UNIVERSITY OF RICHMOND

Policy Manual

Policy #:	GOV-3102	**Policy Title:**	Policy Prohibiting and Responding to Discrimination Based on Protected Status-Students
Effective:	07/01/2026	**Responsible Office:**	Compliance, Title IX and Non-Discrimination
Date Approved:	06/17/2026	**Approval:**	Vice President and General Counsel
Replaces Policy Dated:	07/01/2025	**Responsible University Official:**	Vice President and General Counsel Director of Discrimination Prevention & Response/Title IX Coordinator

PURPOSE:

This policy is designed to foster compliance with Title VI of the Civil Rights Act of 1964 (Title VI), Section 504 of the Rehabilitation Act, the Americans with Disability Act, other applicable laws, and the University of Richmond's prohibition against discrimination based on race, color, religion, national or ethnic origin, ethnicity, age, sex, gender, sexual orientation, gender identity, gender expression, disability, military or veteran status, or any classification protected by local, state, or federal law. This policy sets forth the University's grievance procedures for the prompt and equitable resolution of Complaints of Discrimination (as defined herein), including the requirements for reporting information that may reasonably constitute Discrimination, and the University's process for responding to reports and Complaints alleging Discrimination.

This policy and related University policies and procedures are not contracts and do not confer contractual rights upon any individual. The University has the right to amend or modify this policy and related University policies and procedures from time to time, without prior notice. Additionally, this policy and related University policies and procedures are not intended to replicate or supersede local, state, or federal criminal or civil laws. University policies differ from the criminal and civil justice system and a finding of responsibility for conduct prohibited by this policy shall not be construed as a finding that any criminal or civil statute has been violated.

SCOPE:

This policy applies to the University of Richmond and its Education Program or Activity (as defined herein). This policy applies to University students, staff, and faculty and to applicants for admission or employment.

For information regarding the University's prohibition of and grievance procedures relating to sex discrimination and sexual harassment / sexual misconduct, see the related policies listed at the end of this policy.

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

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POLICY STATEMENT:

GOV-3102.1 – Policy

The University of Richmond prohibits discrimination against applicants, students, faculty, or staff on the basis of race, color, religion, national or ethnic origin, ethnicity, age, sex, gender, sexual orientation, gender identity, gender expression, disability, military or veteran status, or any classification protected by local, state, or federal law.[1]

This prohibition includes Discrimination based on Protected Status (as defined in this policy). Harassment that creates a Hostile Environment (as defined in this policy) is a form of discrimination that is also prohibited.

This policy applies to Discrimination alleged to occur in any Education Program or Activity operated by the University in the United States. This prohibition includes Discrimination in the admission or retention of students based on Protected Status and employment. This policy also requires the University to foster and maintain equality of opportunity for students, faculty, and staff.

[1] The statement set forth in this paragraph may not be altered or amended without the approval of the University of Richmond Board of Trustees.

As described in this policy, the University shall make reasonable efforts to investigate and appropriately address reports of Discrimination. When the University has notice of conduct that reasonably may constitute Discrimination, the University will take prompt and effective steps reasonably calculated to end such Discrimination, eliminate any Hostile Environment and it effects, and prevent its recurrence.

For questions about this policy, including the application of the laws listed above, please contact the University's Director of Discrimination Prevention & Response/Title IX Coordinator, Tracy Cassalia, Fountain Hall, Suite 101, (804) 289-8464, tcassali@richmond.edu.

GOV-3102.2 – Definitions

Complainant: A student, including an admitted student who has not yet enrolled, a faculty or staff member, or an applicant for admission or employment who is alleged to have been subjected to conduct that could constitute Discrimination or Retaliation (as defined below) and who was participating in or attempting to participate in the University's Education Program or Activity at the time of the alleged Discrimination or Retaliation.

Complaint: A written request to the University that objectively can be understood as a request to investigate and make a determination about alleged Discrimination or Retaliation under this policy.

Director: the term "Director" refers to the University's Director of Discrimination Prevention & Response/Title IX Coordinator and any designees appointed by the Director of Discrimination Prevention & Response/Title IX Coordinator.

Discrimination: Discrimination is discrimination in the University's Education Program or Activity in the United States 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 the University's Education Program or Activity. Harassment is a form of Discrimination.

Education Program or Activity: The phrase "Education Program or Activity" means all of the operations of the University. For purposes of this policy, conduct that occurs under the University's Education Program or Activity includes but is not limited to conduct that occurs in a building owned or controlled by a recognized student organization and conduct that is subject to the University's Community Standards. The University will address conduct that creates or may create a Hostile Environment under its Education Program or Activity even when some of the conduct alleged to be contributing to the Hostile Environment occurs outside the University's Education Program or Activity or outside the United States.

Harassment: The term "Harassment" as used in this policy means Hostile Environment Harassment.

Hostile Environment Harassment: The term "Hostile Environment Harassment" means unwelcome conduct based on Protected Status that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the University's Education Program or Activity. Determining whether a hostile environment has been created is a fact-specific inquiry that considers the totality of the circumstances and may include consideration of the following:

- The degree to which the conduct at issue affected the Complainant's ability to access the University's Education Program or Activity;

- The nature, scope, type, frequency, and duration of the conduct at issue;
- The ages, identity, and relationships of the persons involved; and
- Other Hostile Environment Harassment in the University's Education Program or Activity, if any.

National or Ethnic Origin/ Ethnicity: The prohibition on discrimination based on national or ethnic origin or ethnicity extends to Discrimination, including Harassment, based on a student's actual or perceived: (i) shared ancestry or ethnic characteristics, such as students of Jewish, Muslim, Palestinian, and/or South Asian descent; or (ii) citizenship or residency in a country with a dominant religion or distinct religious identity.

Protected Status: For purposes of this policy, the term "Protected Status" means an individual's race, color, religion, national or ethnic origin, ethnicity, age, disability, family medical or genetic information, status as a veteran, military status, or any classification protected by local, state, or federal law.

Respondent: A person who is alleged to have engaged in conduct that could constitute Discrimination or Retaliation.

Retaliation: The term "Retaliation" means intimidation, threats, coercion, or Discrimination against any individual by the University, a University student, faculty, or staff member, or anyone else authorized by the University to provide aid, benefit, or service under the University's Education Program or Activity, for the purpose of interfering with any right or privilege secured by this policy.

Supportive Measures: Supportive Measures are individualized measures offered as appropriate and as reasonably available to a Complainant, Respondent, or witness, without fee or charge, designed to: (1) restore or preserve the individual's access to the University's Education Program or Activity or to protect the safety of the individuals or the campus community; or (2) provide support during an investigation, formal resolution process, or alternative resolution process under this policy.

GOV-3102.3 – Reporting Concerns about Discrimination

A. Reporting Discrimination. The University strongly encourages all students, faculty, and staff to promptly report potential Discrimination or Harassment.

B. How to Report. Information that may reasonably constitute Discrimination, including Harassment, should be reported as follows:

- *Students*: For matters involving students either as the subject of the alleged Discrimination or as the person alleged to be discriminating, contact Tracy Cassalia, Director of Discrimination Prevention & Response/Title IX Coordinator, at (804) 289-8464, tcassali@richmond.edu. For matters involving a student and a faculty or staff member as either the subject of or the person engaging in alleged Discrimination, contact Tracy Cassalia, as noted above, and she will coordinate with the Chief Human Resources Officer and Deputy Title IX Coordinator for Employees or their designee.

  For disability related concerns contact Cort Schneider, Director, Disability Services, at (804) 662-3017, cschnei2@richmond.edu.

- *Faculty and* Staff: For matters involving faculty or staff as the subject of the alleged Discrimination or as the person alleged to be discriminating, contact Geraldine Sullivan Chief Human Resources Officer and Deputy Title IX Coordinator for Employees and at (804) 289-8166,

geraldine.sullivan@richmond.edu

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.

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.

GOV-3102.4 – The Role of the Director of Discrimination Prevention & Response/Title IX Coordinator

The Director is responsible for ensuring the University's compliance with this policy and applicable laws prohibiting Discrimination. This policy sets forth the obligations of the Director upon receipt of information that may reasonably constitute Discrimination or a Complaint.

GOV-3102.5 – Initial Process for Addressing Notice or a Complaint of Discrimination

A. Complaints of Discrimination

1. A Complaint of Discrimination may be made by any of the following individuals:
   - A Complainant;
   - A parent, legal guardian, or authorized legal representative with the legal right to act on behalf of a Complainant;
   - The Director or designee, pursuant to Section 3102.5(A)(2), below; and
   - Any student, staff or faculty member of the University.
2. Complaints Initiated by the Director. When the Director or their designee is notified of conduct that reasonably may constitute Discrimination within the scope of this policy, the Director or their designee shall, except as set forth herein, determine whether to initiate a Complaint of Discrimination. The Director or their designee shall make such a determination only if: (i) no Complaint has been initiated pursuant to this policy; or (ii) some or all of the allegations in a Complaint have been withdrawn; and (iii) an alternative resolution process has either not been commenced or has terminated.

   If the Director decides to initiate a Complaint under this subsection, they will notify the Complainant in advance and will use reasonable efforts to address reasonable concerns about the Complainant's safety or the safety of others, including by providing Supportive Measures.

B. Initial Response

1. Outreach to the Complainant. Upon receipt of a Complaint or notice of conduct that reasonably may constitute Discrimination within the scope of this policy, the Director or their designee will contact the Complainant in writing and offer to meet with the Complainant. When the Director of their designee meets with the Complainant, they provide the following information:
   - The Complainant's rights under this policy and related University policies, including the Community Standards;
   - The University's obligation to treat both the Complainant and the Respondent equitably;

- That the Respondent is presumed to be not responsible for the alleged conduct until a determination regarding responsibility is made at the end of the formal resolution process;
- The University's obligation to investigate promptly a Complaint of Discrimination under this policy;
- The Complainant's right to participate or decline to participate in any investigation;
- That the University prohibits Retaliation as described in this policy;
- The availability and type of Supportive Measures;
- The options for filing a Complaint; and
- The options for formal and alternative resolution of the Complaint under this policy.

2. Outreach to the Respondent. Following receipt of a Complaint, the Director or their designee will contact the Respondent in writing and offer to meet with the Respondent. When the Director or their designee meets with the Respondent, they provide the following information:
   - The Respondent's rights under this policy and related University policies, including the Community Standards;
   - The University's obligation to treat both the Complainant and the Respondent equitably;
   - That the Respondent is presumed to be not responsible for the alleged conduct until a determination regarding responsibility is made at the end of the formal resolution process;
   - The University's obligation to investigate promptly a Complaint of Discrimination under this policy;
   - The Respondent's right to participate or decline to participate in any investigation;
   - That the University prohibits Retaliation as described in this policy;
   - The availability and type of Supportive Measures; and
   - The options for formal and alternative resolution of the Complaint under this policy.

3. Written Notice of Allegations, Procedures and Rights. Upon initiation of a Complaint, Director or their designee shall provide written notice to the Complainant and Respondent, if their identities are known, that sets forth the information listed below. This written notice shall be provided with sufficient time for the Complainant and Respondent to prepare for an interview. If additional allegations of Discrimination arise in the course of an investigation, that are not included in the original Complaint, or a consolidated Complaint under this policy, the Director or their designee shall update this notice. The content of the written notice shall include:
   a. A description of the conduct alleged in the notice or Complaint to constitute Discrimination;
   b. The identities of the Complainant and Respondent, to the extent known;
   c. The date(s) and location(s) of the conduct alleged to constitute Discrimination, to the extent known;
   d. Other sufficient information known at the time that would allow the Complainant and Respondent to respond to the allegations;

e. A copy of or link to this policy and all related University policies setting forth the process for investigation and formal and alternative resolution of the allegations or Complaint; and

f. A statement that Retaliation is prohibited under this policy and related University policies.

C. Supportive Measures. The Director or their designee shall offer and coordinate Supportive Measures for Complainants and, where appropriate, Respondents and witnesses upon receipt of information about conduct that may reasonably constitute Discrimination.

1. Types of Supportive Measures. The type of Supportive Measures offered and coordinated may vary based upon the circumstances of a specific matter and the reasonable availability of the supportive measures. Supportive Measures include, but are not limited to, those listed here.

2. Purpose. Supportive Measures shall be designed to: (i) protect the safety of a Complainant, Respondent, witness, or the campus community; (ii) provide support to a Complainant, Respondent, or witness during an investigation, formal resolution process, or an alternative resolution process; and/or (iii) restore or continue Complainant's equal access to the University's Education Program or Activity. Supportive Measures are not used for punitive or disciplinary reasons.

3. Modification, Termination, or Continuation of Supportive Measures.

   a. The Director or their designee may modify Supportive Measures during or after an investigation, formal resolution process, or alternative resolution process, consistent with subsection 2, above.

   b. The Director may continue some or all Supportive Measures after conclusion of an investigation, formal resolution process, or alternative resolution process as deemed reasonably appropriate.

D. Consolidation of Complaints. When the allegations of Discrimination arise out of the same facts or circumstances, the Director may consolidate two or more Complaints of Discrimination: (1) against the same Respondent(s); (2) against multiple Respondents; or (3) when the Complaint and Respondent initiate Complaints against each other.

E. Dismissal of a Complaint

1. Basis for Dismissal of a Complaint. The Director or their designee may dismiss a Complaint at any time prior to a final determination under a formal resolution process or an agreement under an alternative resolution process for any of the following reasons:

   a. The Director is unable to identify the Respondent after taking reasonable steps to do so;

   b. The Respondent is not participating in the University's Education Programs or Activity;

   c. The Respondent is not employed by the University;

   d. The Complainant voluntarily withdraws any or all of the allegations in the Complaint, the Director does not initiate a Complaint under this policy, and the Director determines that without the withdrawn allegations, the conduct described in the remaining allegations, if any, would not constitute Discrimination under this policy even if proven;

   e. The Director determines that the conduct alleged in the Complaint, even if proven, would not constitute Discrimination under this policy, provided that the Director has made reasonable efforts to clarify the allegations with the Complainant; or

f. Specific circumstances prevent the University from gathering evidence sufficient to reach a determination as to the allegations in the Complaint.

2. Time Frame for Decision. The Director shall make a decision as to whether to dismiss the Complaint within thirty (30) days of receipt of information indicating a potential basis for dismissal as set forth in Section 3102.5(E)(1) of this policy. This time frame may be extended on a reasonable, case-by-case basis for good cause. The Director will notify the Complainant and Respondent, in writing, of the extension and the reason for the extension.

3. Notice to Complainant and Respondent. The Director shall promptly notify the Complainant, in writing, of the dismissal of a Complaint and the basis for such dismissal. If the dismissal occurs after the Respondent has been notified of the Complaint, the Director shall notify the Respondent, in writing, of the dismissal of a Complaint and the basis for such dismissal at the same time that the Complainant is notified. Such notice shall include the rights of the Complainant and Respondent to file an appeal of the dismissal and the basis for such appeal as set forth in this policy.

4. Supportive Measures and Steps to Prevent Discrimination. If the Director dismisses a Complaint, the Director shall:

   a. Offer appropriate Supportive Measures to the Complainant;

   b. Offer appropriate Supportive Measures to the Respondent if the dismissal occurs after the Respondent has been notified of the Complaint; and

   c. Take other appropriate, prompt, and reasonable steps designed to end any Discrimination, eliminate any Hostile Environment or its effects, and prevent its recurrence.

5. Appeal of Decision to Dismiss Complaint. A Complainant has a right to appeal the dismissal of a Complaint on the grounds set forth in this policy. If the dismissal occurs after the Respondent has been notified of the Complaint, then the Respondent also has a right to appeal the dismissal of the Complaint on the grounds set forth in this policy.

   1. *Grounds for Appeal*. The grounds for an appeal are as follows:

      i. A procedural irregularity that would change the outcome of the decision to dismiss the Complaint;

      ii. The appealing party has identified and proffered new evidence that was not reasonably available at the time the Complaint was initiated or the decision to dismiss was made that would change the outcome of the decision to dismiss the Complaint; or

      iii. The Director or the investigator had a conflict of interest or bias for or against complainants or respondents generally or the individual Complainant or Respondent that would change the outcome of the decision to dismiss the Complaint.

   2. *Process for Appeal.*

      i. The Complainant or the Respondent may file an appeal with the Vice President for Student Development, or their designee, (the "Appellate Officer") within five (5) business days of being notified of the Director's decision to dismiss the Complaint.

      ii. The appeal must be in writing and must be emailed to the Appellate Officer with a copy to the Director. The appeal must state the grounds for the appeal and may include a statement in support of the party's appeal or a statement challenging the decision to dismiss the Complaint.

iii. The Director will notify the parties, in writing, when an appeal is filed and, if the Respondent has not previously been notified of the Complaint, the Director will notify the Respondent of the allegations in the Complaint.

iv. The Appellate Officer will respond promptly to such an appeal and shall render a decision in writing within thirty (30) days of receipt of the appeal. This time frame may be extended on a reasonable, case-by-case basis for good cause. The Appellate Officer will notify the Complainant and Respondent, in writing, of the extension and the reason for the extension.

v. The Appellate Officer will provide the Complainant and the Respondent with a copy of the decision at the same time.

GOV-3102.6 –Investigation, Formal and Alternative Resolution Process for Complaints of Discrimination

A. Overall Requirements

1. Prompt and Equitable Process. This policy is intended and shall be implemented in a manner that provides a prompt and equitable resolution process for Complaints of Discrimination. This policy shall be applied in a manner that treats Complainants and Respondents equitably.
2. Conflicts of Interest. The Director, the investigator, and the decision-maker involved in the University's investigation, formal resolution process, or alternative resolution process shall not have a conflict of interest or a bias for or against complainants or respondents generally or the Complainant or Respondent involved in the Complaint under investigation or adjudication.
3. Presumption. In implementing this policy and any investigation, formal resolution process or alternative resolution process, there shall be a presumption that the Respondent is not responsible for the alleged Sex Discrimination until a determination is made at the end of a formal resolution process or Respondent voluntarily acknowledges their responsibility as part of an alternative resolution process.
4. Objective Evaluation. The investigator and the decision-maker in a formal resolution process under this policy shall objectively evaluate all evidence that is relevant and not impermissible (as defined below), including both inculpatory and exculpatory evidence. The investigator or the decision-maker may engage in credibility assessments but shall not make credibility determinations based on an individual's status as a Complainant, Respondent, or witness.

   a. *Relevant Evidence, Testimony and Questions*. Evidence, testimony, and questions are considered to be relevant when they are related to the allegations of Discrimination set forth in a Complaint or otherwise under investigation or subject to adjudication in a formal resolution process. Questions are relevant when they seek evidence that may aid in showing whether the alleged Discrimination occurred. Evidence is relevant when it may aid a decision-maker in determining whether the alleged Discrimination occurred.

   b. *Impermissible Evidence, Testimony, and Questions*. The investigator and the decision-maker in a formal resolution process shall exclude and shall not consider evidence, testimony and questions that are impermissible under this policy, regardless of whether they are relevant. The following evidence, testimony and questions are impermissible:

      i. Evidence or testimony or questions that seek to elicit information that is protected under a privilege as recognized by federal or state law, unless the person to whom the privilege is owed has voluntarily waived that privilege; or

      ii. Evidence or testimony or questions that seek to elicit information regarding records made or maintained by a physician, psychologist or other health care professional in connection with the

provision of treatment, unless the person to whom the privilege is owed has voluntarily waived that confidentiality.

B. Investigation of Complaints of Discrimination

1. Assignment of Investigator. Upon receipt of a Complaint and provided that the Complainant and Respondent have not agreed to an alternative resolution process, the Director or their designee shall conduct the investigation. The investigation will be conducted in a prompt, objective, and thorough manner.
2. Opportunity to Present Witnesses and Evidence. The investigator shall provide the Complainant and the Respondent with an equal opportunity to notify the investigator of fact witnesses and to provide inculpatory and exculpatory information to the investigator that is relevant and not impermissible under this policy. The investigator shall contact the fact witnesses identified by the Complainant and Respondent and shall interview all relevant witnesses who agree to participate in the investigation.
3. Written Investigative Report. The investigator shall review all evidence gathered during the investigation and shall determine what evidence is relevant and what evidence is impermissible, regardless of its relevance. The investigative report shall not include evidence that is either irrelevant or impermissible. The written report shall include, as appendices, all relevant and permissible evidence and transcripts of interviews with the Complainant, Respondent and witnesses, which may be redacted to exclude statements that are irrelevant or impermissible under this policy.
4. Access and Response to the Investigative Report and Evidence.
    a. *Access to Preliminary Report*. Subject to Section 3102.6(B)(4)(d) of this policy, the Director or their designee shall provide both the Complainant and the Respondent with access to the preliminary investigative report and its appendices containing relevant and permissible information. If the Complaint is directed at a University program, policy, or practice and not a specific Respondent, the Director shall provide the appropriate University official(s) with access to the preliminary investigative report.
    b. *Response to Investigative Report.* The Complainant and Respondent will have ten (10) days from the date that access was provided to submit a written response to the investigative report and evidence in the appendices which the investigator will consider prior to completion of the final report. If the Complaint is directed at a University program, policy, or practice and not a specific Respondent, the appropriate University official(s) will have ten (10) days from the date that access was provided to submit a written response to the investigative report and evidence in the appendices which the investigator will consider prior to completion of the final report. This time frame may be extended by the Director or their designee on a reasonable, case-by-case basis for good cause. The Director or their designee will notify the Complainant and Respondent, in writing, of the extension and the reason for the extension.
    c. *Access to Final Report*. Subject to Section 3102.6(B)(4)(d) of this policy, the Title IX Coordinator shall provide both the Complainant and the Respondent with access to the final investigative report and its appendices containing relevant and permissible information. If the Complaint is directed at a University program, policy, or practice, the Title IX Coordinator shall provide the appropriate University official(s) with access to the final investigative report.
    d. *Privacy and Confidentiality*. The preliminary and/or final investigative reports, including its appendices may be redacted by the Director to: (i) ensure compliance with applicable privacy laws, including but not limited to FERPA; (ii) remove information and evidence that is irrelevant or

impermissible under this policy; or (iii) protect the privacy or confidentiality of the Complainant, Respondent, or any witness, provided that such information is not material to the issues which are the subject of the Complaint.

5. Time Frame for Investigation. The time frame for the investigation will generally be 30 to 120 days, depending upon the complexity of the investigation. This time frame may be extended on a reasonable, case-by-case basis for good cause. The Director will notify the Complainant and Respondent, in writing, of the extension and the reason for the extension.

C. Assessment and Coordination of Remedies by Director or Discrimination Prevention & Response/Title IX Coordinator

1. Complaints Against the University. If a Complaint is directed at a University program, policy, or practice and not a specific Respondent, and the Complainant and appropriate University officials have not elected to pursue alternative resolution of the Complaint, as described in Section 3102.6(D) of this policy, the Director shall take the actions described below.

   a. *Determination by the Director of Discrimination Prevention & Response/Title IX Coordinator*.

      i. After reviewing the final investigative report and the parties' responses to the preliminary investigative report, the Director shall determine, based on a preponderance of the evidence, whether the alleged Discrimination occurred.

      ii. The Director shall consider only evidence and testimony that is relevant and not impermissible, consistent with this policy.

      iii. The Director shall make such a determination within 30-120 days of receipt of the final investigative report.

   b. *Notice of Determination/Remedies*

      i. The Director will provide the Complainant and the appropriate University official(s) with written notice of the Director's determination as to whether Discrimination occurred. That notice shall include the rationale for such decision.

      ii. The Director shall notify the Complainant and the appropriate University official(s), in writing, of any remedies that will be implemented to restore or continue Complainant's equal access to the University's Education Program or Activity or to remedy any Hostile Environment.

      iii. The Director shall coordinate with appropriate University officials to take reasonably prompt and effective steps to ensure that Discrimination does not recur in the program, policy, or practice at issue in the Complaint and that any Hostile Environment is remedied.

   c. *Appeals*. The Complainant and the appropriate University officials each have a right to appeal the determination of the Director on the grounds set forth in this policy.

      i. Grounds for Appeal. The grounds for an appeal are as follows:

         a. A procedural irregularity that would change the outcome of the decision regarding the Complaint;

         b. The appealing party has identified and proffered new evidence that was not reasonably available at the time the Complaint was initiated or the decision was made that would change the outcome of the decision; or

         c. The Director or the investigator had a conflict of interest or bias for or against complainants

or institutions generally or the individual Complainant or University officials that would change the outcome of the decision.

ii. Process for Appeal.

a. The Complainant or the appropriate University official may file an appeal with the Vice President for Student Development, or their designee, (the "Appellate Officer") within five (5) business days of being notified of the Director's decision.

b. The appeal must be in writing and must be emailed to the Appellate Officer. The appeal must state the grounds for the appeal and may include a statement in support of the party's appeal or a statement challenging the decision of the Director.

c. The Director will notify the parties, in writing, when an appeal is filed.

d. The Appellate Officer will respond promptly to such an appeal and shall render a decision in writing within thirty (30) days of receipt of the appeal. This time frame may be extended on a reasonable, case-by-case basis for good cause. The Appellate Officer will notify the Complainant and the appropriate University officials, in writing, of the extension and the reason for the extension.

e. The Appellate Officer will provide the Complainant and the appropriate University officials with a copy of the decision at the same time.

2. Complaints Against a Respondent. If Complaint is based on the alleged conduct of a Respondent, and the Complainant and Respondent have not elected to pursue alternative resolution of the Complaint, as described in Section 3102.6(D) of this policy, the Director shall take the actions described below.

a. *Review Investigative Report*. The Director shall review the final investigative report and the parties' response to the preliminary investigative report.

b. *Interim Action*. After reviewing the final investigative report and the parties' response to the preliminary investigative report, the Director shall determine whether any interim actions need to be taken prior to the conclusion of a formal resolution process to restore or continue Complainant's equal access to the University's Education Program or Activity or remedy any Hostile Environment. Such interim actions may include but are not limited to imposition of an Interim Suspension pursuant to the Community Standards, implementation of additional Supportive Measures or modification of existing Supportive Measures consistent with Section 3102.5(C) of this policy, or other interim actions, other than the imposition of sanctions against the Respondent, designed to restore or continue Complainant's equal access to the University's Education Program or Activity or to remedy a Hostile Environment. The fact that the Director implemented such interim action shall not be used as evidence in a formal resolution process.

D. Alternative Resolution

1. Purpose of Alternative Resolution. Alternative resolution is a voluntary process for resolving a Complaint of Discrimination and is an alternative to the formal resolution process described in this policy. Both the Complainant and the Respondent must agree to participate in an alternative resolution process. The alternative resolution process is designed to eliminate the recurrence of the prohibited conduct and provide a remedy that meets the needs of both the Complainant and Respondent while eliminating any Hostile Environment that may exist. Alternative resolution provides an opportunity for the Complainant and Respondent to discuss the Complaint and the alleged discriminatory conduct and to communicate their feelings and perceptions regarding the conduct, the impact of the conduct, and

their wishes and expectations regarding their conduct in the future.

If a mutually agreeable resolution is reached through the alternative resolution process, the matter will be closed and there will be no formal sanction imposed under theCommunity Standards, unless the Respondent voluntarily agrees to accept a sanction.

2. Role and Discretion of the Director of Discrimination Prevention & Response/ Title IX Coordinator. The Director may offer the Complainant and the Respondent the option of pursuing an alternative resolution process at any time prior to a final determination as to whether Discrimination occurred. The Director is not required to offer the option of alternative resolution and shall use their discretion to determine whether alternative resolution is appropriate under the circumstances. In making this determination, the Director shall consider, among other factors, whether the alleged conduct would present a future risk of harm to others.

3. Options for Alternative Resolution. The Director will discuss with the Complainant and Respondent the options for alternative resolution, which may include, among other options, the following:

   a. A discussion between the Complainant and Respondent facilitated by a University administrator approved by the Director; or

   b. Mediation conducted by a neutral, third-party mediator.

   The facilitator or mediator assigned to the matter shall not be the same person who conducted or would conduct an investigation or the decision-maker in a formal resolution process.

4. Notice of Alternative Resolution. If the Complainant and Respondent agree to participate in an alternative resolution process, the Director or their designee shall provide each party with a written notice that contains the following:

   a. The allegations at issue;

   b. A description of the alternative resolution process and its requirements;

   c. A statement that the Complainant and Respondent each have the right, at any time prior to agreeing to a resolution, to withdraw from the alternative resolution process and initiate or continue a formal resolution process;

   d. A statement that the parties' agreement to a resolution at the conclusion of the alternative resolution process precludes initiating or resuming a Complaint or resolution process arising out of the same allegations;

   e. The potential terms that may be requested or offered in an alternative resolution agreement, including notice that an alternative resolution agreement is binding only on the parties; and

   f. That the University will maintain the confidentiality of information shared during the alternative resolution process, to the extent permitted by law, and that such information shall not be used in a subsequent formal resolution process.

5. Alternative Resolution Agreement. At the conclusion of the alternative resolution process, the agreement of the parties, if any, will be documented in a formal, written resolution agreement that must be approved by the Director and then signed by the Complainant and Respondent. The alternative resolution agreement is binding only on the Complainant and Respondent.

6. Termination of the Alternative Resolution Process. The University, the Complainant or the Respondent may, at any time prior to the conclusion of the alternative resolution process, elect to end such proceedings and pursue formal resolution instead. In such cases, statements or disclosures made by the

parties in the course of the alternative resolution may not be considered in the subsequent formal resolution process.

E. Formal Resolution Process. If the parties elected to forego an alternative resolution process, as described in Section 3102.6(D) of this policy, and if the Complaint has not been dismissed by the Director pursuant to Section 3102.5(E) of this Policy, the Complaint will be adjudicated through a formal resolution process.

1. Student as the Respondent. If the Respondent is a student at the University, the Complaint will be adjudicated under the process set forth in the University's Community Standards
2. Staff Member as Respondent. If the Respondent is a staff member of the University, the Complaint will be adjudicated under the process set forth in the University's Policy on Prohibiting and Responding to Discrimination Based on Protected Status - Staff and Faculty.
3. Faculty Member as Respondent. If the Respondent is a faculty member of the University, the Complaint will be adjudicated under the process set forth in the University's Policy on Prohibiting and Responding to Discrimination Based on Protected Status - Staff and Faculty and the provisions of the Faculty Handbook.
4. Requirements for All Adjudication Processes. Regardless of the status of the Respondent, the formal resolution process for all Complaints of Discrimination shall meet the requirements set forth in this Section 3102.6(E)(4) and to the extent that there is a conflict between the requirements of this section and another University policy, handbook or the Community Standards, the terms of this section shall govern.
    a. *Standard of Proof*. The decision-maker shall use the preponderance of evidence standard of proof to determine whether Discrimination occurred.
    b. *Relevant and Not Impermissible Evidence*. The decision-maker shall consider only evidence and testimony that is relevant and not impermissible, as described in this policy.
    c. *Notice of Determination and Right of Appeal*. The decision maker shall notify the Complainant and the Respondent, in writing, of the determination as to whether Discrimination occurred. Such notice shall include the rationale for such decision and the process and grounds for appeal, if available.
    d. *Imposition of Sanctions*. The University shall not impose disciplinary sanctions on a Respondent unless there is a determination following the conclusion of a formal resolution process that the Respondent engaged in Discrimination prohibited by this policy, or the Respondent voluntarily agreed to such sanction as part of an alternative resolution process.
    e. *Role of the Director*. If the decision-maker determines that Discrimination occurred, the Director , as appropriate, shall:
        i. Coordinate the provision and implementation of remedies to the Complainant and any other person that the University identifies has having had equal access to the University's Education Program or Activity limited or denied by the Respondent's conduct;
        ii. Coordinate, in collaboration with other University officials, the imposition of sanctions against the Respondent; and
        iii. Take other appropriate, prompt, and effective steps intended to ensure that Discrimination at issue in the Complaint does not continue or occur within the University's Education Program or Activity and that any Hostile Environment is remedied.

F. Retaliation

1. Retaliation Is Prohibited

   The University prohibits Retaliation, 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.

   The University also prohibits Retaliation, in any form, against an individual who initiates a Complaint, participated in or refused to participate in an investigation, alternative or formal resolution process, served as a witness in an investigation or hearing, or sought or initiated Supportive Measures under this policy.

2. Response to Alleged Retaliation. The University will respond to information about conduct that reasonably may constitute Retaliation or to a Complaint alleging Retaliation in accordance with the procedures and requirements set forth in this policy.

RELATED POLICIES:

GOV-1004 Policy Prohibiting Retaliation

GOV-3101 Policy Prohibiting Discrimination

GOV-3103 Policy on Prohibiting and Responding to Sexual Harassment/Sexual Misconduct - Students

GOV-3104 Policy on Prohibiting and Responding to Sexual Harassment/Sexual Misconduct - Faculty and Staff

GOV-3108 Policy on Prohibiting and Responding to Sex Discrimination – Students

GOV-3107 Policy on Prohibiting and Responding to Sex Discrimination – Faculty and Staff

Staff Grievance Procedure

Progressive Discipline Policy

Community Standards

Faculty Handbook

POLICY BACKGROUND:

This policy was updated in December 2024 to reflect an amendment to the University's non-discrimination statement approved by the University of Richmond Board of Trustees on December 6, 2024.

This policy was substantially revised in 2024 to align with the University's other non-discrimination policies, including those listed above, and incorporate guidance issued by the Office for Civil Rights of the Department of Education regarding the scope and implementation of Title VI.

Non-substantive updates were made to this policy in June 2026 to include changes to position titles.

POLICY CONTACTS:

Director of Discrimination Prevention & Response/Title IX Coordinator

Vice President and General Counsel