



UNIVERSITY OF RICHMOND

Policy Manual

Policy #:	GOV-3103	Policy Title:	Policy on Preventing and Responding to Discrimination and Harassment Against Students
Effective:	08/14/2020	Responsible Office:	Student Development; Compliance and Title IX
Date Approved:	08/14/2020	Approval:	Vice President and General Counsel
Replaces Policy Dated:	07/01/2018	Responsible University Official:	Vice President and General Counsel Vice President for Student Development Director of Compliance and Title IX Coordinator

PURPOSE:

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

SCOPE:

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

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

Sexual Misconduct. Sexual misconduct is a type of sex discrimination. The University's [Policy Prohibiting Sexual Misconduct](#) specifies, in detail, the University's prohibition of sexual misconduct and the process by which reports of sexual misconduct are investigated by the University. This policy and the University's [Policy Prohibiting Sexual Misconduct](#) are intended to complement each other.

Academic Freedom. This policy is not intended to and shall not be used to limit or restrict, in any manner, academic freedom, including, but not limited to, the curricular or pedagogical choices of faculty members. Members of the University community are expected to promote academic freedom, including the freedom to discuss all relevant matters in the classroom; to explore all avenues of scholarship, research, and creative expression; and to speak or write as a public citizen without institutional restraint or discipline. Members of the University community are also expected to foster intellectual honesty and freedom of inquiry and to respect those with differing views.

If a report or complaint relates to an academic issue, including, but not limited to, the selection of course materials, the content of a course, the content of a class discussion, grade disputes, or course assignments and

GOV-3103 – Policy on Preventing and Responding to Discrimination and Harassment Against Students

projects, the dean of the appropriate school shall evaluate the report or complaint and conduct any follow-up that may be warranted.

INDEX:

GOV-3103.1.....Policy

GOV-3103.2.....Definitions

GOV-3103.3.....Reporting Concerns about Discrimination or Harassment

GOV-3103.4.....The Role of the Title IX Coordinators

GOV-3103.5.....Process for Addressing a Complaint of Discrimination, Harassment

- A. The Process for Informal Resolution of a Complaint
- B. The Process for Formal Resolution of a Complaint
- C. Retaliation is Prohibited

POLICY STATEMENT:

GOV-3103.1 – Policy

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

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

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

The University is committed to preventing and responding to conduct that violates its non-discrimination policy. Any individual whose conduct violates this policy will be subject to remedial action in accordance with applicable University policies and procedures.

For all cases involving sexual misconduct, see University’s Policy Prohibiting Sexual Misconduct.

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

For questions about discrimination in education, including sex discrimination, please contact the University’s Director of Compliance and Title IX Coordinator, Kristine Henderson Puryear Hall, Suite 101, (804) 289-8186, khender3@richmond.edu. Further information about Title IX and sexual discrimination in education is

GOV-3103 – Policy on Preventing and Responding to Discrimination and Harassment Against Students

available from the Assistant Secretary for Civil Rights, U.S. Department of Education, Office of Civil Rights, 400 Maryland Avenue, SW, Washington, DC, 20202-1100; 800-421-3481; OCR@ed.gov; or <http://www.ed.gov/ocr>.

GOV-3103.2 – Definitions

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

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

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

GOV-3103.3 – Reporting Concerns about Discrimination or Harassment

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

Any member of the University community who has been the victim of a crime, including a hate crime, or who believes their physical safety may be threatened should contact the University of Richmond Police Department by calling 8911 (from a campus phone) or (804) 289-8911 (from a mobile or off campus phone). On campus, a blue light emergency phone will connect direction to the University Police dispatcher.

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

- ***Students:*** For matters involving students either as the subject of the alleged discrimination or harassment or as the person alleged to be discriminating or engaging in misconduct, contact:
Tracy Cassalia, Deputy Title IX Coordinator for Students, at (804) 289-8464, tcassali@richmond.edu.
For disability related concerns contact:
Emily J. Helft, M.Ed., E.Ds., Director, Disability Services, at (804) 289- 8615, ehelft@richmond.edu
- ***Faculty and Staff:*** For cases involving faculty or staff as the subject of possible discrimination or harassment, please contact:
Carl Sorensen, Deputy Title IX Coordinator for Employees and Senior Associate Vice President of Human Resource at (804) 289-8166, csorensen@richmond.edu.

You may also contact:

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

GOV-3103 – Policy on Preventing and Responding to Discrimination and Harassment Against Students

Incidents of harassment and discrimination can also be reported [on-line](#).

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

The University has adopted a [policy](#) that prohibits retaliation or retribution, in any form, against an individual who reports, in good faith, an actual, potential or suspected violation of this policy.

GOV-3103.4 – The Role of the Title IX Coordinators

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

For more information on the role of Title IX Coordinators at the University, see the University's [Title IX Coordinators Policy](#).

GOV-3103.5 – Process for Addressing a Complaint of Discrimination or Harassment

The Deputy Title IX Coordinator for Students will respond to information or reports of possible discrimination or harassment regardless of whether a formal complaint is made. The Deputy Title IX Coordinator for Students will meet with the person making the complaint or on whose behalf the complaint or report is made (the "Complainant") to review the Complainant's concerns, to explain the University's procedures for handling a complaint of discrimination, to determine whether an investigation is warranted and to discuss with the Complainant the options for formal and informal resolution of the complaint

If an investigation is warranted and the person accused of the discrimination is a student, the Deputy Title IX Coordinator for Students will conduct the investigation or shall engage the University's Title IX investigator to conduct the investigation. The investigation will be conducted in a prompt, objective, and thorough manner. The time period for such investigation may vary depending upon the complexity of the investigation. In the case of an allegation of sexual harassment under Title IX or another form of sexual misconduct, the Deputy Title IX Coordinator for Students shall ensure that the investigation is conducted in accordance with the University's [Policy Prohibiting Sexual Misconduct](#).

If an investigation is warranted and the person accused of the discrimination is a member of the faculty or staff of the University the University's Deputy Title IX Coordinator for Employees or their designee shall conduct the investigation. In the case of an allegation of sexual harassment or another form of sexual misconduct, the Deputy Title IX Coordinator for Employees or a designee shall ensure that the investigation is conducted in accordance with the University's [Policy Prohibiting Sexual Misconduct](#). In general, the Deputy Title IX Coordinator for Employees or their designee will investigate promptly, objectively, and thoroughly. The time period for such investigation may vary depending upon the complexity of the investigation.

At the conclusion of the investigation, the Title IX Coordinator will provide a summary of the investigative findings to the Complainant and the accused individual (referred to as the "Respondent") simultaneously and in writing. The Title IX Coordinator will also discuss with the Complainant and the Respondent the options and process for informal and formal resolution of the complaint.

GOV-3103 – Policy on Preventing and Responding to Discrimination and Harassment Against Students

A. The Process for Informal Resolution of a Complaint

A Complainant may, at his or her option, seek to resolve the matter informally, but will not be required to pursue informal resolution before filing a formal complaint. Additionally, a Complainant may terminate the informal resolution process at any time and initiate a formal resolution process

If the Respondent is a student, the procedures set forth below for informal resolution apply. If the Respondent is a member of the faculty or staff, the procedures set forth in the University's [Policy on Preventing and Responding to Discrimination and Sexual Misconduct Involving Faculty or Staff](#) apply.

Purpose of Informal Resolution.

Informal resolution provides an opportunity for the Complainant to discuss his or her complaint with the Respondent and to communicate his or her feelings and perceptions regarding the incident, the impact of the incident, and his or her wishes and expectations regarding protection in the future. The Respondent will have an opportunity to respond.

Informal Discussion with University Administrator Present

A Complainant may wish to discuss their complaint with the Respondent in a discussion facilitated by a University administrator appointed by the Vice President for Student Development. In such case, the Complainant should notify the Deputy Title IX Coordinator for Students of their desire to pursue this option and the Deputy Title IX Coordinator for Students, in collaboration with the appointed administrator, will coordinate such a discussion.

If, during the course of the informal resolution, the Respondent elects to take responsibility for the alleged conduct, the informal resolution process will be concluded and the appropriate Conduct Officer, as defined in the University's [Standards of Student Conduct](#), will propose a sanction. If both the Complainant and the Respondent agree to such proposed sanction, the complaint will be resolved without any further rights to a hearing or appeal by either party.

If the Respondent does not take responsibility for the alleged conduct, or either the Complainant or the Respondent objects to such proposed sanction, the matter will be handled in accordance with this policy and the University's [Standards of Student Conduct](#).

The University, the Complainant or the Respondent may, at any time prior to the conclusion of the informal resolution, elect to end such proceedings and initiate formal resolution instead. In such cases, statements or disclosures made by the parties in the course of the informal resolution may be considered in the subsequent formal resolution.

B. The Process for Formal Resolution of a Complaint

A Complainant has the option to pursue a formal resolution of their complaint of a violation of this policy.

In cases involving an accused student, the procedures set forth in the University's [Standards of Student Conduct](#) shall apply. In cases where the accused person is a faculty or staff member, the procedures set forth in the University's [Policy on Preventing and Responding to Discrimination and Sexual Misconduct Involving Faculty or Staff](#) shall apply.

GOV-3103 – Policy on Preventing and Responding to Discrimination and Harassment Against Students

C. Retaliation is Prohibited

All members of the University community, including faculty, staff, and students, who have a good faith concern regarding possible violations of this policy are expected to report such concerns to the Title IX Coordinators.

The University prohibits retaliation or retribution, in any form, against an individual who reports, in good faith, an actual, potential or suspected violation of this policy. As used in this policy, reporting “in good faith” means the individual making the report has a reasonable basis to believe that there has been or may have been a violation of this policy. Individuals who make frivolous or false reports shall not be deemed to be acting in good faith.

Anyone who engages in or attempts to engage in retaliation or retribution against an individual who reports, in good faith, an actual, potential or suspected violation of this policy shall be subject to discipline in accordance with the policies and procedures of the University.

RELATED POLICIES:

GOV-3101 - Policy Prohibiting Discrimination

GOV-3102 - Policy Prohibiting Sexual Misconduct

GOV-3104 - Policy on Preventing and Responding to Discrimination and Sexual Misconduct Involving Faculty or Staff

Standards of Student Conduct

POLICY BACKGROUND:

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

POLICY CONTACTS:

Director of Compliance and Title IX Coordinator

Vice President for Student Development