



# LIBERTY UNIVERSITY

OFFICE *of* EQUITY & COMPLIANCE

## NOTICE OF RIGHTS AND OPTIONS



# NOTICE OF RIGHTS AND OPTIONS

Complainants (victims) and Respondents (accused) have the following rights and options under Liberty University's Office of Equity & Compliance's (OEC) Sexual Misconduct Policy (Policy).

## 1. OEC Complaint Resolution Process:

Right to a prompt, fair, and impartial investigation and resolution of all Sexual Misconduct allegations following a Formal Complaint.

- **Formal Complaint:** Right for a Complainant to submit a Formal Complaint with the OEC or a Formal Complaint that is signed by the Title IX Coordinator.
- **Written Notice:** Right to receive written Notice of Formal Complaint, which includes:
  - › Notice of the party's rights and options.
  - › Notice of the complaint resolution process.
  - › Notice of the Formal and Informal Resolution Processes and options.
  - › Notice of the allegations of Sexual Misconduct, which includes the identities of the parties involved in the incident, if known, the alleged Sexual Misconduct, and the date and location of the incident, if known.
  - › Notice that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the complaint resolution process.
  - › Notice that the parties may have an advisor of their choice and

that the advisor may inspect and review evidence as explained in Section 10.4 of the Policy.

- › Notice of the prohibition of knowingly making false statements or knowingly submitting false information during the complaint resolution process.

- **Informal Resolution Process:** Right to request an informal resolution (when the matter does not involve sexual harassment between an employee-Respondent and a student-Complainant) after a Formal Complaint has been signed.
- **Formal Resolution Process:** Right to an investigation and formal adjudication of the Sexual Misconduct allegations in the Formal Complaint.
- **Sufficient Notice:** Right to receive sufficient notice of any meeting within the complaint resolution process, including the names of individuals who will attend the meeting and the reason for the meeting.
- **Provide Information and Witnesses:** Right to provide investigator(s) with information to review and present witnesses for the investigator(s) to interview.
- **Evidence:** Right to inspect and review evidence and information directly related to the allegations and the opportunity to provide a written response to the evidence.
  - › **Preservation of Evidence:** It is important to preserve all evidence that may assist in proving or disproving

that the alleged Sexual Misconduct occurred for the complaint resolution process and/or criminal process and/or to obtain a protective order.

- **Investigative Report:** Right to be provided with an investigation report that fairly summarizes the relevant evidence obtained during the investigation prior to a hearing with an opportunity to respond to the investigation report in writing.
- **Timelines:** The complaint resolution process typically takes approximately 90 days to complete.
- **Hearings:** Right to a live Hearing for all formal complaints of Title IX Sexual Misconduct that have not been dismissed per Section 11.6.7 or resolved by Informal Resolution under Section 11.5 of the Policy. The live Hearing will occur with parties located in separate rooms with technology enabling the decision maker(s) and parties to simultaneously see and hear the other party or witnesses answering questions.
  - › **Present:** Right to be seen and heard in person, or via technology, during all hearings, including the right to see and hear the opposing party.
  - › **Questions:** Right to have an advisor ask questions of the parties and witnesses at the live Hearing.

## 2. Advisor:

Right to be accompanied by an advisor of their choice at any meetings before or during the complaint resolution process (both informal and formal). At live hearings, advisors are permitted to ask parties and witnesses relevant questions and follow-up questions.

## 3. Supportive Measures:

Right to receive Supportive Measures, which may include, but are not limited to, counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, No Contact Directives, changes in work or housing locations, leaves of absence, increased security, and monitoring of certain areas of the campus. The OEC will maintain as confidential any Supportive Measure provided to the Complainant or Respondent, to the extent that maintaining such confidentiality would not impair the ability of the OEC to provide the Supportive Measure. Complainants and Respondents will receive a document outlining the resources and services available, including mental health services, health services, victim advocacy, and visa/immigration assistance.

- **No Contact Directives:** A No Contact Directive (NCD) is an OEC-issued directive that prohibits communication or contact between the Parties. NCDs may be mutual or one-sided. Generally, NCDs will be issued between the Complainant and Respondent when the Formal Complaint is signed and will be mutual and serve as notice to both parties that they must not have verbal, electronic, written, or third-party communication with one another. To request an NCD from the OEC, individuals should contact the Title IX Coordinator. An OEC-issued NCD is enforced by contacting the Liberty University Police Department (LUPD) or the OEC.
- **Civil Protective Orders:** Complainants, Respondents, or law enforcement may seek a civil protective order from a magistrate or judge.



#### **4. Law Enforcement:**

Right for the Complainant to be informed of on- and off-campus law enforcement options and to be assisted in reporting to law enforcement. Additionally, Complainants have the right not to be coerced into reporting to law enforcement.

#### **5. Presumed Not Responsible:**

Right for the Respondent to be presumed not responsible of a Policy violation until a determination has been made regarding responsibility.

#### **6. Trained Officials:**

Right to have the Complaint Resolution Processes (Formal and Informal) conducted by officials who receive annual training on the issues related to sexual assault, dating violence, domestic violence, and stalking. These officials are also trained on how to conduct investigations and processes free from bias and conflicts of interest.

#### **7. Closed Meetings:**

Right for all meetings, interviews, and hearings to be closed to the public.

#### **8. Challenge Impartiality or Bias of Title IX Officials:**

Right to challenge the impartiality or bias of the Title IX Coordinator, investigator(s), or decision maker(s).

#### **9. Evidence Standard:**

Right for the allegations to be resolved using a preponderance of the evidence standard.

#### **10. Written Determination:**

Right to receive a written determination after the adjudication, which includes:

- Simultaneous notification, in writing, to both the Complainant and Respondent;
- Identification of the allegations potentially constituting Sexual Misconduct;
- A description of the procedural steps taken from the receipt of the Formal Complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
- Findings of fact supporting the determination;
- Conclusions regarding the application of the Policy to the facts;
- A statement of and rationale for the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions that the university imposes on the Respondent, and whether remedies designed to restore or preserve equal access to the university's education program or activity will be provided by the university to the Complainant; and
- The procedures and permissible bases for the Complainant and Respondent to appeal.

#### **11. Final Resolution:**

Right to be informed when the determination becomes final.

#### **12. Sanctions:**

Respondents who are found responsible for Prohibited Conduct under the Policy may face the following sanctions, as determined to be appropriate based on the circumstances:

- Verbal warning
- Written reprimand
- University probation
- Points
- Suspension, ranging from 1 semester to 5 years with possible reinstatement requirements determined by the university
- Expulsion
- Transcript notation
- Withholding of diploma or degree for a defined period of time or until the completion of assigned sanctions
- Temporary or permanent revocation of degree
- Temporary or permanent restricted access to areas of campus, campus events, activities, organizations, or courses
- Temporary or permanent removal from class or living or housing assignment
- Conditions upon presence on campus or at university events
- Campus ban
- No Contact Directive
- Required attendance at an educational training, meetings, or program
- Writing a reflection paper
- Behavioral contract
- Fine
- Restitution of damages
- Written apology
- Required assessment, counseling, or recovery program
- Community service hours
- Loss of salary or benefit, such as travel funding
- Suspension of promotion and salary increments ranging from 1 semester to 5 years with possible reinstatement requirements required by the university

- Removal or nonrenewal of scholarships or honors
- Transfer or change of job or responsibilities
- Demotion
- Termination of employment
- Payment of restitution or costs incurred

#### **13. Appeal:**

Right to appeal the written determination or the dismissal of a Formal Complaint.

#### **14. Clery:**

Information shared with the university (except for personally identifying information about the victim) may be included in the LUPD Daily Crime Log and different notifications sent to the campus community, such as LU Alerts, Timely Warning Notices, and Emergency Notifications.

*To make a report of Sexual Misconduct, including Sexual Assault, Dating Violence, Domestic Violence, and Stalking, please contact the Title IX Coordinator or LUPD:*

► [Liberty.edu/Title-IX/Incident-Report-Form](https://liberty.edu/Title-IX/Incident-Report-Form)  
Office of Equity & Compliance  
Liberty University

**Nathan Friesema**  
Title IX Coordinator  
DeMoss Hall, Room 1232  
✉ [OEC@liberty.edu](mailto:OEC@liberty.edu)  
☎ (434) 592-4999

**Liberty University  
Police Department**  
Green Hall, Room T725  
*(Please see contact information in the list on the following page.)*



## RESOURCES AVAILABLE FOR LIBERTY UNIVERSITY STUDENTS

### Collaborate, Assess, Resource, Empower (CARE) Team

- 📍 Liberty.edu/CARE
- ✉ CARE@liberty.edu
- ☎ (434) 592-5638

### International Student Center

- 📍 Liberty.edu/CASAS/International-Student-Center
- ✉ ISC@liberty.edu
- ☎ (434) 592-5638

### Liberty University Police Department (LUPD)

- 📍 Liberty.edu/LUPD
- ✉ LUPD@liberty.edu

#### Emergency:

- ☎ (434) 592-3911

#### Nonemergency:

- ☎ (434) 592-7641

#### Front Desk:

- ☎ (434) 592-3637

### Lynchburg Police Department

- 📍 LynchburgVaPolice.gov

#### Emergency:

- ☎ 911

#### Nonemergency:

- ☎ (434) 847-1602

### The Student Advocate Office (SAO)/ Professional Advising Office

- 📍 Liberty.edu/Online/Student-Advocate-Office
- ✉ LUOStudentAdvocate@liberty.edu

### LU Shepherd

- 📍 Liberty.edu/OSD/LU-Shepherd
- ✉ LUShepherd@liberty.edu
- ☎ (434) 592-5411

### Office of Disability Accommodation Support (ODAS)

- 📍 Liberty.edu/ODAS
- ✉ ODAS@liberty.edu
- ☎ (434) 592-4016

## CONFIDENTIAL RESOURCES

### \*Liberty University Counseling and Psychological Services

- 📍 LUStudentCounseling.com
- ✉ CAPS@liberty.edu
- ☎ (434) 582-2651

### \*Liberty University Confidential Advocate

(upon request from LU Shepherd)

- 📍 Liberty.edu/Title-IX/Confidentiality/  
Confidential-Advocates
- ☎ (434) 592-4999

### \*Liberty University Health Center (CVFP)

- 📍 LUStudentHealth.com
- ✉ StudentHealthRecords@liberty.edu
- ☎ (434) 338-7774

### \*Centra Health Emergency Room

- 📍 CentraHealth.com/Services/  
Emergency-Care
- ☎ (434) 200-3000

### \*Rape, Abuse, & Incest National Network (RAINN)

- 📍 RAINN.org/Resources
- ☎ (800) 656-HOPE

### \*Sexual Assault Response Program (SARP)

- 📍 YWCACVA.org
- ✉ Info@YWCACVA.org
- ☎ (434) 847-7751, option 3

24-Hour Hotline:

- ☎ (888) 947-7273

### \*National Domestic Violence Hotline

- 📍 TheHotline.org
- ✉ Hotline.Requests@NDVH.org
- ☎ (800) 799-SAFE

TTY:

- ☎ (800) 787-3224

### \*Virginia Legal Aid Society

- 📍 VLAS.org
- ☎ (434) 846-1326

*\*Confidential resources are not required to report information shared with them. Some exceptions (e.g., compliance with a lawfully issued and binding subpoena or court order) may apply. You should discuss up front the limits of confidentiality with each confidential resource.*

## ADDITIONAL RESOURCES

**Feeling Kinda Blue** (Social networking for depression, anxiety, grief, emotional pain, isolation, and mental illness)

- 📍 FeelingKindaBlue.org
- ☎ (866) 728-7983

### Families Advocating for Campus Equality (FACE)

- 📍 FaceCampusEquality.org
- ☎ (701) 491-8554

**The Foundation for Individual Rights and Expression (FIRE)**

- 📍 TheFire.org
- ☎ (215) 717-3473

### National Suicide Prevention Lifeline

- 📍 SuicidePreventionLifeline.org/Chat
- ☎ (800) 273-8255

### Save Our Sons

- 📍 HelpSaveOurSons.com





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**✉ OEC@liberty.edu | 📞 (434) 592-4999**