelligence, lying, or academic theft, but fundamentally each of these acts is a violation of trust. When academic misconduct is suspected, we ask the question, "How has our trust been strained?"

   The reporting of cases and finding responsibility for Academic Misconduct shall be based on violations of the following areas of trust:

   1. Honest Authorship. Is the work presented the student's own? Examples of misconduct include work, ideas, or effort that comes from somewhere else – another person, a bought or found source, a generative tool, or a duplicative submission of your own work (if you wish to submit the same material as an assignment for two different classes, you must get permission in writing from each instructor).

   2. Fair Process for Everyone. Is the learning shown under fair and equitable conditions? Do all students have a fair opportunity to access materials and information related to the class? Examples of misconduct include unauthorized use of materials during an assessment from a computer, cell phone, watch, AI glasses, or other technology, or shared academic resources that are withheld from classmates.

   3. Truthful Content. Is the work presented by the student real, supported by empirical or factual data? Examples of misconduct include content that was invented or altered so that something false is presented as real – fabricated data, results, citations, or entire assignments.

   4. Honest Dealings with Instructors. Is the student being honest with their Instructors? Does the student face concerns of academic misconduct openly? Examples of misconduct include a false

account or forged document used to the student's benefit; a student provides false information, working against facing a concern raised by a professor.

C. Violation of Law and University Conduct Proceedings
   1. University conduct proceedings may be instituted against a student charged with conduct that potentially violates both the criminal law and the Community Standards (that is, if both possible violations result from the same factual situation) without regard to the pendency of criminal proceedings in court or criminal arrest or prosecution. At the discretion of the Vice President for Student Development, and consistent with other University policies, proceedings under the Community Standards may be carried out prior to, simultaneously with, or following criminal proceedings off campus.
      a. Determinations made or sanctions imposed under the Community Standards shall not be subject to change because criminal or civil charges arising out of the same facts giving rise to violation of University rules were dismissed, reduced, or resolved in favor of or against the criminal or civil court defendant.

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

D. Exceptions
   1. If a student is charged with engaging in Prohibited Conduct, the University will not pursue a conduct charge against the student if they were rendering urgent or emergent assistance to someone in medical (psychological, psychiatric, or physical) distress.

   2. If a student is charged with engaging in Prohibited Conduct, the University will not pursue a conduct charge against the student if they are rendering urgent or emergent assistance to someone who may have experienced sexual misconduct.

SECTION 6: REPORTING, REVIEW, AND PRELIMINARY PROCEDURES

A. Report of Prohibited Conduct
   1. Any member of the campus community with knowledge of an act by a student that may constitute Prohibited Conduct may submit a report to the Director of Student Conduct.

   2. Anonymous reports may be submitted, however, anonymous reports cannot be the sole evidence upon which a finding of responsibility for Prohibited Conduct is made.

   3. The University reserves the right to initiate conduct proceedings without a formal report if there appears to be reliable information that a student may have engaged in Prohibited Conduct.

4. A report of alleging Prohibited Conduct should be submitted promptly, and include the following:
   a. Description of the conduct alleged;
   b. Identities of the student(s) believed to be involved, including potential witnesses; and
   c. Description of the relevant facts supporting the allegation.

5. Information available through public sources or public records (e.g. police reports) may be used as a report of Prohibited Conduct.

B. Report of Academic Misconduct and Role of Instructors
   1. Reporting Academic Misconduct.
      a. An instructor who suspects that a student in their course has engaged in Academic Misconduct shall compile necessary documentation and evidence to support the allegation.
      b. The Instructor shall contact the Director of Student Conduct to determine if the accused student has previously been found responsible for academic misconduct.

   2. Role and Responsibilities of Instructors.
      a. If the accused student has not previously been found responsible for Academic Misconduct, the Instructor has the option to resolve the concern with the accused student or to refer the matter to the Director of Student Conduct by submitting a report and any supporting documentation/evidence.
         (1) The instructor may elect to resolve the concern through an educational conversation with the student instead of engaging in the Academic Misconduct process.
            (a) The instructor shall inform the Director of Student Conduct of the conversation, and the educational conversation would be noted but not included as part of the student's conduct record. This option shall be allowed one time per student.
         (2) If the Instructor elects to resolve the concern with the accused student in through the Academic Misconduct process, the Instructor proceed as follows:
            (a) In assessing whether the student is responsible for academic misconduct, the Instructor shall use the preponderance of the evidence standard of proof as outlined in Section 6(D).
            (b) The Instructor will meet with the accused student and will discuss the alleged Academic Misconduct. The Instructor will present any supporting documentation/evidence to the accused student, and will ask the accused student if they accept responsibility for the alleged violation.
            (c) The Instructor and the accused student may agree that there was no Academic Misconduct. In that case, the Instructor will inform the Director of Student Conduct of the resolution and the case will be closed.
            (d) If the accused student accepts responsibility, the Instructor will inform the accused student of the grade outcome, and will inform the Director of Student Conduct of the resolution.
               (i) The accused student will meet with their College Dean to discuss further educational outcomes.
            (e) If the accused student does not accept responsibility, the Instructor shall submit the report and any supporting documentation/evidence to the Director of Student Conduct.
               (i) The Instructor shall also submit recommendations for a grade outcome should the accused student accept responsibility or be found responsible.

(ii) The Director of Student Conduct will proceed to resolve the concern following procedures outlined in Section 7 and Section 8 of the Community Standards.

(3) If the Instructor chooses not to resolve the concern personally, the Instructor shall submit the report and any supporting documentation/evidence to the Director of Student Conduct.

(a) The Instructor shall also submit recommendations for a grade outcome should the accused student accept responsibility or be found responsible.

(b) The Director of Student Conduct will proceed to resolve the concern following procedures outline in Section 7 and Section 8 of the Community Standards.

b. If the accused student has a prior academic conduct violation, the Instructor shall submit the report and any supporting documentation/evidence to the Director of Student Conduct.

(1) The Instructor shall submit recommendations for a grade outcome should the accused student accept responsibility or be found responsible.

(2) The Director of Student Conduct will proceed to resolve the concern following procedures outlined in Section 7 and Section 8 of the Community Standards.

C. Case Assignment and Review

1. After receiving a report or other evidence alleging that a student engaged in Prohibited Conduct or Academic Misconduct, the Director of Student Conduct will assign the case to a Conduct Officer.

2. The Conduct Officer, at their discretion, may collect and review documents, interview witnesses and other involved parties, and undertake additional steps as needed to appropriately determine if charge(s) are appropriate. If there has been a preliminary inquiry or investigation, for example by the University of Richmond Police Department or the Office of Compliance, Title IX and Non-Discrimination, the Conduct Officer shall review the findings of that inquiry or investigation to determine whether a preliminary charge(s) is warranted.

3. The Conduct Officer, in consultation with the Director of Student Conduct, may determine that some or all of the alleged conduct should be referred to another University department for review under applicable policies.

4. The Conduct Officer, in consultation with the Director of Student Conduct, may share any relevant information with an appropriate University Official to assess if interim action is warranted.

D. Standard of Proof

The standard of proof for all conduct processes, with the exception of the appellate process as stated in Section 10, shall be “preponderance of the evidence,” meaning that it is more likely than not that the student committed the violation as alleged. This determination must be based solely on the information presented in the Review, Preliminary Hearing, or Conduct Panel proceedings.

E. Initiation of Charges

1. In determining whether to formally charge a student with a potential violation of the Community Standards, the Conduct Officer will consider whether the results of the investigation provide sufficient facts and evidence upon which a reasonable decision-maker could find, by a preponderance of the evidence, that the student violated the Community Standards. However,

the decision to initiate a conduct or other disciplinary proceeding is not a final determination of responsibility and will not be used as evidence in any subsequent hearing or proceeding.

2. The Conduct Officer, at their sole discretion, may seek the advice and counsel of appropriate and relevant administrators, including but not limited to the Director of Student Conduct, University Police, University Counsel, or other administrators.

3. The final decision on whether a formal notification of alleged violation(s) under the Community Standards is warranted rests with the Conduct Officer, in consultation with the Director of Student Conduct.

F. Interim Actions
1. In certain circumstances the University may impose an interim action including, but not limited to, suspension, housing suspension, restrictions from specific portions of the campus, or denied attendance in a specific class.
    a. Interim actions may be imposed by the Vice President for Student Development or the Director of Student Conduct on their own accord or after consultation with other University Officials.

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

3. During the period of interim suspension, the student must leave campus immediately and shall not participate in academic, extracurricular, or other activities of the University except as may be authorized by the University official who imposed the interim suspension. The student is not permitted on campus without the prior written consent from the University official who imposed the interim suspension.

4. Interim suspension(s), if imposed, shall be in addition to any other interim remedial measures, such as No Contact Orders, put in place by University officials, including the Title IX Coordinator.
    a. The interim suspension does not replace the regular conduct or appellate process, which shall proceed on the normal schedule.
    b. Unless provided with explicit, written permission for an exception in advance as noted above in Section 6 (F)(3), the student subject to an interim suspension will be permitted to return to campus solely for the purposes of participating in a Conduct Panel proceeding.

5. A student may be denied attendance in a specific class if there is a reasonable basis to conclude that the student poses a threat to the health or safety of any person in the class or poses a threat of serious disruption of or interference with the class.
    a. Arrangements will be made for the student to either attend another section of the class or to make an arrangement with the instructor of record to complete the course in another manner.

SECTION 7: PRELIMINARY HEARING PROCEDURES

A. If the Conduct Officer decides to formally charge the student, the Conduct Officer shall provide formal written notice to the accused student of the charge(s) and date of the preliminary hearing and request the attendance of the accused student at that hearing. The Conduct Officer shall also provide the accused student with a copy of or a link to the Community Standards.

B. During the preliminary hearing, the Conduct Officer shall:
   1. Review the report and collected evidence with the accused student;
   2. Explain the charge(s) and any associated policy or policies; and
   3. Review the options available for resolution, including possible disciplinary outcomes if found responsible.

C. The accused student shall be asked if they accept responsibility for the Prohibited Conduct or Academic Misconduct charged.
   1. The accused student may accept responsibility for the Prohibited Conduct or Academic Misconduct. The Conduct Officer will then assign disciplinary outcomes as outlined in Section 9 of the Community Standards.
      a. If the accused student accepts responsibility for the charges and accepts the disciplinary outcomes assigned by the Conduct Officer, the accused student waives their right to a hearing and an appeal.
      b. Except as provided below, if the accused student accepts responsibility for the Prohibited Conduct or Academic Misconduct charged, but does not accept the disciplinary outcomes proposed by the Conduct Officer, the matter will be referred to a Conduct Panel to determine appropriate disciplinary outcomes.
         (1) If the accused student accepts responsibility for the Prohibited Conduct or Academic Misconduct charged and the disciplinary outcome is an educational conversation, the matter cannot be referred to a Conduct Panel and the accused student must accept that outcome.
      c. The accused student must advise the Conduct Officer of their choice to accept responsibility and the disciplinary outcomes proposed by the Conduct Officer within two (2) business days after the administrative hearing.
         (1) If the accused student does not advise the Conduct Officer in writing of their choice within two (2) business days, the accused student will waive their right to a hearing and an appeal and will be: (a) found responsible for the Prohibited Conduct or Academic Misconduct charged; and (b) deemed to have accepted the disciplinary outcomes proposed by the Conduct Officer. The Conduct Officer will notify the accused student in writing of such outcome.

   2. The accused student may deny responsibility for the Prohibited Conduct or Academic Misconduct specified in the charges. If the accused student denies responsibility, the matter will be referred to a Conduct Panel for a determination of responsibility and disciplinary outcomes, if any.

   3. The Conduct Officer may conclude that there is insufficient evidence to find the accused student responsible for the alleged violation(s), or that the accused student was not present or involved in the alleged violation.

   a. If the conclusion is that there is insufficient evidence to find the accused student responsible, the accused student will be found Not Responsible for the charge.
   b. If the conclusion is that the accused student was not present or involved, the case will be dismissed.

D. The Conduct Officer, at their discretion, may pause the preliminary hearing either on their own accord or at the request of the accused student. The Conduct Officer must inform the accused student within two (2) business days of the timeline to conclude the administrative hearing.

E. If the matter is referred to a Conduct Panel, the Conduct Officer will prepare a statement for the Conduct Panel listing the specific charge(s), summarizing the facts supporting the charge(s), setting forth the recommended disciplinary outcomes, and summarizing the rationale for the outcome(s), if applicable.

SECTION 8: CONDUCT PANEL PROCEDURES

[Please see Appendix A for specific procedures for matters involving the University's Policy Prohibiting and Responding to Sexual Harassment/Sexual Misconduct (Students).]

A. Composition of the Conduct Panel
   1. The Conduct Panel shall consist of three (3) voting members and a non-voting chair.
      a. When as student is charged with Prohibited Conduct, the Conduct Panel shall include one (1) student chosen from the Student Pool, and two (2) staff members chosen from Staff Pool appointed by the Vice President for Student Development.
      b. When as student is charged with Academic Misconduct, the Conduct Panel shall include one (1) student chosen from the Student Pool, and two (2) faculty shall be chosen from the Faculty Pool provided by the Faculty Senate.
      c. The Student, Faculty, and Staff Pools shall each consist of a minimum of ten (10) members who have been appointed and receive regular training on the investigative and conduct process and the procedural process of the Conduct Panels.
         (1) The student pool shall have representatives from the traditional undergraduate schools as well as representatives from Law, Graduate Business, and the School of Professional and Continuing Studies.

   2. The non-voting Chair of a Conduct Panel shall be a Conduct Officer who was not previously involved in the preliminary hearing procedures for the case.

   3. Any member selected to serve on a Conduct Panel must disqualify themselves for any bias or conflict of interest related to the case.

B. Procedural Rules for the Conduct Panel
   1. Rights of the Accused Student. The accused student shall be afforded the following rights as part of the Conduct Panel proceedings:
      a. The accused student has the right to have their case resolved by a Conduct Panel, conducted in accordance with the Community Standards.
      b. The accused student has the right to a resolution based on reliable evidence presented during the proceedings, including reasonable inferences drawn from such evidence, and

reasonable determinations by the Conduct Panel members as to the credibility of witness statements.

c. The accused student has the right to a copy of the rules and procedures of the University's conduct process as set forth in the Community Standards.
d. The accused student has the right to the services of an attorney of their choice at their own personal expense.
   (1) The accused student does not have the right to have an attorney present during any interviews, preliminary hearings, or Conduct Panel proceedings.
e. The accused student has the right to remain silent and is advised that any statement they may make may be used as evidence against them.
f. The accused student has the right to read the report and evidence related to their case during the preliminary hearing or Conduct Panel.
   (1) The accused student does not have the right to obtain a copy of the report or evidence or to reproduce the report or evidence in any manner.
g. The accused student has the right to written notice of the hearing. The non-voting chair of the Conduct Panel or their designee shall prepare and deliver to the accused student a notice of hearing. Such notice may be delivered to the accused in person, electronically, by U.S. Mail, or by campus mail. The date of the hearing shall not be less than five (5) or more than twenty (20) business days from the date of such notice. The time frame for conducting the hearing may be extended by the non-voting chair of the Conduct Panel, for good cause. The notice of hearing shall include:
   (1) The name and address of the accused student.
   (2) The date, time, and location of the Conduct Panel hearing.
   (3) The specific charges to be considered at the hearing.
   (4) The date, and place of the Prohibited Conduct or Academic Misconduct (if known).
   (5) The name and administrative title of the non-voting chair of the Conduct Panel.
   (6) The names and titles of the voting members of the Conduct Panel.
h. The accused student has the right to petition that any member of the Hearing Panel be removed on the basis of bias or conflict of interest.
   (1) The accused student must submit a written petition to the Chair of the Conduct Panel at least four (4) business days prior to the scheduled Conduct Panel hearing seeking the removal of a member of the Conduct Panel and stating the reasons for such a request.
   (2) The Chair of the Conduct Panel shall respond to such request, in writing, within two (2) business days of receipt of the request,
i. The accused student has the right to receive the list of witnesses that the Conduct Panel intends to call at the hearing at least forty-eight (48) hours in advance of the scheduled hearing. If the Conduct Panel identifies an additional witness or witnesses, who were previously unknown to the Conduct Panel, within such forty-eight (48) hour time frame, they shall promptly notify the accused student prior to commencement of the hearing.
   (1) If a witness submits a written statement, the accused student will be provided an opportunity to review, but not copy, such statement at least twenty-four (24) hours prior to the hearing. If the Conduct Panel identifies an additional witness or witnesses, who were previously unknown to the Conduct Panel within such twenty-four (24) hour time frame, they shall promptly notify the accused student prior to commencement of the hearing. The accused student will be provided with copies of witness statements that the Conduct Panel intends to introduce at the commencement of the hearing. In order to ensure the confidentiality of the disciplinary hearing and to protect the privacy rights of the accused student and other witnesses, the Respondent shall not copy, reproduce,

disseminate, or disclose to anyone any such witness statements and shall return such witness statements to the Chair of the Conduct Panel at the conclusion of the hearing. Following the hearing, the Chair of the Conduct Panel shall permit the Respondent to have access to such witness statements to the extent needed for any appeal conducted under these Community Standards.

j. The accused student has the right to offer oral testimony of witnesses that is relevant or reasonably related to the issues before the Conduct Panel. The accused student must inform the Chair of the Panel, in writing, of the names, and email addresses of any witness at least three (3) business days prior to the scheduled hearing. If the accused student identifies an additional witness or witnesses, who were previously unknown to the Respondent within such three (3) business day time frame, they shall promptly notify the Chair of the Panel prior to commencement of the hearing.
   (1) The accused student has the right to offer written statements of witnesses that are relevant or reasonably related to the issues before the Conduct Panel.
      (a) The accused student must inform the Chair of the Panel, in writing, of the names and email addresses of any witness at least three (3) business days prior to the scheduled meeting of the Conduct Panel.
      (b) If the accused student identifies an additional witness or witnesses, who were previously unknown to the accused student within three (3) business days of the scheduled Conduct Panel meeting, they shall promptly notify the Chair of the Panel prior to commencement of the proceedings.

k. The accused student has the right to offer documentary evidence for the Conduct Panel to consider during the proceeding. Documentary evidence must be submitted to the Chair of the Panel at least two (2) business days prior to the commencement of the proceedings.

l. Subject to applicable privacy laws, including FERPA, the accused student has the right to review, but not copy, all documentary evidence and witness statements that the Conduct Panel intends to present during the proceedings at least one (1) business day prior to the commencement of the proceedings.
   (1) If the Conduct Panel identifies additional documentary evidence previously unknown to the Panel, within that period, the Chair of the Panel shall notify the accused student prior to the commencement of the proceedings.
   (2) The accused student will be provided with a copy of all documentary evidence and witness statements related to the case at the commencement of the proceedings.
   (3) In order to ensure the confidentiality of the Conduct Panel and to protect the privacy rights of the accused student, the persons filing the complaint, and other witnesses, the accused student shall not copy, reproduce, disseminate, or disclose to anyone any such documentary evidence or witness statements and shall return the evidence and witness statements to the Chair of the Panel at the conclusion of the proceedings.
   (4) Following the proceedings, the Chair of the Panel shall permit the accused student to have access to the documentary evidence and witness statements to the extent needed for any appeal conducted under Section 10 of the Community Standards.

m. The accused student has the right to testify on their own behalf during the Conduct Panel proceedings.

n. The accused student has the right to not have evidence presented or reference made related to any previous charge(s) against the accused of which they were found not responsible.

o. The accused student has the right to not have evidence presented or reference made related to any previous charge(s) against the accused of which they were found responsible during the determination or responsibility phase of a conduct panel hearing.

(1) Such information is presented as part of the determination of disciplinary outcomes.
(2) The accused student may request that information regarding previous finding(s) of responsibility be introduced during the determination of responsibility phase. The request must be approved by the Chair of the Panel prior to the hearing.
(3) In cases where the student has been accused of lying as part of a previous case where they have been found responsible, any evidence of or reference to a previous proceeding shall be admissible, at the reasonable discretion of the Chair of the Panel.

p. The accused student has the right to attend the entire Conduct Panel proceedings except for the deliberations of the Conduct Panel.
q. The accused student has the responsibility to attend the scheduled Conduct Panel proceedings. If the accused student, without valid excuse or authorization from the Director of Student Conduct, fails to attend the proceedings as scheduled, the Conduct Panel may proceed in the accused student's absence to a determination of the matter and, if appropriate, impose outcomes.
r. The accused student has the right to written notice of the decision and outcomes (if applicable) of the Conduct Panel by 5:00 PM on the second business day following the conclusion of the proceedings. The Chair of the Panel may extend this deadline at their sole discretion.
s. The accused student has the right to appeal the decision of the Conduct Panel, in accordance with the appeal process as outlined in Section 10 of the Community Standards.

2. The accused student shall be afforded the opportunity to meet (in person or virtually) with the Chair of the Panel prior to the proceedings (the pre-panel meeting). The purpose of this meeting is to advise the accused student of the Conduct Panel procedures and the accused student's rights and expectations in connection with the Conduct Panel proceedings.

3. The Chair of the Panel or designee shall create five (5) copies of an evidence packet containing all submitted evidence and witness statements to be considered by the Conduct Panel.
   a. The packets will be distributed at the commencement of the proceedings as follows:
      (1) One (1) copy for the Chair's use which will be added to the official case file;
      (2) One (1) copy for the accused student's use during the proceedings; and
      (3) Three (3) copies for the use of the members of the Conduct Panel.
   b. The packets are to remain in the location of the Conduct Panel proceedings and may not be copied by any means. The packets, with the exception of the official case file, shall be destroyed at the conclusion of the proceedings and appeal process (if applicable).

4. The Chair of the Panel will convene a meeting of the members of the Panel to review charge(s), go over the content of the evidence packet, and to answer any procedural questions.

5. Conduct Panels shall be closed to the public. Admission of any person not directly connected to the proceeding shall be at the sole discretion of the Chair of the Panel.

6. The Chair of the Panel shall preside over and conduct the Conduct Panel proceeding and is specifically empowered to:
   a. Appoint a recording secretary or other staff as needed;
   b. Control the admission of persons to the proceedings. The Chair of the Panel may order any person in attendance that does not conduct themselves in an orderly and respectful manner to leave.

(1) Obstructive, contemptuous, disruptive, or noisy conduct in the presence of the Conduct Panel by any person, including the accused student, may result in that person being removed from the proceeding and, if a student, charged with a violation of prohibited conduct as outlined in Section 5 (A) of the Community Standards; and

c. Control of the conduct of Conduct Panel members to protect the accused student from improper questions, insulting treatment, and unnecessary inquiry into their private affairs.

7. All procedural questions are subject to the final decision of the Chair of the Panel.

8. The Chair of the Panel, at their sole discretion, shall determine the admissibility of evidence and witness statements and shall only admit evidence and witness statements that are relevant or reasonably related to the issues before the Conduct Panel.

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

10. There shall be a single verbatim record, typically an audio recording, of all Conduct Panel proceedings except for the deliberations of the Conduct Panel, which shall not be recorded. The record shall be the property of the University.
    a. The Chair of the Panel, the Director of Student Conduct, or the Vice President for Student Development, at their sole discretion, may order that the proceedings be transcribed in addition to the recording.
    b. The accused student may request the opportunity to review the recording or transcript of the proceedings, but will not be provided with a copy of the recording or transcript and may not copy the recording or transcript in any manner.

11. The taking of photographs during the proceeding, the streaming or broadcasting of the proceeding by social media, telephone, radio, or television, or the recording of the proceeding for non-official use, or for later release or broadcast to the general public, shall not be permitted.

12. In situations where more than one student is accused of violating Section 5 A, 5 B, or 5 C of the Community Standards, the Chair of the Panel, at their discretion or in consultation with the Director of Student Conduct, may permit the Conduct Panels concerning each student to be conducted either separately or jointly.

13. All members of the Conduct Panel must be present throughout the proceeding.
    a. If a member of the Conduct Panel must leave before the proceeding is completed with good cause, the Chair of the Panel may at their sole discretion recess the proceeding and reconvene the proceeding within five (5) business days.
    b. If a voting member disqualifies themselves or for good cause must withdraw from the proceeding, the Chair of the Panel shall select a replacement from the appropriate pool. The Chair of the Panel, after consultation with the accused student, in open session, shall provide the replacement with a summary of the proceeding to the point that it was interrupted.

14. After the portion of the Conduct Panel proceedings concludes in which all documentary evidence and witness statements are reviewed and the accused student is questioned, the Conduct Panel shall deliberate in private to determine whether the accused student is

responsible for the violation(s) of Section 5 of the Community Standards (if applicable), and if found responsible determine appropriate disciplinary outcomes as outlined in Section 9 of the Community Standards.

C. Order of Proceedings
1. The Chair of the Panel will open the proceedings and will ask the Members of the Panel and the accused student to introduce themselves for the benefit of the recording.

2. The Chair of the Panel will remind all parties that the University's Honor Pledge is in effect, and that they are expected to uphold the standards of honesty, integrity, and responsibility throughout the proceedings.

3. The Chair of the Panel shall read the charge(s) to the accused student, and the accused student shall state whether they accept responsibility for each charge, if applicable.
    a. In the absence of a response, the accused student shall be deemed not to have accepted responsibility for the charge.
    b. If the accused student does not accept responsibility for the charge(s), evidence and witness statements shall be presented that will support or refute the charge(s).
    c. If the accused student accepts responsibility, evidence and witness statements shall be presented that will assist the Conduct Panel in assigning appropriate outcomes.

4. The Chair of the Panel reminds all parties that the burden of proof shall be preponderance of the evidence, meaning that in order to find the accused student responsible, the Panel must find, based on the evidence presented, that the greater weight of the evidence presented supports a finding of responsibility for the violation(s) of Section 5 with which the accused student was charged. A preponderance or the greater weight of the evidence is a matter of quality, not quantity.

5. The accused student shall be provided an opportunity to make an opening statement.

6. The Chair of the Panel will present to all parties the content of the evidence packet, including witness statements.

7. The Chair of the Panel will call witnesses to provide testimony.
    a. Members of the Panel will have the first opportunity to ask questions of each witness.
    b. The accused student will have the opportunity to ask questions of each witness.
    c. Members of the Panel will have a final opportunity to ask follow-up questions of each witness.
    d. The Chair of the Panel will dismiss each witness after the Panel's follow-up questions. Once a witness is dismissed, they cannot be recalled.

8. The Members of the Panel shall have the opportunity to ask questions of the accused student.

9. The accused student shall have the opportunity to make a closing statement.

10. The Chair of the Panel shall excuse the accused student so that Members of the Panel may deliberate in private.

11. After deliberations are completed, the proceedings will reconvene and the Chair of the Panel will read the decision of the Panel and any disciplinary outcomes if applicable.

12. The Chair of the Panel will provide information related to notification of the decision and appeal information.

13. The Chair of the Panel will adjourn the proceedings.

D. Deliberations
   1. The members of the Conduct Panel shall deliberate in private and reach a decision based only on the evidence presented at the hearing and the response of the accused student to questions posed by the Members of the Panel. The Chair of the Panel is present during deliberations but is not a voting member.

   2. The members of the panel shall not make any finding of fact that is not supported by the evidence presented at the hearing and the response of the accused student to questions posed by the Members of the Panel.

   3. If two (2) or more of the Members of the Panel find the accused student responsible for a charge, the student is "responsible" for that charge.

   4. If the accused student is found responsible, the recommended disciplinary outcomes shall be chosen generally from those listed in Section 9 of the Community Standards. In evaluation of the outcome(s), the Panel shall consult with any guidelines implemented by the University and past precedent in similar cases.
      a. The Chair of the Panel shall share any previous charge(s) in which the accused student has been found responsible, and the associated disciplinary outcomes.

   5. The Chair of the Panel shall write a brief statement outlining the rationale for the decision and disciplinary outcomes after the panel has reached their decision. The Members of the Panel shall sign the statement, and the statement will be added to the student's conduct record.

E. Notification
   1. The Chair of the Panel shall write and distribute written notice of the decision and outcomes (if applicable) of the Conduct Panel to the accused student by 5:00 PM on the second business day following the conclusion of the proceedings. The Chair of the Panel may extend the deadline for notification of the decision for up to an additional two (2) business days at their sole discretion.

SECTION 9: DISCIPLINARY OUTCOMES

A. Guiding Principles

1. Following the acceptance of or a finding of responsibility for violations as outlined in Section 5 of the Community Standards, outcomes may be imposed as set forth in this section. Sanctions are intended to educate students on personal accountability and responsible decision-making, promote understanding of the impact of their actions, and hold students accountable for violations of community standards.

2. Academic and non-academic outcomes are distinct and parallel. A student's combined academic and non-academic conduct record may be considered as a combined record under certain circumstance. Such circumstances must be approved by the Vice President for Student Development.

3. More than one outcome may be imposed for any single violation.

4. Outcomes shall consider any mitigating and aggravating factors or other relevant circumstances including, but not limited to, the following:
   a. The student's previous conduct record, including any prior violations of University policy and any relevant recurring patterns of misconduct;
   b. Severity of the violation, including but not limited to intent and deliberation involved in committing the violation, impact on the community, University interests impacted by the violation, and level of disruption to normal University activities and/or services; and
   c. Past precedent and equitable treatment for similar violations.

B. Disciplinary Outcomes

1. Primary Outcomes. Acceptance of or findings of responsibility for violations as outlined in Section 5 (A) of the Community Standards may result in one or more of the following conduct outcomes. Students found responsible for bias-related violations may be subject to enhanced outcomes or probationary requirements designed to address such bias. Following the acceptance of or a determination of responsibility in either an administrative or conduct panel hearing as outlined in Sections 7 and 8 of the Community Standards, outcomes will be imposed from the following:
   a. <u>Educational Conversation</u>. The student will meet with an administrator to discuss the incident as well as the importance of community responsibility and will be informed that a continuation or repetition of prohibited conduct violations will be grounds for more serious disciplinary action.
   b. <u>University Housing Probation</u>. Action permitting the student to remain in residence on a probationary status. During the period of probation, if the student is found responsible for additional violations, the student may be evicted from University housing.
   c. <u>Housing Relocation</u>. Serious housing matters or repeated violations of University policy may result in relocation from one University housing area to another.
   d. <u>Housing Suspension</u>. A forced, temporary leave from University housing. The time period for the housing suspension is typically a semester or a full academic year, but can be set for any duration. A disciplinary outcome of suspension must be approved by the Director of Student Conduct.
   e. <u>Conduct Probation</u>. Action permitting the student to remain at the University on probationary status. Students on Conduct Probation must fulfill the requirements of such

probation (e.g. making restitution or completing required training). During the period of probation, if the student is found responsible for further violations, the student may be subject to suspension or permanent separation from the University.

f. Suspension. A forced, temporary leave from the University. The time period for the suspension is typically a semester or a full academic year but can be set for any duration. A disciplinary outcome of suspension must be approved by the Director of Student Conduct.

g. Dismissal. Immediate and permanent separation from the University. A student who is dismissed from the University is not eligible for readmission, and is typically barred from University events, activities, and property. A disciplinary outcome of dismissal must be approved by the Director of Student Conduct.

2. Additional Outcomes and Remedies. Additional outcomes and remedies to the outcomes listed in Section 9 (B)(1) may be imposed following the acceptance of or a determination of responsibility in either an administrative or conduct panel hearing as outlined in Sections 7 and 8 of the Community Standards. Additional outcomes and remedies include, but are not limited to, the following:
   a. Restitution. Reimbursement for damage to, destruction of, or misappropriation of property, to include but not limited to personal and medical reimbursement.
   b. No Contact Order. An order to have no contact in any form with an identified student or students. No Contact Orders are bilateral to protect all parties involved, and are issued by the Director of Student Conduct, the College Deans' Offices, the Co-Chairs of the Threat Assessment Team, or by the Title IX Coordinator.
   c. Notification of parents/guardians by the College Dean or their designee if deemed appropriate.
   d. No Trespass Order. An order banning a student from specific buildings, portions of campus, or from the entire campus or off-campus buildings or property. No Trespass Orders may be recommended by a Conduct Officer, a conduct panel, the Co-Chairs of the Threat Assessment Team, or by the Title IX Coordinator. No Trespass Orders shall be imposed and enforced by the University of Richmond Police Department.
   e. Revocation of Privilege. Including, but not limited to, hosting or attending registered events, using University dining facilities, having an automobile on campus, and/or access to University facilities. In serious matters, a student may have additional privileges revoked during and/or while University charges are being processed through the University conduct process.
   f. Training or Education. Programs designed to help students better understand the nature and impact of the violation at issue.

C. Academic Misconduct Outcomes
1. List of Possible Outcomes. A finding of responsibility for Academic Misconduct may result in one or more of the following disciplinary outcomes. Following either accepting the judgement of an instructor as outlined in Section 6 of the Community Standards, or the acceptance of or a determination of responsibility in an administrative or conduct panel hearing as outlined in Sections 7 and 8 of the Community Standards, outcomes will be imposed from the following:
   a. Grade Outcome. A grade outcome that is determined by the primary instructor involved. The primary instructor involved, at their discretion, may consult with the accused student's College Dean to determine an appropriate grade outcome. These outcomes include, but are not limited to, the following:
      (1) Failure in the class (an "F" grade);

(2) Grade cap in the class on a numerical scale form 0-100;
(3) Failure on the assignment ranging from a grade of 0 to 59; or
(4) Grade cap on the assignment on a numerical scale from 0-100.

b. Educational Conversation. The instructor will meet with the student to discuss the incident as well as the importance of academic integrity and will be informed that a continuation or repetition of academic misconduct violations will be grounds for more serious disciplinary action.

c. Honor Probation. Action permitting the student to remain at the University on probationary status. During the period of Honor Probation, if the student is found responsible for additional academic conduct violations as outlined in Section 5 (A) of the Community Standards, the student may be subject to suspension or expulsion from the University. A student is considered a student in good standing when their period of Honor Probation has ended.

d. Suspension. A forced, temporary leave from the University. The time period for the suspension is typically a semester or a full academic year but can be set for any duration. A disciplinary outcome of suspension must be approved by the Director of Student Conduct.

e. Dismissal. Immediate and permanent separation from the University. A student who is dismissed from the University is not eligible for readmission, and is typically barred from University events, activities, and property. A disciplinary outcome of dismissal must be approved by the Director of Student Conduct.

f. Educational Outcomes. The student may be referred to other campus resources, including but not limited to a librarian or the Weinstein Learning Center.

D. Student Organization Outcomes

1. List of Possible Outcomes. Acceptance of or findings of responsibility for violations as outlined in Section 5 (A) of the Community Standards may result in one or more of the following disciplinary outcomes. Student organizations found responsible for bias-related violations may be subject to enhanced outcomes or probationary requirements designed to address such bias. Following acceptance of or a determination of responsibility in either an administrative or conduct panel hearing as outlined in Sections 7 and 8 of the Community Standards, outcomes will be imposed from the following:

a. Disciplinary Warning. A written notice that a continuation or repetition of non-academic conduct violations will be grounds for more serious disciplinary action.

b. Organization Probation. Action permitting the student organization to retain University recognition on a probationary status. Organizations on Probation must fulfill the requirements of such probation (e.g. making restitution or completing required training). During the period of probation, if the student organization is found responsible for further violations, the student organization may be subject to additional disciplinary action, including but not limited to suspension or revocation of University recognition.

c. Organization Suspension. Action suspending a student organization's recognition by the University for a definite or indefinite period of time. A student organization may return to good standing if applicable conditions are satisfied. While on suspension, a student organization may not receive University funding; use the University's name, logos, or branding, reserve or use campus facilities or resources; sponsor University programs or events; or participate in any activity that requires a student organization to have University recognition and be in good standing.

d. Revocation of University Recognition. Permanent revocation of a student organization's affiliation or recognition by the University. Permanent revocation of recognition must be approved by the Vice President for Student Development.
e. Ratification of External Sanctions. In addition to or in lieu of other disciplinary outcomes, a requirement that a student organization complete any sanctions, conditions, or requirements imposed by a national, commonwealth, local, or University-based governing body (e.g. a fraternal organization or honor society) with authority over the student organization that is separate from the University recognition process. The Vice President for Student Development or their designee may provide written notice indicating support for sanctions imposed on a student organization by a governing body. A student organization may be required to submit documentation of compliance with sanctions imposed under this subsection.

E. Unresolved Outcomes / Good Standing

Cases are considered open until all disciplinary outcomes, including suspensions, are completed. When a student has completed all of the outcomes assigned to them, and/or when their period of probation has ended, the student shall be considered to be in good standing.

F. Record Retention

Except as described in Section 9 (G), below, disciplinary outcomes shall not be noted on the student's permanent academic transcript but shall become part of the student's conduct record.

1. A student's conduct record shall consist of an outcome record and a conduct file. In cases that do not involve an outcome of suspension or dismissal, the sanction record and conduct case file shall be maintained for a minimum of seven (7) years after the student's graduation.
   a. In cases that do involve an outcome of suspension or dismissal, the outcome record shall be maintained permanently, and the conduct case file shall be maintained for a period of seven (7) years after the student's graduation.
   b. Following the seven-year retention period, the student's conduct case file and, for outcomes other than suspension or permanent separation, the outcome record will be purged from the University's records in accordance with the University's Record Retention Policy.
   c. The University may retain student conduct files and documentation of outcomes beyond the seven-year retention period when the University determines that such retention is necessary to meet the University's legal or operational needs.

2. A student's conduct file is subject to disclosure to any University department with an educational need to know or outside entity consistent with FERPA or other applicable laws.

G. Transcript Notation

1. Suspension or Dismissal. Generally, a student's suspension or permanent separation (dismissal) from the University will be noted on the student's academic transcript while the suspension is in effect. Except for those non-academic conduct violations described in Section 9 (G)(2), the transcript notation shall not specifically reference a violation of the Community Standards.

2. Suspension, Dismissal, or Withdrawal for Certain Violations of the Community Standards. The University is required by Virginia law to include a prominent notation on the academic transcript of each student who has been suspended for, dismissed for, or withdraws while under investigation for a violation of the Community Standards involving sexual violence, as defined in

the university's Policy Prohibiting and Responding to Sexual Harassment/Sexual Misconduct (Students).

a. This transcript notation will be removed if the student is subsequently found not to have committed an offense involving sexual violence or if the student completes the terms of their suspension and is determined to be in good standing according to applicable University policy.
b. Consistent with commonwealth and federal regulations, the notation will be removed from a transcript after three years for a student that withdraws while under investigation or is permanently separated from the University.

SECTION 10: APPEALS

A. Right to Appeal
A student or student organization shall have the right to appeal the decision of a Conduct Panel to the Appellate Administrator.

B. Grounds for Appeal
An appeal shall be granted to the student or student organization filing if the Appellate Administrator or Review Panel finds, by clear and convincing evidence, that one or both of the following occurred:
1. New evidence of a material nature has been presented that would change the outcome and that was not reasonably available at the time of the Conduct Panel.

2. The Conduct Panel Proceedings were conducted in a manner materially inconsistent with the Community Standards and the written procedures of the Conduct Panel.

C. Timeframe for Filing Appeal
1. An appeal must be received by the Appellate Administrator in writing (a document as an email attachment is acceptable) by 5:00 pm on the fifth business day after delivery of the written notification of the finding of the Conduct Panel.

2. The chair of the Conduct Panel may extend the time frame for submitting an appeal, at their discretion, for good cause upon written notice from the student or student organization setting forth the reason for the extension.

3. Extensions cannot be granted after 5:00 pm on the fifth business day after delivery of the written notification of the finding.

D. Access to Conduct Panel Record
The student or organization filing the appeal shall be provided with reasonable access to the record of the Conduct Panel from which the appeal is taken. Copying of the record by any means is prohibited.

E. Timeframe for Deciding Appeal
1. The decision on a request for appeal shall be made within twenty (20) business days of the receipt of the appeal, unless there is good cause for a reasonable extension of this time period.

2. If an extension is deemed appropriate, the Appellate Administrator shall provide written notice to the student or organization filing the appeal setting forth the reason for the extension.

F. Review Panel

1. The Appellate Administrator, at their sole discretion, may seek the advice and counsel of a Review Panel. The final decision, however, rests with the Appellate Administrator.

2. The Review Panel shall consist of three (3) members of the Conduct Panel membership who were not involved in the original panel.
   a. All Review Panels must include one (1) student.
   b. A Review Panel for an Academic Misconduct case must include two (2) faculty members.
   c. A Review Panel for a Prohibited Conduct case must include (2) staff members.

3. The Appellate Administrator does not convene a new panel.

4. If the Appellate Administrator finds grounds to grant an appeal, the Appellate Administrator shall determine a remedy as prescribed in Section 10 (G) of the Community Standards.

G. Remedies

If an appeal is granted, the Appellate Administrator may determine the appropriate remedy at their sole discretion from the following:

1. The case may be remanded to the original Conduct panel for reconsideration of the finding of responsibility and/or the disciplinary outcome(s), in which event, the Conduct Panel may:
   a. Consider any evidence presented in the original panel;
   b. At the discretion of the Appellate Administrator, disregard evidence presented at the original panel; and/or
   c. At the direction of the Appellate Administrator, consider new evidence that was not available and could not have been available prior to or at the time of the original panel.

2. The case may be remanded to a new Conduct Panel.

3. The disciplinary outcome(s) may be dismissed, amended, or revised.

4. The Appellate Administrator may take such action as is appropriate to remedy the issue upon which the appeal was granted in a fair and equitable manner.

H. Notice of Outcome

Upon reaching a decision on a request for an appeal, the Appellate Administrator shall provide written notification of their decision to the student or organization and to the chair of the original Conduct Panel.

1. The written notification of the appeal decision should include:
   a. The grounds for request for appeal as outlined in Section 10 (B) of the Community Standards.
   b. A description of the pertinent points the Appellate Administrator considered in rendering a decision.
   c. The decision of the Appellate Administrator on the request for appeal.
   d. Any remedy or prescribed action if applicable.

SECTION 11: DEFINITIONS

A. Accused / Accused Student. Any student charged with a violation of University Policy.

B. Administrator / Staff Member. Any person employed by the University to conduct administrative, professional, or trade assignments.

C. Appellate Administrator. Any person authorized by the Vice President for Student Development to consider an appeal from a Conduct Panel.

D. Bias-Related Conduct. Non-academic conduct, as listed in Section 5 (B), motivated in whole or part by bias against race, religion, ethnicity, national origin, sexual orientation, gender, gender identity or expression, or disability.

E. Business Days. The term “business days” means typical class or business days and excludes Saturday, Sunday, University holidays, and University closings. If a timeframe is presented in hours, they are contiguous hours, regardless of whether or not they include business and/or non-business days (e.g. 72 hours).

F. Campus. Any building or property owned or controlled by the University within the same reasonable 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.

G. Chair. The non-voting chairperson of a Conduct Panel.

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

I. Conduct Officer. Any person or persons authorized on an on-going or case-by-case basis by the Vice President for Student Development to: (i) charge a student with a violation of the Community Standards, (ii) conduct administrative hearings; and (iii) impose disciplinary outcomes upon any student(s) who accept(s) responsibility for a violation of the Community Standards.

J. Conduct Panel. A group authorized by the Vice President for Student Development to determine whether a student, students, or a student organization has violated the Community Standards and to determine disciplinary outcomes that may be imposed when a violation has been committed.

K. Copy. A term that refers to all methods of duplication to include, but not limited to, use of a camera, recording device, mobile phone and/or mobile phone application(s), scanner, and copy machine.

L. Director of Student Conduct. Any person authorized by the Vice President for Student Development to manage the student conduct process.

M. Faculty Member / Instructor / Professor. Any person hired by the University to conduct classroom or teaching activities or who is otherwise considered by the University to be a member of the faculty.

N. Hearing Officer. Any person or persons authorized on an on-going or case-by-case basis by the Vice President for Student Development to conduct the hearing process for specific matters involving the University's Policy Prohibiting and Responding to Sexual Misconduct (students) on behalf of the University Hearing Board (UHB). The Hearing Officer is considered a non-voting member of the UHB. The Hearing Officer shall not be an employee of the University.

O. May. The term "may" is used in the permissive sense.

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

Q. Off-Campus Buildings or Property. 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.

R. Off-Campus Education Programs and Activities. Educational, extra-curricular, or athletic activities involving organizations or programs or activities recognized or sponsored by the University, such as University-sponsored trips, athletic team travel, events for organizations that occur off campus (e.g., a debate team trip to another school or to a weekend competition).

S. Organization. Any number of persons who have complied with the formal requirements for University recognition and registration.

T. Public Property. Streets, sidewalks, or parking facilities within the campus or immediately adjacent to and accessible from campus.

U. School. The academic units of the University, specifically the School of Arts & Sciences, the Robins School of Business, the Jepson School of Leadership Studies, the University of Richmond School of Law, or the School of Professional and Continuing Studies.

V. Shall. The term "shall" is used in the mandatory sense.

W. Student. All persons taking courses at the University, either full-time or part-time, pursuing undergraduate, graduate, or professional studies. Persons who withdraw during an investigation or with a pending conduct charge or proceeding, or who are not officially enrolled for a particular term but who have a continuing relationship with the University are considered "students" for purposes of the Community Standards.

X. University. The term "University" refers to the University of Richmond.

Y. University Official. Any individual employed by the University, performing assigned administrative or professional duties. A University official may include student staff such as Resident Advisors and Emergency Medical Technicians.

Z. University Policy. Any policy, rule, or regulation of the University.

APPENDIX A
PROCEDURES SPECIFIC TO MATTERS INVOLVING THE UNIVERSITY'S POLICY PROHIBITING AND RESPONDING TO SEXUALL HARASSMENT / SEXUAL MISCONDUCT (STUDENTS)

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

Section 1: Student Rights and Responsibilities

The Respondent and Complainant shall be afforded the following rights and responsibilities throughout the grievance process:

A. Rules and Procedures. The Respondent and Complainant have the right to a written notice upon the filing of a formal complaint that includes notice of the following:

1. A description of the University's grievance process as well as the University's formal grievance and alternative resolution process.
2. The allegations of conduct potentially constituting sexual misconduct under the University's Policy Prohibiting and Responding to Sexual Harassment/Sexual Misconduct-Students including information on the identities of the parties involved in the incident(s), if known, and the date and location of the incident(s), if known.
3. The Respondent is presumed to be not responsible for the alleged misconduct until a determination regarding responsibility is made at the end of the formal resolution process
4. Any subsequent allegations not included in the original notice.
5. A dismissal by the University of the formal complaint including reasons for the dismissal.
6. The University's Policy Prohibiting Retaliation protects students, faculty, and staff from retaliation and provides that making a report "in good faith" means the individual making the report has a reasonable basis to believe that there has been or may have been a violation of applicable laws or regulations or University policies or that there is a reasonable possibility that such a violation may occur in the near future. Individuals who make frivolous or false reports shall not be deemed as acting in good faith.

B. Advisors. The Respondent and Complainant have a right to the services of an advisor of their choice. The advisor may be an attorney.

1. Advisors may attend any related meetings, proceedings, investigative interviews and/or hearing with the respective parties.
2. During the outreach and investigative phase, the role of the advisor is to provide support, guidance, and advice to the respective parties. The Respondent and Complainant are responsible for presenting their own information. The advisor may not reach out to the

opposing party or opposing party's witnesses to ask questions or gather information on behalf of the respective party.

3. During a hearing before a University Hearing Board, the advisor, in addition to offering advice and guidance, will conduct cross-examination of all parties and witnesses on behalf of the respective party. An advisor may also request a brief recess of the proceedings to provide advice to the respective party.
4. The Respondent and Complainant should select as an advisor a person whose schedule allows attendance at the scheduled date and time for the University Hearing Board hearing, as delays will not normally be allowed due to the scheduling conflicts of an advisor.
5. Choosing an advisor who is also a witness in the process creates a potential for bias and conflict of interest. A party who chooses an advisor who is also a witness can anticipate that issues of potential bias and conflict of interest will be explored by the University Hearing Board.
6. If the Respondent or the Complainant do not have an advisor to conduct cross examination at a hearing before a University Hearing Board, the University will provide an advisor of its choice, at no cost or fee to the respective party, to conduct cross examination on the respective party's behalf.

C. Right Not to Participate. The Respondent and the Complainant have the right to not participate in any meetings, proceedings, interviews or hearing. The University Hearing Board cannot draw an inference about the determination regarding responsibility based solely on the party's absence at a hearing or refusal to submit to cross examination.

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

1. The right to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.
2. The ability to discuss the allegations under investigation and to gather and present relevant evidence.
3. Written notice of the date, time, location, participants and purpose of their investigative interviews or other meetings with sufficient time to prepare to participate.
4. An opportunity to inspect and review any evidence that is obtained as part of the investigation and that is directly related to the allegations, including evidence that the University does not intend to rely on in reaching a determination regarding responsibility including both inculpatory or exculpatory evidence. Neither the Respondent, Complainant nor their respective advisors have a right to reproduce the evidence in any manner.
5. Prior to completion of the investigative report, the University will send to each party and the party's advisor, the evidence subject to inspection and review (electronically or hard copy). The parties will have ten (10) days to submit a written response which the investigator will consider prior to completion of the report.
6. The University will provide the Respondent, the Complainant and their respective advisors with a complete investigative report that fairly summarizes relevant evidence at least 10 business days prior to a hearing by the University Hearing Board for review. Neither the Respondent, the Complainant nor their respective advisor will have the right to reproduce the investigative report in any manner.
7. The Complainant and Respondent have the right to provide the Hearing Officer or their designee their respective objections to the investigative report prior to the hearing to be included in the hearing record. The Complainant and Respondent shall provide the University Hearing Board with their respective objections to the Title IX investigative report, if any, by 5:00 pm on the forth (4th) business day before the hearing.

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

F. Notice of Hearing: The Hearing Officer of the University Hearing Board or their designee shall prepare and simultaneously deliver to the Respondent and Complainant a notice of hearing. Such notice may be delivered to the Respondent and Complainant in person, electronically, by U.S. Mail, or by campus mail. The date of the hearing shall not be less than seven (7) business days from the date of such notice. The time frame for conducting the hearing may be extended by the Hearing Officer, for good cause and upon written notice to the Respondent and Complainant setting forth the reason for the extension. The notice of hearing shall include:
   1. The name of the Respondent and Complainant.
   2. The date, time, and location of the University Hearing Board hearing.
   3. The alleged violations of Section 5 (A) (7) of the Community Standards.
   4. The date and place of the alleged violation(s) (if known)
   5. The name of the Hearing Officer of the University Hearing Board
   6. The names and administrative titles of the members of the University Hearing Board.

G. Bias or Conflict of Interest on the Part of University Hearing Board Members. The Respondent and Complainant have the right to petition that any member of the University Hearing Board be removed on the basis of conflict of interest or bias for or against respondents or complainants generally or the individual Respondent or Complainant.
   1. The party must submit a written petition to the Hearing Officer or their designee at least four (4) business days prior to the scheduled hearing seeking removal of a member of the University Hearing Board and stating the reasons for such request.
   2. The Hearing Officer or their designee shall respond to such request, in writing, within two (2) business days of receipt of the request.

H. Witnesses
   1. Witness List. The Respondent and Complainant have the right to call expert and/or fact witnesses at the hearing whose testimony is relevant to the issues before the University Hearing Board and provided the list of such witnesses is submitted to the Hearing Officer as specified in Appendix A, Section 1 (H) (1) of the Community Standards. The parties have the right to access the list of witnesses that the University Hearing Board and/or the other party intend to call at a University Hearing Board hearing.
   2. Witness Statements. If a non-party witness is not available or willing to testify at the hearing, such witness may submit a written statement. The parties will be provided an opportunity to review, but not copy, any written witness statements three (3) business days prior to the hearing. In order to ensure the confidentiality of the disciplinary hearing and to protect the privacy rights of the parties and other witnesses, the Respondent/Complainant shall not copy, reproduce, disseminate or disclose to anyone other than their advisor any such witness statements and shall return such witness statements to the Hearing Officer at the conclusion of the hearing. Following the hearing, the Hearing Officer shall permit the Respondent/Complainant to have access to such witness statements to the extent needed for any appeal conducted under these Community Standards.
   3. Documentary, Electronic and Other Evidence. The Respondent and Complainant have the right to offer documentary, electronic, and other evidence that is relevant to the issues before the University Hearing Board. Subject to applicable privacy laws, including FERPA, the Respondent and Complainant have the right to review, but not copy, all documentary, electronic, and other evidence that the University Hearing Board and/or the other party intend to present at the hearing. In order to ensure the confidentiality of the hearing and to protect the privacy rights of the Respondent, Complainant, and other witnesses, the parties shall not copy, reproduce,

disseminate or disclose to anyone other than their respective advisor any such documentary, electronic, or other evidence and shall return such evidence to the Hearing Officer at the conclusion of the hearing.

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

J. Right to a Live Hearing. At the request of either party or the discretion of the Title IX Coordinator, the live hearing may occur with the parties in separate rooms with technology enabling the Hearing Officer, Hearing Board and parties to simultaneously see and hear the party and/or the witness answering questions.

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

   B. Failure to Attend. If the Respondent or Complainant fails to attend the hearing as scheduled, the University Hearing Board may proceed in the party's absence and will rely on whatever relevant evidence is available from the absent party through the investigation.
   Any party or witness may choose not to offer evidence at the hearing, either because they do not attend the hearing, or because they attend but refuse to submit to cross-examination. The Hearing Board can only rely on whatever relevant evidence is available through the investigation and hearing in making the ultimate determination of responsibility. The University Hearing Board cannot draw an inference about the determination regarding responsibility based solely on the party's or witnesses' absence at a hearing or refusal to submit to cross examination.
   If a party's advisor fails to attend a hearing, the University will provide an advisor of its choice, at no cost or fee to the party, solely for the purpose of cross examining the other party and any witnesses at the hearing on behalf of the party whose advisor is not present. If a party's advisor fails to attend, the hearing will be recessed until such time that the University can provide an alternate advisor of the University's choice at no cost or fee to the party, solely for the purpose of conducting cross examination on behalf of that party. If a party does not have an advisor for purposes of cross-examination or if a party knows their advisor will not be attending the hearing, the party shall notify the Title IX Coordinator ten (10) business days in advance of the hearing to request that the University to provide an advisor for purposes of cross-examination at the hearing.

K. Notice of Outcome. The Respondent and Complainant have the right to a written notice of the outcome and sanctions (if applicable) of the University Hearing Board including:

   1. Identification of the allegations potentially constituting sexual harassment;

2. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including notifications to the parties, interviews with the parties and witnesses, site visits (if any), methods used to gather evidence, and hearings held;
3. Findings of fact supporting the determination;
4. Conclusions regarding the application of the University's Policy Prohibiting and Responding to Sexual Harassment/Sexual Misconduct-Students to the facts;
5. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility;
6. A listing of all relevancy determinations made during the hearing;
7. Disciplinary sanctions (if any) imposed on the Respondent;
8. Remedies (if any) that will be provided to the Complainant designed to restore or preserve equal access to the University's education program or activity; and
9. A description of the procedures and bases for appeal.

The written notice of the outcome will be provided by 5:00 PM on the third (3rd) business day following the conclusion of the hearing. The Hearing Officer, at their discretion, can extend this timeline upon written notice to the parties setting forth the reason for the extension. The notice(s) described in this section shall be sent simultaneously to the Respondent and the Complainant.

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

M. <u>Appeal.</u> The Respondent and Complainant have the right to appeal the decision of the University Hearing Board in accordance with the standards for appeal established in Appendix A, Section 4 of the Community Standards.

Section 2: Interim Suspension and Administrative Leave

The University may remove a Respondent from the education program or activity on an emergency basis if after an individualized safety and risk analysis, the Sexual Misconduct Review Sub-Committee determines that there is an immediate threat to physical health or safety of any student or other individual arising from the allegations of sexual harassment.

A. An interim suspension may be imposed when there is a reasonable basis to conclude that the continued presence of a Respondent on campus may create a risk to the physical health and safety of one or more students or of other members of the campus community.
1. The decision to impose an interim suspension will be made by the Title IX Coordinator on their own accord or in consultation with other University Officials.
2. During the period of interim suspension, the Respondent must leave campus

immediately and shall not participate in academic, extracurricular, or other activities of the University. The Respondent is not permitted on campus without prior written consent from the Title IX Coordinator. The Respondent will be permitted to return to campus solely for the purposes of participating in a hearing before the University Hearing Board.

B. The Respondent must be provided with written notice of the interim suspension and an opportunity to appeal the decision immediately following removal.

1. Written Notice – The written notice of an interim suspension shall include the following: (a) information on the reported incident including the date of the alleged conduct; (b) the prohibited conduct as outlined in Section 5 (A) (8) (c) of the Community Standards; (c) the date and time the interim suspension goes into effect: (d) the terms of the interim suspension and e) the appeal process.
2. Time for filing the appeal – An appeal must be received by the designated Appellate Administrator in writing (a document as an email attachment is acceptable) by 5:00 pm on the fifth (5) business day following the delivery of the written notice of the interim suspension. The Appellate Administrator may extend the time frame for filing the appeal, at their sole discretion, for good cause upon written notice to the Respondent.
3. Appeal Review –The decision to accept or deny the appeal is made by the Appellate Administrator on their own accord or after consultation with other University officials.
4. Time for deciding the appeal – The decision on a request for appeal of an interim suspension shall be made within five (5) business days of receipt of the written notice of appeal of the interim suspension, unless there is good cause for a reasonable extension of this time period. If an extension is needed, the Appellate Administrator will notify the Respondent in writing and provide the new deadline for deciding the appeal.
5. Notice of Appeal Outcome – Upon reaching a decision on an appeal, the Appellate Administrator shall provide written notification of the appeal decision to include:
   a. The grounds for request of an appeal;
   b. A description of the pertinent points the Appellate Administrator considered in rendering a decision;
   c. The decision of the Appellate Administrator on the appeal; and
   d. Any remedy or prescribed action.

Section 3: Hearing Procedures

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

A. Composition of the University Hearing Board. The University Hearing Board shall consist of three (3) voting members and one alternate chosen from the University Hearing Board Pool.

1. The University Hearing Board pool shall consist of a minimum of ten (10) staff/administrators appointed annually by the University President and who have received training on the definition of sexual harassment in the University's Policy on Prohibiting and Responding to Sexual Harassment/Sexual Misconduct-Students, the scope of the University's education program or activity, the hearing process, impartiality, conflicts of interest and bias, technology used during a

hearing, relevance of questions and evidence and the investigative and disciplinary process.

2. Any member of the University Hearing Board pool selected to serve on a University Hearing Board must disqualify themselves for any bias or conflict of interest.

B. Pre-Hearing Submission Deadlines.

1. Submission of Witness Lists. The Complainant and the Respondent shall provide the Hearing Officer or their designee with their respective lists of witnesses by 5:00 p.m. on the seventh (7th) business day before the hearing.
2. Submission of Documentary, Electronic, and Other Evidence. The Complainant and the Respondent shall submit copies of all documentary, electronic, or other evidence to the Hearing Officer or their designee by 5:00 p.m. on the fourth (4^{th}) business day before the hearing.
3. Access to Other Party's Pre-Hearing Submissions. Upon receipt of a pre-hearing submission from either the Complainant or the Respondent, the Hearing Officer or their designee shall provide the other party with access to such submission as soon as reasonably possible and in no event, later than one (1) business day following the submission.
4. Statement of Objections to the Title IX investigative report. The Complainant and Respondent shall provide the Hearing Board with their respective objections to the Title IX investigative report, if any, by 5:00 pm on the fourth (4^{th}) business day before the hearing.
5. University Hearing Board Witnesses, Documentary, Electronic, and Other Evidence. The Hearing Officer or their designee shall provide the Complainant and the Respondent with access to the list of witnesses to be called by the University Hearing Board, and any documentary, electronic, or other evidence not included in the Title IX investigative report at least three (3) business days prior to the hearing.
6. Removal of Hearing Board Member. The party must submit a written petition to the Hearing Officer or their designee at least four (4) business days prior to the scheduled hearing seeking the removal of a member of the University Hearing Board and state the reason for such request.
7. Notification of Advisor for purposes of cross-examination at the hearing. The Complainant or Respondent shall notify the Title IX Coordinator ten (10) business days in advance of the hearing if they need the University to provide an advisor at no cost or fee to the party, solely for purposes of cross-examination at the hearing.
8. Request for Hearing to Occur via Video Conferencing. The Complainant, Respondent or Title IX Coordinator have the right to request that the hearing before the University Hearing Board be conducted via video conferencing. The Hearing Officer, Hearing Board, Complainant, Respondent and any witnesses must be able to see and hear the party or witness providing testimony. The request for the hearing to occur via video conferencing must be made ten (10) business days in advance of the hearing.
9. Extension of Submission Deadlines. The Hearing Officer or their designee may extend the time frame for submitting evidence, and witness lists, at their sole discretion, and only for good cause. If timelines are extended, the Hearing Officer or their designee shall provide written notice to the Respondent and the Complainant.

C. Pre-Hearing Procedures.

1. The Hearing Officer or their designee shall notify the Respondent and the Complainant of the scheduled hearing date in accordance with Appendix A of the Community Standards.
2. The Respondent shall be afforded the opportunity to meet (in person, by telephone or videoconference) with the Hearing Officer or their designee prior to the hearing. The purpose of this meeting is to advise the Respondent of the hearing procedures and their rights in

connection with the hearing. The Respondent's advisor is permitted to attend this meeting. If the Respondent fails to attend the meeting, the Hearing Officer or their designee will attempt to reschedule the meeting.

3. The Complainant shall be afforded the opportunity to meet (in person, by telephone or videoconference) with the Hearing Officer or their designee prior to the hearing. The purpose of this meeting is to advise the Complainant of the hearing procedures and their rights in connection with the hearing. The Complainant's advisor is permitted to attend this meeting. If the Complainant fails to attend the meeting, the Hearing Officer or their designee will attempt to reschedule the meeting.
4. The Hearing Officer shall review all written materials prior to submission to the University Hearing Board to ensure that the hearing record does not contain irrelevant, unfairly prejudicial, or inadmissible information. The Hearing Officer will call these matters to the attention of the Hearing Board for a determination on relevancy.

D. <u>The Hearing Record</u>

1. The Hearing Officer or their designee shall create a hearing record comprising the following:
   a. The Title IX investigative report with its attachments;
   b. The documentary, electronic, and other evidence submitted by the parties and the University Hearing Board, including a list of all witnesses, witness statements, and written character statements.
2. The Hearing Officer or their designee shall provide the University Hearing Board, the Complainant, and the Respondent with access to the hearing record using a secure server at least two (2) business days prior to the hearing.
   a. The Hearing Officer or their designee shall convene one or more pre-hearing meetings for the members of the University Hearing Board to review the charge(s), the contents of the hearing record, and to answer any procedural questions. This meeting shall be held at least twenty-four (24) hours prior to the hearing.
   b. The Hearing Officer or their designee shall ensure there are sufficient copies of the hearing record available during the hearing for the Hearing Officer, all Hearing Board members, the Respondent and their advisor, the Complainant and their advisor, and for testifying witnesses to use during the hearing. If the hearing is conducted via teleconference, a copy of the hearing record will be made available electronically during the hearing.

E. <u>General Procedural Rules of the University Hearing Board</u>.

1. The Hearing Officer shall preside over and conduct the hearing and is specifically empowered to:
   a. Appoint a recording secretary or other staff to audio record the hearing.
   b. Control the admission of persons to the hearing. The Hearing Officer may order any person in attendance that does not conduct themselves in an orderly and respectful manner to leave. Obstructive, contemptuous, disruptive or noisy conduct in the presence of the University Hearing Board by any person, including the Respondent, the Complainant, a witness, or an advisor, may result in that person being removed from the hearing and, if a student, charged with a violation of Section 5 (A) (8) (b) of the Community Standards. If a party's advisor is removed from a hearing pursuant to this section, the hearing will be recessed until such time that the University can provide an alternate advisor of the University's choice at no cost or fee to the party, in order to conduct cross examination on behalf of that party.
   c. Control the conduct of the University Hearing Board members and of the Respondent and

Complainant to protect witnesses from improper questions, insulting treatment, and unnecessary inquiry into their private affairs.

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

2. All members of the University Hearing Board must be present throughout the hearing.
   a. If a member of the University Hearing Board must leave before the hearing is complete with good cause, the Hearing Officer may at their sole discretion recess the hearing and reconvene the hearing within twenty-four (24) hours.
   b. If a member of the University Hearing Board disqualifies themselves or for good cause must withdraw from the hearing, the Hearing Officer or their designee shall call upon the alternate to serve. The Hearing Officer shall, after consultation with the Respondent and the Complainant, in open session, provide the replacement with a summary of all prior proceedings.
3. No person shall address the University Hearing Board or pose questions to any witness (including the Respondent, the Complainant or an advisor) without first being recognized by the Hearing Officer.
4. The taking of photographs in the hearing room, the streaming or broadcasting from the hearing room of the proceedings by social media, telephone, radio or television (with the exception of videoconferencing as outlined in Appendix A, Section 1 (J) of the Community Standards), or the recording of the proceedings for non-official use, or for later release or broadcast to the general public, shall not be permitted.

F. Order of the Hearing

1. The Hearing Officer will ask the members of the University Hearing Board, the Respondent, the Respondent's advisor, the Complainant, and the Complainant's advisor to introduce themselves.
   a. The Hearing Officer shall read the allegations to the Respondent, and the Respondent shall state whether they accept responsibility for each allegation.
   b. In the absence of a response, the Respondent shall be deemed not to have accepted responsibility for the allegation(s).
   c. If the Respondent does not accept responsibility for the allegation(s), evidence, witness testimony, witness statements admitted by the Hearing Officer shall be presented that will support or refute the allegation
2. If the Respondent accepts responsibility for the allegation(s), evidence, witness testimony, admitted by the Hearing Officer shall be presented that will assist the University Hearing Board in assigning an appropriate sanction.
3. The Hearing Officer reminds all parties that the burden of proof shall be preponderance of evidence, meaning that in order to find the Respondent responsible, the University Hearing Board must find, based on a preponderance of the evidence presented at the hearing, that the Respondent is responsible for the alleged violation.
4. The Respondent and Complainant shall each be provided an opportunity to make an opening statement.
5. The members of the University Hearing Board shall direct the Hearing Officer to call witnesses and/or present evidence.
6. The Complainant shall have the opportunity to testify, present evidence, and call witnesses. The Complainant's advisor shall have the opportunity to conduct cross examination of the Respondent and all witnesses called by the Respondent or University Hearing Board.
7. The Respondent shall have the opportunity to testify, present evidence, and call witnesses. The Respondent's advisor shall have the opportunity to conduct cross examination of the Complainant and all witnesses called by the Complainant or the University Hearing Board.

8. Prior to the initial deliberations by the University Hearing Board, the Complainant shall have the opportunity to make a closing statement summarizing their evidence. This statement shall not address the impact of the alleged incident, the investigation, or the hearing, on the Complainant.
9. Prior to the initial deliberations by the University Hearing Board, the Respondent shall be given the opportunity to make a closing statement summarizing their evidence. This statement shall not address the impact of the incident, the investigation or the hearing, on the Respondent.
10. The Hearing Officer will excuse all parties and witnesses so that the members of the University Hearing Board may deliberate in private on the issue of responsibility for the charges at issue.
11. After deliberations on the issue of responsibility are completed, the Hearing Officer shall meet separately with the Respondent and the Complainant to notify them of the decision of the University Hearing Board.
12. If the University Hearing Board finds the Respondent <u>not responsible</u> for the allegations at issue, the hearing will be reconvened after notice to each party and the Hearing Officer will adjourn the hearing.
13. If the University Hearing Board finds the Respondent <u>responsible</u> for the allegations at issue, the hearing will be reconvened after notice to each party. The Complainant will then have an opportunity to make an impact statement to the University Hearing Board regarding the issue of sanctions and the impact of the conduct on the Complainant. Following that statement, the Respondent will have an opportunity to make an impact statement to the University Hearing Board regarding the issue of sanctions and the impact of the conduct on the Respondent.
14. The Hearing Officer will excuse both parties so that the members of the University Hearing Board may deliberate in private on the issue of sanctions.
15. After deliberations on the issue of sanctions are completed, the Hearing Officer shall meet with the Respondent to notify the Respondent of the sanctions imposed by the University Hearing Board and the effective date of such sanctions. The Hearing Officer will then meet with the Complainant to notify them of the sanctions imposed upon the Respondent that relate directly to the Complainant and the effective date of such sanctions.
16. The Hearing Officer will also provide information to both parties about the remedies that will be provided (if any) to the Complainant designed to restore or preserve equal access to the University's educational program or activity.
17. The Hearing Officer will also provide information related to the written notification of the decision and the procedure and bases for appeal.
18. The Hearing Officer will adjourn the hearing.

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

1. The Title IX Coordinator shall not testify as a witness.
2. The Title IX investigator may be called to testify as a witness.
3. The parties and witnesses shall testify under oath or affirmation.
4. The members of the University Hearing Board shall be given the opportunity to ask questions of the witness.
5. The Hearing Officer will ask questions submitted by the party calling the witness (either the Complainant or the Respondent) under procedures outlined this Appendix A of the Community Standards.

6. The Respondent's and Complainant's advisor shall have the opportunity to cross examine the other party and witnesses called by the other party or the University Hearing Board. Any party or witness may choose not to offer evidence either because they do not attend the hearing, or because they attend but refuse to submit to cross-examination. The University Hearing Board can only rely on whatever relevant evidence is available through the investigation and hearing in making the ultimate determination of responsibility. The University Hearing Board cannot draw an inference about the determination regarding responsibility based solely on the party's or witness' absence at a hearing or refusal to submit to cross examination. The advisor cannot yell, berate or talk over the party/witness when providing cross-examination.
7. Members of the University Hearing Board shall have a final opportunity to ask questions of the witnesses.

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

Section 4: Sanctions

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

9. Separation. Immediate and permanent separation from the University. A student who is separated from the University is not eligible for readmission, and is typically barred from University events, activities, and property.

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

C. Open Charges. Charges are considered open until all sanctions, including suspensions, are completed. When a student has completed all of the sanctions assigned to them, and/or when their period of probation has ended, the student shall be considered to be in good standing. If a student fails to comply to the sanctions issued by the University Hearing Board, they will be referred to the appropriate Dean's Office for a possible conduct violation(s).

D. Record Keeping. Please see Section 9 (F) and (G) (2) of the Community Standards, for information on record keeping and transcript notation.

Section 5: Appeals

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

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

C. Access to Hearing Record. Both parties will be provided with reasonable access to the hearing record of the hearing from which the appeal is taken.

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

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

F. Appeal Review Board

1. The Appellate Administrator shall convene a Review Board comprised of two members of the University Hearing Board who were not involved in the original hearing. The Appellate Administrator shall be also be a voting member of the Review Board.
2. The Appellate Administrator shall notify the other party in writing that an appeal has been filed.
3. The Review Board does not hold a new hearing. The decision of the Review Board shall be made by majority vote.
4. If the Review Board finds grounds to grant an appeal, the Review Board shall determine a remedy as prescribed in Section 10 (G) of the Community Standards.

G. Grounds for Appeal. An appeal shall be granted to the person filing if the Appellate Administrator or Review Boards finds, by clear and convincing evidence, that one or more of the following occurred:
   1. Procedural irregularity that affected the outcome of the matter;
   2. New evidence that was not reasonably available at the time of the determination regarding responsibility was made that could affect the outcome of the matter;
   3. The Title IX Coordinator, investigator(s), or University Hearing Board member(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual Respondent or Complainant that affected by the outcome.

H. Notice of Appeal Outcome. Upon reaching a decision on a request for an appeal, the Appellate Administrator shall provide written notification of their decision to the Respondent and the Complainant simultaneously. The written notification of the appeal decision should include:
   1. The grounds for request for appeal as outlined above;
   2. A description of the pertinent points the Appellate Administrator or Review Board considered in rendering a decision;
   3. The decision of the Review Board on the request for appeal; and
   4. Any remedy or prescribed action if applicable.