

## STATEMENT OF THE RIGHTS OF THE COMPLAINANT STUDENT

The following is a summary of the rights of the Complainant who has made, or is involved in, a report of sexual harassment / sexual misconduct. A complete statement of rights can be found in the [University's Interim Policy on Prohibiting and Responding to Sexual Harassment/Sexual Misconduct – Students](#) and the [Standards of Student Conduct](#).

### *Immediate Concerns:*

- It is very important to try to collect and preserve any relevant evidence. If applicable, do not wash clothes or use the toilet. Put all clothing you were wearing at the time of the incident in a paper bag, not in a plastic bag. All physical evidence should be provided to the police as soon as possible, if you wish to pursue criminal charges.
- Get needed medical attention as soon as possible. A medical examination will provide any necessary treatment and collect important evidence. Injuries may not be immediately apparent. The Student Health Center can assist with injuries, preventative treatment for sexually transmitted diseases, and other health services.

### *Options for Reporting Sexual Misconduct:*

- You also have the right to report sexual misconduct to the University of Richmond's Police Department or the appropriate law enforcement agency where the misconduct occurred.
- You have the right to report to both the Title IX Coordinator and to the police simultaneously.
- You have the right to be assisted by the Title IX Coordinator or other campus officials in notifying the police, if you so choose.
- You have the right not to notify the Title IX Coordinator or the police, if you so choose.
- The University's Interim Policy Prohibiting and Responding to Sexual Harassment/Sexual Misconduct - Students provides detailed information on your options for [reporting sexual misconduct](#).

### *Confidentiality:*

- You can discuss an incident of sexual misconduct, on a confidential basis, with any licensed health care professional in the University's Counseling and Psychological Services ("CAPS"), University's Student Health Center, The C.A.R.E. Advocate, or with ordained personnel in the Chaplaincy. If you choose to discuss the incident with one of the confidential resources, your name will not be reported to Title IX Coordinator or the University of Richmond Police Department without your consent.
- There are a number of off-campus, confidential resources as well, including the Richmond Regional Hotline, Safe Harbor, and the Virginia Anti-Violence Project. More information about off-campus, confidential resources can be found [here](#).

### *Supportive Measures:*

- You have the right to request and to receive appropriate supportive measures. The Title IX Coordinator will ensure that supportive measures are implemented in a prompt, fair, and equitable manner and do not unreasonably burden either party. You can receive supportive measures regardless of your choice to file a formal complaint.

- Examples of supportive measures include no contact orders, changes in class assignments, changes in residence hall or apartment assignments, and changes in work schedules.
- The University's Interim Policy Prohibiting Sexual Harassment/Sexual Misconduct – Students provides detailed information on options for [supportive measures](#).

#### *Resources:*

- The Title IX Coordinator will assist you in accessing resources both on and off campus, such as counseling or health care services.
- A list of on-campus and off-campus resources can be found in the Interim Policy Prohibiting and Responding to Sexual Harassment/Sexual Misconduct – Students and on the Sexual Misconduct Prevention and Response [website](#).

#### *Formal Resolution Process:*

- You have a right to information regarding the University's procedures for addressing violations of the Interim Policy Prohibiting & Responding to Sexual Harassment/Sexual Misconduct - Students and Standards of Student Conduct.
- The Respondent is presumed to be not responsible for the alleged conduct until a determination has been made at the end of the formal resolution process.
- Your rights during the formal resolution process include the following:
  - The University's obligation to investigate promptly a formal complaint of sexual harassment/sexual misconduct under the Interim Policy for Preventing and Responding to Sexual Harassment/Sexual Misconduct – Students.
  - You have the right to a prompt, fair, and impartial process from the initial investigation to the final outcome.
  - The University's obligation to treat both you and the Respondent equitably;
  - Your right to participate or decline to participate in any investigation or grievance proceedings;
  - Possible options for supportive measures to avoid contact with the Respondent and to ensure your well-being.
  - Resources on campus and within the Richmond community, including counseling services, sexual assault crisis centers, and domestic violence crisis centers;
  - Information about the formal and alternative resolution processes and University procedures for pursuing a formal complaint against a student, faculty member, staff member, or third party, including the University's protections from retaliation;
  - The right to be notified if the University dismisses the formal complaint and the reason for the dismissal;
  - Available options for a protective order;
  - Your right to an advisor of your choosing;
  - Examples of possible retaliation and procedures for reporting any acts of retaliation;
  - The Title IX Coordinator's obligation to provide you with periodic update as the formal resolution process progresses;
  - The right to participate in the hearing, to testify, to present witnesses and other evidence, and to submit questions for all witnesses;
  - The right to a closed hearing;
  - The right to testify in person or via videoconferencing;
  - The right to make an impact statement at the hearing;

- The right not to have irrelevant prior sexual history admitted as evidence in a University Hearing Board hearing;
- The right to review the complaint and the evidence to be offered at a hearing; and
- The right to appeal the decision made by the hearing board on the grounds set forth in the Standards of Student Conduct.
- The Title IX Coordinator will provide the Complainant time to consider their rights and options and to determine whether the Complainant wishes to move forward with the filing of a formal complaint.
- The University's [Standards of Student Conduct, Appendix A, Section 1](#), describes in detail your rights during the conduct process.

#### *Alternative Resolution Process:*

For cases where parties have voluntarily agreed to an alternate resolution process and the University has indicated that the case is appropriate for alternate resolution, you have the following rights:

- Right to written notification from the University that you have agreed to participate in an alternate resolution process;
- Participation in the alternate resolution process is voluntary. You will not be compelled or pressured by the University to engage an alternate resolution or to reach any particular resolution;
- You may request to end the alternate resolution process at any time prior to a resolution and may choose to pursue the formal resolution process;
- Information gathered in the alternate resolution process cannot be used in any other University conduct process, including the formal resolution process, or any criminal proceedings;
- The right to confidentiality. The parties must agree to keep confidential the discussions that take place during the alternate resolution process.

#### *Retaliation:*

- The University prohibits retaliation against anyone who reports or witnesses an incident of possible sexual misconduct in good faith. Making a report "in good faith" means the individual making the report has a reasonable basis to believe that there has been or may have been a violation of applicable laws or regulations or University policies or that there is a reasonable possibility that such a violation may occur in the near future. Individuals who make frivolous or false reports shall not be deemed to be acting in good faith.
- The University will take reasonable action to prevent and to respond to all reports of retaliation against you. You have the right to be free from retaliation for any report made to the Title IX coordinator, the police, or any Responsible Employee.
- The University's Interim Policy Prohibiting and Responding to Sexual Harassment/ Sexual Misconduct -Students contains more information regarding retaliation and the University's response to reports of retaliation.