TITLE IX COMPLAINANT RIGHTS AND OPTIONS

Below is a summary of your rights and options as a complainant under the Virginia Commonwealth University’s Title IX Sexual Harassment Policy - Interim (the “Policy”). Please contact the Title IX Coordinator if you have any questions about this information.

I. General Information

● Options. You have several options, including, but not limited to:
  ➢ Contacting parents or a relative
  ➢ Seeking or retaining a private attorney for legal advice
  ➢ Seeking counseling services
  ➢ Obtaining supportive measures at no charge to you with or without filing a formal complaint
  ➢ Filing a formal complaint under the Policy
  ➢ Notifying law enforcement authorities
  ➢ Pursuing civil legal action against the perpetrator
  ➢ Requesting that no further action be taken or declining to participate in VCU’s process
  ➢ Requesting further information about the investigation and resolution process

● Notifying Authorities. If requested, the Title IX Coordinator will assist you in contacting local law enforcement about the incident. You may decline to notify such authorities.

● Protective Orders. The Title IX Coordinator can explain to you available options for a protective order. If you already have a protective order or other no contact order against the alleged perpetrator, you may inform the Title IX Coordinator.

● Requesting Changes to Your Current Situation or Other Supportive Measures. The Title IX Coordinator will contact you to discuss the availability of supportive measures. Supportive measures may include changes to your academic, living, transportation, or working situation. Supportive measures are individualized services, and they are designed to restore or preserve equal access to the university’s education program or activity. Supportive measures cannot unreasonably burden another party. Supportive measures may include:
  ➢ counseling,
  ➢ extensions of deadlines or other course-related adjustments,
  ➢ modifications of work or class schedules,
- campus escort services,
- mutual restrictions on contact between the parties,
- changes in work or housing locations,
- leaves of absence,
- increased security and monitoring of certain areas of the campus,
- and/or other similar measures.

The university will provide supportive measures to you free of charge if the services are appropriate and available. Regardless of whether you file a Formal Complaint or report the incident to local law enforcement, you have access to these resources. Contact the Title IX Coordinator for information about a leave of absence and related financial aid information.

- **Preservation of Evidence and Seeking Medical Attention.** If you have not already done so, it is important for you to seek appropriate medical attention. It is also important that you make an effort to preserve evidence. In the case of physical violence, including sexual assault, domestic violence, and dating violence, you should go directly to the emergency room and should not bathe, urinate, douche, brush teeth, drink liquids, or change clothes until after you are examined. necessary and you so choose, a rape examination may be completed by a trained forensic professional at the hospital. Having a forensic examination does not obligate you to file criminal charges. Evidence in electronic formats should also be retained (e.g., text messages, emails, photos, social media posts, screenshots, etc.). This type of evidence is important and may be the only available evidence in cases of sexual harassment or stalking.

II. VCU’s Procedures

- The Policy governs complaints of sexual harassment, sexual assault, domestic violence, dating violence, and stalking. The procedures in the Policy:
  - Provide a prompt, fair, and impartial investigation and resolution of a formal complaint. Decisions will be made using a preponderance of the evidence (is it more likely than not that the alleged conduct occurred).
  - Require an objective evaluation of all relevant evidence.
  - Are carried out by university officials who are free from bias and conflict of interest for or against complainants or respondents generally or individual parties. Officials receive training about:
    - sexual harassment, sexual assault, domestic violence, dating violence, and stalking.
    - the scope of the university’s education programs or activities.
    - how to conduct an investigation and hearing process.
    - how to serve impartially, including avoiding prejudgment of the facts at issue, conflicts of interest, and bias.
Include a presumption that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the process.

Include reasonably prompt timeframes for the stages of the process.

Provide you and the respondent the right to have a support person/adviser of your choice accompany you during the investigation and adjudication process. A support person/adviser may be, but is not required to be, an attorney. Except as explained in the Policy, a support person/adviser may not advocate for a party like an attorney would in court. Restrictions on the extent to which an adviser may participate in the proceedings apply equally to all parties.

Do not restrict the ability of a party to discuss the allegations under investigation or to gather and present relevant evidence.

Provide the parties an equal opportunity to inspect and review any evidence obtained as part of an investigation that is directly related to the allegations raised in a formal complaint.

Provide that both you and the respondent are notified simultaneously in writing of the outcome of the investigation and resolution proceedings. Such notification will also include: the procedure to appeal the outcome, any change to the outcome that occurs before the outcome is final, and when such outcome becomes final.

Prohibit retaliation by the respondent or anyone else against you. Retaliation is defined as any adverse action for the purpose of interfering with any right or privilege secured by the Policy because you have made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing. You have a right to participate or to decline to participate in VCU’s process at any time.

- If you would like to have a support person/adviser but cannot find one, please contact the Title IX Coordinator for assistance.

- You are prohibited from retaliating against the respondent or anyone else who participates or declines to participate in an investigation, proceeding, or hearing.

III. Possible Supportive Measures and Sanctions

- **Supportive Measures.** At any time during the investigation and adjudication process, the university may offer supportive measures to the parties (described above). The university will also take reasonable and legal action to comply with any court protective order. Failure to comply with supportive measures by either party may be reported as a separate violation of university policy.

- **Sanctions.** If there is a finding that a violation of the Policy has occurred, sanctions may be imposed. In keeping with the university’s commitment to foster an environment that is safe, inclusive and free from discrimination and harassment, sanctions are tailored to the specific matter. Sanctions may include educational, restorative, rehabilitative and punitive components. Punitive sanctions range in severity, up to expulsion or termination of employment. Sanctions will take into account:
  
  - the facts and circumstances of each complaint,
the impact of the conduct on the complainant and university community, and
accountability for the respondent.

- Remedies. The resolution of a complaint may include, in addition to sanctions, remedies
designed to restore or preserve equal access to the university’s education program or
activity.

IV. Confidentiality

If you decline to file a Formal Complaint of Sexual Harassment, the university will not take any
further action to investigate or adjudicate the matter. The Title IX Coordinator may sign a
Formal Complaint on behalf of the university if closing the matter would be clearly
unreasonable. Formal Complaints are submitted without a participating complainant when there is a risk to health or safety that requires the university to pursue formal action to protect
the university community.

Throughout the investigation and adjudication of your complaint, any supportive measures
provided to you will be confidential. The university may disclose some information in order to
provide such measures, such as in the case of a mutual no-contact directive.

The university is required by law to make certain statistical disclosures of reported crimes. If
you report an incident that is a crime but decline to report it to law enforcement, the university
will report as required without disclosing personally identifying information about you.

V. Resources Available

VCU is committed to supporting our community members wishing to access support services,
including all parties and individuals involved in sexual harassment proceedings regardless of
whether or not a formal complaint is filed. The university also maintains a list of local off-
campus resources.

The following identifies and provides contact information for such resources. If you have any
questions or need assistance accessing these services, please contact the Title IX Coordinator.

- Virginia Commonwealth University’s Title IX Coordinator and Director of
  Outreach and Support:
    Malorie J. Yeaman
    912 W. Grace St., 2nd Floor
    Box 83022
    Richmond, VA 23284-3022
    (804) 828-1347
    titleix@vcu.edu

- On-Campus Counseling (confidential resource)
  - University Counseling Services: 804-828-6200
• On-Campus Medical Services
  ➢ Student Health: 804-828-8828

• VCU Police Department
  ➢ Non-emergency line: 804-828-1196
  ➢ Emergency line: 804-828-1234

• Local Police
  ➢ Emergency: 911
  ➢ Richmond Police Department: 804-646-5100

• Student Financial Aid
  ➢ VCU Financial Aid Office: 804-828-6669

• Hospitals
  ➢ VCU Health Emergency: 804-828-9000

• Support Agencies/Hotlines
  ➢ Greater Richmond Regional Hotline
    804-612-6126
  ➢ Virginia Family Violence & Sexual Assault Hotline
    800-838-8238 (v/tty); Text
    804-793-9999; Chat
    http://vsdvalliance.org/
  ➢ National Domestic Violence Hotline: 1-800-799-7233
  ➢ National Sexual Assault Hotline: 1-800-656-4673

• Legal Assistance, Visa and Immigration Assistance
  ➢ U.S. Citizenship and Immigration Services:
    https://www.uscis.gov/about-us/find-a-uscis-office/field-offices
  ➢ Immigration Advocates Network:
    https://www.immigrationadvocates.org/nonprofit/legaldirectory/

Please contact the Title IX Coordinator or staff in Institutional, Equity, Effectiveness, and Success (“IES”) if you want to discuss other resources that may be available in the community.