

STATEMENT OF THE RIGHTS OF THE RESPONDENT STUDENT

The following is a summary of the rights of the Respondent who 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.

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.

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.
- 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.
- The University's Interim Policy Prohibiting and Responding to Sexual Harassment/Sexual Misconduct-Students and the Sexual Misconduct Prevention and Response [website](#) can provide information on the resources available to you.

Formal Resolution Process:

- You have the right to information regarding the University's procedures for addressing violations of the Interim Policy Prohibiting & Responding to Sexual Harassment/Sexual Misconduct - Students and the Standards of Student Conduct.
- You are 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 right to a written notice of the allegations of conduct potentially constituting sexual

harassment under the University's Interim Policy Prohibiting & Responding to Sexual Harassment/Sexual Misconduct – Students including information on the identity of the parties involved in the incident(s), if known, and the date and location of the incident if known.

- The right to an updated written notice of allegations for any subsequent allegations not included in the original notice;
 - The University's obligation to treat both you and the Complainant equitably;
 - Your right to participate or decline to participate in any investigation or grievance proceedings;
 - The right to request and receive appropriate supportive measures,
 - The right to be notified if the University dismisses the formal complaint and the reason for the dismissal;
 - 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 know if you do not attend the without a valid excuse or authorization from the Vice President of Student Development, the University Hearing Board may proceed in your absence;
 - 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 Complainant has the right to pursue criminal action in addition to the University of Richmond conduct process.
 - 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.