

# Business Affairs and Audit Committee

June 2026



**Radford**  
UNIVERSITY



**Business Affairs and Audit Committee**  
a.m.\*\*  
June 4, 2026  
Kyle Hall, Room 340, Radford, VA

**Agenda**

- **Call to Order** Ms. Jeanne S. Armentrout, *Chair*
- **Approval of Agenda** Ms. Jeanne S. Armentrout, *Chair*
- **Approval of Minutes** Ms. Jeanne S. Armentrout, *Chair*
  - March 19, 2026
- **Report from the Auditor of Public Accounts** Mr. David Rasnic, *Audit Director, Higher Education Programs, and Radford University Project Manager*
- **University Auditor's Report** Ms. Margaret McManus, *University Auditor*
- **Finance and Administration** Rob Hoover, Ed.D., *Vice President for Finance & Administration and Chief Financial Officer*
  - Capital Update
  - Strategic Plan Update
  - **Action Item:** Approval of Discrimination and Harassment Policy Updates
- **Other Business** Ms. Jeanne S. Armentrout, *Chair*
- **Adjournment** Ms. Jeanne S. Armentrout, *Chair*
- **\*\* All start times for committees are approximate only. Meetings may begin either before or after the listed approximate start time as committee members are ready to proceed.**

**COMMITTEE MEMBERS**

Ms. Jeanne S. Armentrout, *Chair*  
Ms. Joann S. Craig, *Vice Chair*  
Dr. Betty Jo Foster  
Mr. George Mendiola, Jr.  
Mr. Jonathan D. Sweet  
Mr. James C. Turk

# Meeting Materials



**Radford**  
UNIVERSITY



## 2025 Audit Exit Meeting

---

June 4, 2026

David Rasnic - Audit Director

Auditor of Public Accounts

## **Agenda**

---

- Auditor's Opinion on Financial Statements
- Report on Internal Controls
- Audit Findings
- Additional Testwork Results
- Other Items and Known Changes for Next Year

## **Auditor's Opinion on Financial Statements**

---

- **Unmodified opinion** - the financial statements are presented fairly, in all material respects, in accordance with the applicable financial reporting framework.
- Opinion references the work of other auditors for most University-associated organizations that meet the definition of a component unit

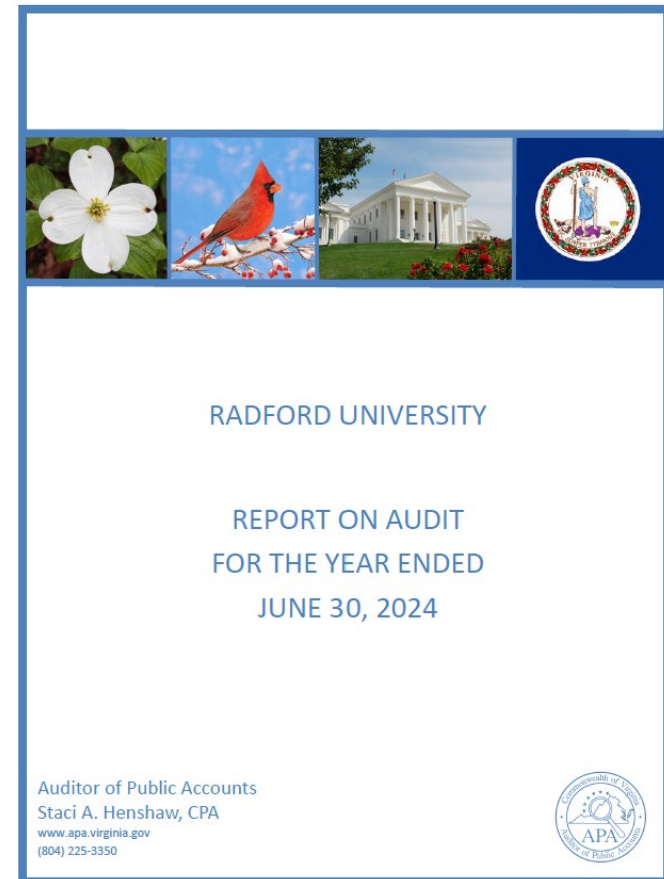
## **Auditor's Opinion on Financial Statements – Emphasis of Matter**

---

- Governmental Accounting Standards Board Statement 101 – Compensated Absences
- Our opinion is not modified with respect to this matter.

# Report on Internal Controls

- Results of Internal Control and Compliance Testing:
  - Improve Reporting to National Student Loan Data System
  - Promptly Return Unclaimed Aid to the Department of Education



# **Audit Findings and Recommendations – Prior Year Findings and Recommendations**

---

- Resolved:
  - Improve IT Asset Management
    - First Issued 2023

## **Audit Findings and Recommendations – Prior Year Findings and Recommendations**

---

- Repeat Management Recommendations:
  - Improve Reporting to National Student Loan Data System
    - First Issued 2018
  - Promptly Return Unclaimed Aid to the Department of Education
    - First Issued 2021

## **Additional Testwork Results**

---

- We found no indications of fraudulent transactions or illegal acts.
- There were no material changes to accounting and reporting policies and standards during the year other than the emphasis of matter on GASB 101 – Compensated Absences
- There were no material alternative accounting treatments identified as a result of the 2025 audit.
- We concur with management’s application of accounting principles.
- We have reviewed the basis used for accounting estimates used, noting that such amounts appear to be reasonable based on available information and that estimation methodology is consistent with prior periods.
- There were no significant unusual transactions or significant accounting policies in controversial or emerging issues.
- There were no significant difficulties encountered during the audit.
- There were no disagreements with management about auditing, accounting, or disclosure matters.

## **Other Items and Known Changes for Next Year's Audit**

---

- Upcoming GASB standards for next fiscal year:
  - GASB 103 – Financial Reporting Model Improvements
  - GASB 104 – Disclosure of Certain Capital Assets

## **Intended Use Statement**

---

This presentation is intended solely for the information and use of management and the Board of Visitors of Radford University and is not intended to be, and should not be, used by anyone other than these specified parties.

**RADFORD UNIVERSITY – OFFICE OF AUDIT & ADVISORY SERVICES**  
**Information Technology Audit – Intelligent Video Solutions**  
**Center for Assessment and Psychological Services**  
**March 25, 2026**

**BACKGROUND**

Intelligent Video Solutions (IVS) is an on-premise video recording system that is primarily used to capture, stream and search videos as part of clinical treatment and research. Radford University students in certain disciplines participate in these activities as part of their required coursework. IVS allows faculty and students to observe live and recorded student interactions with clients to assist students in gaining knowledge, improving performance, and enhancing patient care.

Currently, the University has four instances of IVS. This audit is for the instance used by the Center for Assessment and Psychological Services (CAPS), in the Department of Psychology. CAPS provides assessment, consultation, professional development training, and counseling/intervention services for the pediatric through young adult population. CAPS' mission is to provide quality psychological services to the Radford University and regional communities at reduced fees and to provide on-campus clinical and research training experiences for graduate psychology students.

**OBJECTIVES AND SCOPE**

The objective of this audit was to assess the following security measures and controls:

1. Application administration, including password management, application-level security settings, and granting and removing user access,
2. Application maintenance, specifically upgrading and updating the application to address security risks, and
3. Business continuity or recovering the application and minimizing downtime following an incident.

The scope of this review was for the IVS application instance used by CAPS. The results were provided to management to be used in evaluating the IVS instances that were not audited. The following were assessed:

Access Management	Application Change Management
Password Management	Remote Access Management
Application-level Security Settings	System and Data Backup and Recovery

The audit was performed by both the Office of Audit and Advisory Services and Securance Consulting who was contracted by the Office of Audit & Advisory Services.

**CONCLUSION**

At the time of the audit and relative to the controls and processes reviewed, they appeared adequate to provide reasonable assurance that the objective noted above is being met. However, we identified the following business issues.

**BUSINESS ISSUES**

The following issues were identified in this audit. Pages 2-6 contain information on planned actions and completion dates; accordingly, those pages are an integral part of this report.

1. Improvements are needed in account management practices.
2. Improvements are needed in password management practices.
3. We were unable to verify database server security.
4. Improvements are needed in the change control process.
5. There is a lack of separation of duties.
6. Evaluation and clarifications are needed regarding the attributes assigned to the system.
7. There is no System Security Plan
8. System logs were not retained for the required period.

**RADFORD UNIVERSITY – OFFICE OF AUDIT & ADVISORY SERVICES**  
**Information Technology Audit – Intelligent Video Solutions**  
**Center for Assessment and Psychological Services**  
**March 25, 2026**

<b>BUSINESS ISSUE</b>	<b>PLANNED ACTION</b>	<b>COMPLETION DATE</b>
<p>1. Improvements are needed in account management practices.</p> <p>1.1 The Radford University IT Security Standard (Standard) requires that user access be based on the principle of least privilege and that access should be promptly removed when it is no longer required. Although the Data Owner reviews user accounts each semester, there appear to be three accounts that were established when the system was implemented to demonstrate functionality, and these accounts no longer appear to be needed. Of these accounts, two were assigned the Administrator role. Allowing users to have access to data, functions, or capabilities beyond what is necessary for their jobs can increase security risks.</p> <p>1.2 The Standard prohibits the use of shared (unnamed) accounts to access sensitive systems. This system has one shared (unnamed) account that has been established for emergency/backup purposes for the application administrator. Using such accounts can result in a lack of user accountability and increased security risk.</p>	<p>1.1 The System Owner and the Data Owner will review accounts that have access to the system and remove those that are no longer necessary.</p> <p>1.2 The System Owner and the Data Owner, in coordination with Information Technology Services (ITS), will determine if there is a need for a backup administrative account. If so, it will be tied to an individual account rather than a group account, and the shared account will be deleted.</p>	<p>June 1, 2026</p> <p>June 1, 2026</p>

**RADFORD UNIVERSITY – OFFICE OF AUDIT & ADVISORY SERVICES**  
**Information Technology Audit – Intelligent Video Solutions**  
**Center for Assessment and Psychological Services**  
**March 25, 2026**

BUSINESS ISSUE	PLANNED ACTION	COMPLETION DATE
<p>2. Improvements are needed in password management practices.</p> <p>The IVS application, which uses locally-managed application credentials, lacks the capability to comply with password management requirements outlined in the Standard. Also, the application does not permit users to change their own passwords. It was noted that Active Directory integration is not being used, although the application would support the use of it.</p> <p>Weak password rules are a significant contributor to system breaches, and an ineffective password strategy places an application and its data at risk of unauthorized access and data exfiltration.</p>	<p>2.1 The System Owner and the Data Owner will work with ITS to integrate the application and Active Directory.</p> <p>2.2 ITS will implement application account/password expiration until Active Directory is fully integrated.</p>	<p>August 1, 2026</p> <p>June 1, 2026</p>
<p>3. During our review we were unable to verify database server security. Specifically, ITS provided documentation related to access to the host server; however, the documentation provided did not support the attestation that access was restricted.</p> <p>Ensuring that access is appropriately restricted protects the integrity of the data and reduces the risk of breaches.</p>	<p>3. The Application Administrator will work with the IT infrastructure team to get clear outlines of permissions regarding access to the host server. This will include, but not be limited to, a review of physical spaces, database access, and VPN access to ensure that access is restricted and that the database is secure.</p>	<p>August 1, 2026</p>

**RADFORD UNIVERSITY – OFFICE OF AUDIT & ADVISORY SERVICES**  
**Information Technology Audit – Intelligent Video Solutions**  
**Center for Assessment and Psychological Services**  
**March 25, 2026**

BUSINESS ISSUE	PLANNED ACTION	COMPLETION DATE
<p>4. Improvements are needed in the change control process. Specifically,</p> <p>Based on ITS’ attestation of system changes that were observed during the audit, it appears that the Radford University Change Control Policy (IT-5201) was not followed for changes made to the application and server in November 2025, as those changes were not documented. The policy requires that such changes be documented through a change request in ServiceNow; however, there was no change request entered. Without a change request, there is no record of what changes are made, when they are made, who made them, and why they are made.</p> <p>Additionally, two change requests for the IVS applications and servers did not appear to be properly documented.</p>	<p>4.1 ITS will include change management in the annual System Administrator security training.</p> <p>4.2 ITS will develop and implement a written procedure to require the review of changes quarterly, to ensure that they are being classified correctly and that critical information related to the change is documented. This process will include corrective consultation for staff who inaccurately classify change control tickets.</p>	<p>August 1, 2026</p> <p>August 1, 2026</p>
<p>5. A lack of separation of duties was identified due to the one user who adds, modifies, and removes system access also being the Data Owner for the system. The Standard prohibits a Data Owner from performing these functions, which are duties of an Application Administrator, to prevent conflicts of interest. The system does have an assigned Application Administrator. This lack of separation of duties increases the risks of conflicts of interest and lack of accountability.</p>	<p>5. The System Owner will review the system roles and update the Data Owner or Application Administrator roles after reviewing the business needs more thoroughly.</p>	<p>August 1, 2026</p>

**RADFORD UNIVERSITY – OFFICE OF AUDIT & ADVISORY SERVICES**  
**Information Technology Audit – Intelligent Video Solutions**  
**Center for Assessment and Psychological Services**  
**March 25, 2026**

BUSINESS ISSUE	PLANNED ACTION	COMPLETION DATE
<p>6. Evaluation and clarifications are needed regarding the attributes assigned to the system. Specifically:</p> <ul style="list-style-type: none"> <li>a. The system and its data are not backed up. However, the system has assigned attributes of 48 hours for both the Recovery Point Objective and the Recovery Time Objective. This means that two days' worth of data is the maximum that can be lost, and two days is the tolerable downtime for this system. Neither of these attributes align with not having data backed up.</li> <li>b. The VPN attribute has "False"; however, the User Access Req attribute indicates the use of a restricted VPN. These attributes do not appear to align with each other.</li> <li>c. The Data Classification attribute classifies the data as "protected". However, the system contains videos of services provided to individuals in a clinical setting. This data could reveal an individual's health condition and/or history of health services use and, therefore, appears to meet the University's definition of "highly sensitive", instead of "protected" data, as defined in University's Data Storage and Media Protection Policy (IT-PO-5102).</li> </ul> <p>Accurate evaluation and documentation of system attributes are necessary to help ensure systems are appropriately managed and proper controls are in place.</p>	<p>6. ITS will review the classification of the system with the System Owner and the Data Owner and update the attributes as needed. If the updates impact business processes, ITS will determine the necessary changes and identify the timeline to implement.</p>	<p>June 1, 2026</p>

**RADFORD UNIVERSITY – OFFICE OF AUDIT & ADVISORY SERVICES**  
**Information Technology Audit – Intelligent Video Solutions**  
**Center for Assessment and Psychological Services**  
**March 25, 2026**

<b>BUSINESS ISSUE</b>	<b>PLANNED ACTION</b>	<b>COMPLETION DATE</b>
<p>7. There is no System Security Plan (SSP) for IVS - CAPS. The Standard requires that each sensitive IT system has a documented SSP. An SSP documents the security controls required to demonstrate adequate protection of information systems against security risks. Not having an SSP could result in an ineffective or untimely response to a security event.</p>	<p>7. ITS will work with the System Owner, the Data Owner, and the Application Administrator to create a System Security Plan for this system.</p>	<p>July 1, 2026</p>
<p>8. System logs were not retained for the required period. The University’s Log Review &amp; Storage Policy (IT-PO-5200) requires log files to be retained for at least 60 days. Log retention settings within the IVS application appeared adequate to ensure compliance with the policy. However, log files within that 60-day timeframe were not available at the time of our audit. Management indicated that all logs had been reset during November 2025 when a system update occurred, and because the system is not backed up, the logs could not be recovered.</p>	<p>8. ITS will ensure that the server logs are accessible and retained in compliance with the University’s Log Review and Storage Policy.</p>	<p>August 1, 2026</p>

**RADFORD UNIVERSITY – OFFICE OF AUDIT & ADVISORY SERVICES**

**Information Technology Audit – Intelligent Video Solutions**

**Communication Sciences and Disorders**

**March 25, 2026**

**BACKGROUND**

Intelligent Video Solutions (IVS) is an on-premise video recording system that is primarily used to capture, stream, and search videos as part of clinical treatment and research. Radford University students in certain disciplines participate in these activities as part of their required coursework. IVS allows faculty and students to observe live and recorded student interactions with clients to assist students in gaining knowledge, improving performance, and enhancing patient care.

Currently, the University has four instances of IVS. This audit is for the instance used by the Communication Sciences and Disorders (COSD) Department. COSD operates the Radford University Speech–Language–Hearing Clinic (RUSLHC), which provides prevention, assessment, and treatment of individuals from childhood through later adulthood. The primary purpose of the RUSLHC is to provide “hands-on” clinical training for graduate students majoring in the COSD field.

**OBJECTIVES AND SCOPE**

The objective of this audit was to assess the following security measures and controls:

1. Application administration, including password management, application-level security settings, and granting and removing user access,
2. Application maintenance, specifically upgrading and updating the application to address security risks, and
3. Business continuity or recovering the application and minimizing downtime following an incident.

The scope of this review was for the IVS application instance used by COSD. The results were provided to management to be used in evaluating the IVS instances that were not audited. The following were assessed:

Access Management	Application Change Management
Password Management	Remote Access Management
Application-level Security Settings	System and Data Backup and Recovery

The audit was performed by both the Office of Audit and Advisory Services and Securance Consulting who was contracted by the Office of Audit & Advisory Services.

**CONCLUSION**

At the time of the audit and relative to the controls and processes reviewed, they appeared adequate to provide reasonable assurance that the objective noted above is being met. However, we identified the following business issues.

**BUSINESS ISSUES**

The following issues were identified in this audit. Pages 2-6 contain information on planned actions and completion dates; accordingly, those pages are an integral part of this report.

1. Improvements are needed in account management practices.
2. Improvements are needed in password management practices.
3. We were unable to verify database server security.
4. Improvements are needed in the change control process.
5. There is a lack of separation of duties.
6. Evaluation and clarifications are needed regarding the attributes assigned to the system.
7. There is no System Security Plan
8. System logs were not retained for the required period.

**RADFORD UNIVERSITY – OFFICE OF AUDIT & ADVISORY SERVICES**  
**Information Technology Audit – Intelligent Video Solutions**  
**Communication Sciences and Disorders**  
**March 25, 2026**

BUSINESS ISSUE	PLANNED ACTION	COMPLETION DATE
<p>1. Improvements are needed in account management practices in two areas:</p> <p>1.1 Shared Accounts: The Radford University IT Security Standard (Standard) prohibits the use of shared (unnamed) accounts to access sensitive systems. COSD uses role-based groups within the application to manage permissions; however, shared accounts are then used within those groups. Each individual user within a group is issued the same username and password as every other individual in that group, rather than being issued a unique username and password. At the time of our audit, there were</p> <ul style="list-style-type: none"> <li>• 12 faculty users with the same username and password in the “Faculty and Staff” group</li> <li>• 30 student users with the same username and password in the “Student Clinician” group.</li> </ul> <p>Using shared accounts can result in a lack of user accountability and increased security risk.</p> <p>1.2 Documentation: Although system access is approved by the Data Owner before being granted, the approval is not documented. Also, although it appears that user accounts are reviewed each semester for continued need to access the system, reviews are not documented as required by the Standard.</p> <p>Not having consistent practices and/or not documenting those practices increases the risk that key control steps may not be performed, especially when there is employee turnover. This could increase the risk of unauthorized or unwarranted access to the system and data.</p>	<p>1.1 The System Owner and the Data Owner will work with Information Technology Services (ITS) to suspend the use of shared accounts within IVS and convert to named user accounts for all users.</p> <p>1.2 The System Owner, the Data Owner, and the Application Administrator will develop a documented procedure detailing how access is approved and reviewed annually. As part of this process the Application Administrator will maintain a spreadsheet to record access approvals, record modifications, and document annual reviews.</p>	<p>June 1, 2026</p> <p>June 1, 2026</p>

**RADFORD UNIVERSITY – OFFICE OF AUDIT & ADVISORY SERVICES**  
**Information Technology Audit – Intelligent Video Solutions**  
**Communication Sciences and Disorders**  
**March 25, 2026**

BUSINESS ISSUE	PLANNED ACTION	COMPLETION DATE
<p>2. Improvements are needed in password management practices.</p> <p>The IVS application, which uses locally-managed application credentials, lacks the capability to comply with password management requirements outlined in the Standard. Also, the application does not permit users to change their own passwords. It was noted that Active Directory integration is not being used, although the application would support the use of it.</p> <p>Weak password rules are a significant contributor to system breaches, and an ineffective password strategy places an application and its data at risk of unauthorized access and data exfiltration.</p>	<p>2.1 The System Owner and the Data Owner will work with ITS to integrate the application and Active Directory.</p> <p>2.2 ITS will implement application account/password expiration until Active Directory is fully integrated.</p>	<p>August 1, 2026</p> <p>June 1, 2026</p>
<p>3. During our review we were unable to verify database server security. Specifically, ITS provided documentation related to access to the host server; however, the documentation provided did not support the attestation that access was restricted.</p> <p>Ensuring that access is appropriately restricted protects the integrity of the data and reduces the risk of breaches.</p>	<p>3. The Application Administrator will work with the IT infrastructure team to get clear outlines of permissions regarding access to the host server. This will include, but not be limited to, a review of physical spaces, database access, and VPN access to ensure that access is restricted and that the database is secure.</p>	<p>August 1, 2026</p>

**RADFORD UNIVERSITY – OFFICE OF AUDIT & ADVISORY SERVICES**  
**Information Technology Audit – Intelligent Video Solutions**  
**Communication Sciences and Disorders**  
**March 25, 2026**

BUSINESS ISSUE	PLANNED ACTION	COMPLETION DATE
<p>4. Improvements are needed in the change control process. Specifically,</p> <p>Based on ITS’ attestation of system changes that were observed during the audit, it appears that the Radford University Change Control Policy (IT-5201) was not followed for changes made to the application and server in November 2025, as those changes were not documented. The policy requires that such changes be documented through a change request in ServiceNow; however, there was no change request entered. Without a change request, there is no record of what changes are made, when they are made, who made them, and why they are made.</p> <p>Additionally, two change requests for the IVS applications and servers did not appear to be properly documented.</p>	<p>4.1 ITS will include change management in the annual System Administrator security training.</p> <p>4.2 ITS will develop and implement a written procedure to require the review of changes quarterly, to ensure that they are being classified correctly and that critical information related to the change is documented. This process will include corrective consultation for staff who inaccurately classify change control tickets.</p>	<p>August 1, 2026</p> <p>August 1, 2026</p>
<p>5. A lack of separation of duties was identified due to the one user who adds, modifies, and removes system access also being the Data Owner for the system. The Standard prohibits a Data Owner from performing these functions, which are duties of an Application Administrator, to prevent conflicts of interest. The system does have an assigned Application Administrator. This lack of separation of duties increases the risks of conflicts of interest and lack of accountability.</p>	<p>5. The current Data Owner will become an Application Administrator, and a new Data Owner will be assigned.</p>	<p>June 1, 2026</p>

**RADFORD UNIVERSITY – OFFICE OF AUDIT & ADVISORY SERVICES**  
**Information Technology Audit – Intelligent Video Solutions**  
**Communication Sciences and Disorders**  
**March 25, 2026**

BUSINESS ISSUE	PLANNED ACTION	COMPLETION DATE
<p>6. Evaluation and clarifications are needed regarding the attributes assigned to the system. Specifically:</p> <ul style="list-style-type: none"> <li>a. The system and its data are not backed up. However, the system has assigned attributes of 48 hours for both the Recovery Point Objective and the Recovery Time Objective. This means that two days' worth of data is the maximum that can be lost, and two days is the tolerable downtime for this system. Neither of these attributes align with not having data backed up.</li> <li>b. The VPN attribute has "False"; however, the User Access Req attribute indicates the use of a restricted VPN. These attributes do not appear to align with each other.</li> <li>c. The Data Classification attribute classifies the data as "protected". However, the system contains videos of services provided to individuals in a clinical setting. This data could reveal an individual's health condition and/or history of health services use and, therefore, appears to meet the University's definition of "highly sensitive", instead of "protected" data, as defined in University's Data Storage and Media Protection Policy (IT-PO-5102).</li> </ul> <p>Accurate evaluation and documentation of system attributes are necessary to help ensure systems are appropriately managed and proper controls are in place.</p>	<p>6. ITS will review the classification of the system with the System Owner and the Data Owner and update the attributes as needed. If the updates impact business processes, ITS will determine the necessary changes and identify the timeline to implement.</p>	<p>June 1, 2026</p>

**RADFORD UNIVERSITY – OFFICE OF AUDIT & ADVISORY SERVICES**  
**Information Technology Audit – Intelligent Video Solutions**  
**Communication Sciences and Disorders**  
**March 25, 2026**

<b>BUSINESS ISSUE</b>	<b>PLANNED ACTION</b>	<b>COMPLETION DATE</b>
<p>7. There is no System Security Plan (SSP) for IVS - COSD. The Standard requires that each sensitive IT system has a documented SSP. An SSP documents the security controls required to demonstrate adequate protection of information systems against security risks. Not having an SSP could result in an ineffective or untimely response to a security event.</p>	<p>7. ITS will work with the System Owner, the Data Owner, and the Application Administrator to create a System Security Plan for this system.</p>	<p>July 1, 2026</p>
<p>8. System logs were not retained for the required period. The University’s Log Review &amp; Storage Policy (IT-PO-5200) requires log files to be retained for at least 60 days. Log retention settings within the IVS application appeared adequate to ensure compliance with the policy. However, log files within that 60-day timeframe were not available at the time of our audit. Management indicated that all logs had been reset during November 2025 when a system update occurred, and because the system is not backed up, the logs could not be recovered.</p>	<p>8. ITS will ensure that the server logs are accessible and retained in compliance with the University’s Log Review and Storage Policy.</p>	<p>August 1, 2026</p>

**RADFORD UNIVERSITY – OFFICE OF AUDIT & ADVISORY SERVICES**  
**College Transition Audit – College of Visual and Performing Arts**  
**April 3, 2026**

**BACKGROUND**

In FY 2024, leadership of Radford University’s College of Visual and Performing Arts (College) transitioned to an interim dean. This audit was requested as a resource for the incoming dean to provide a high-level overview of the College’s compliance with key University and State policies and procedures. The incoming dean was appointed July 2025.

The College’s mission is to create an artistic community of practice, expose others to the creative process, engage in interdisciplinary and international collaboration, and lead the University to a position of cultural prominence. The College strives to provide students access to all of the arts and academics complemented by exposure to a diverse artistic environment. The College is committed to instruction that combines traditional forms and approaches with the latest in technology applications to prepare students for their careers. The College also presents an annual calendar of events that provides the campus and community with a variety of plays, exhibits, dance performances, design and fashion shows, concerts, and outreach activities.

**OBJECTIVES AND SCOPE**

The scope of this audit was limited to organizational units within the College of Visual and Performing Arts and to selected aspects of the following policy areas:

1. Employment (including one-time payments, separations, and mandatory training)
2. Expenditures (including general, small purchase card, and travel)
3. Fixed Assets (including inventory timeliness, custodian records, and safeguarding of assets)

The objective of the audit was to determine whether the College is materially compliant with selected University and State policies and procedures and to determine if key controls in the selected organizational units are adequate. A scope card was provided to management which gave an overview of the areas in which the College had activity/transactions and identified the areas that were tested.

**CONCLUSION**

At the time of the audit and relative to the controls and processes reviewed, they appeared adequate to provide reasonable assurance that the objective noted above is being met.

**BUSINESS ISSUES**

No business issues were identified.

**RADFORD UNIVERSITY – OFFICE OF AUDIT & ADVISORY SERVICES**  
**College Transition Audit – Davis College of Business and Economics**  
**April 16, 2026**

**BACKGROUND**

In FY 2024, leadership of Radford University’s Davis College of Business and Economics transitioned to an interim dean. This audit was requested as a resource for the incoming dean to provide a high-level overview of the College’s compliance with key University and State policies and procedures. The incoming dean was appointed July 2024.

The College’s mission is to provide an active learning environment that develops analytical and innovative business professionals for a dynamic global economy. The College strives to challenge minds, cultivate talents, and connect people in a technology-rich learning environment. The College, which is accredited by the Association to Advance Collegiate Schools of Business, is committed to empowering future business leaders with the skills and knowledge necessary to drive positive change in society.

**OBJECTIVES AND SCOPE**

The scope of this audit was limited to organizational units within the Davis College of Business and Economics and to selected aspects of the following policy areas:

1. Employment (including one-time payments, separations, and mandatory training)
2. Expenditures (including general, small purchase card, and travel)
3. Fixed Assets (including inventory timeliness, custodian records, and safeguarding of assets)

The objective of the audit was to determine whether the College is materially compliant with selected University and State policies and procedures and to determine if key controls in the selected organizational units are adequate. A scope card was provided to management which gave an overview of the areas in which the College had activity/transactions and identified the areas that were tested.

**CONCLUSION**

At the time of the audit and relative to the controls and processes reviewed, they appeared adequate to provide reasonable assurance that the objective noted above is being met.

**BUSINESS ISSUES**

No business issues were identified.

**RADFORD UNIVERSITY – OFFICE OF AUDIT & ADVISORY SERVICES**  
**Information Technology Audit – Global Facilities Management System**  
**May 14, 2026**

**BACKGROUND**

Global Facilities Management System (GFMS) is an on-premise web-based system that Radford University uses to manage access to key boxes that store University keys. The boxes contain master and grandmaster keys to approximately 99% of the doors on main campus. The system allows access to the boxes to authorized users via a personal identification number (PIN), and the system ensures that users can only check out the keys that they are authorized to use. The University has two GFMS key boxes: one for Facilities Management and one for the Police Department.

The system ownership and data ownership of GFMS is the responsibility of the Facilities Management Department, and the system administration is the responsibility of Information Technology Services.

**OBJECTIVES AND SCOPE**

The objective of this audit was to assess the following security measures and controls:

1. Application administration, including password management, application-level security settings, and granting and removing user access,
2. Application maintenance, specifically upgrading and updating the application to address security risks, and
3. Business continuity or recovering the application and minimizing downtime following an incident.

The scope of this review was for the GFMS application. The following were assessed:

Access Management	Application Change Management
Password Management	Remote Access Management
Application-level Security Settings	System and Data Backup and Recovery

The audit was performed by both the Office of Audit and Advisory Services and Securance Consulting who was contracted by the Office of Audit & Advisory Services.

**CONCLUSION**

At the time of the audit and relative to the controls and processes reviewed, they appeared adequate to provide reasonable assurance that the objective noted above is being met. However, we identified the following business issues.

**BUSINESS ISSUES**

The following issues were identified in this audit. Pages 2-5 contain information on planned actions and completion dates; accordingly, those pages are an integral part of this report.

1. PIN management and privacy practices need improvement.
2. Improvements are needed in account management practices.
3. The application lacks the capability to comply with password management requirements.
4. Improvements are needed in database security.
5. There is no System Security Plan.

**RADFORD UNIVERSITY – OFFICE OF AUDIT & ADVISORY SERVICES**  
**Information Technology Audit – Global Facilities Management System**  
**May 14, 2026**

BUSINESS ISSUE	PLANNED ACTION	COMPLETION DATE
<p>1. PIN management and privacy practices need improvement.</p> <p>Details of this issue were communicated to management in a separate document marked Freedom of Information Act exempt under §2.2-3705.2(2) of the <u>Code of Virginia</u> due to it containing descriptions of security mechanisms.</p>	<p>The System Owner and Data Owner will</p> <p>1.1 Management provided a planned action under the same public disclosure exemption as noted in the business issue.</p>	<p>August 1, 2026</p>
	<p>1.2 Management provided a planned action under the same public disclosure exemption as noted in the business issue.</p>	<p>August 1, 2026</p>
	<p>1.3 Management provided a planned action under the same public disclosure exemption as noted in the business issue.</p>	<p>August 1, 2026</p>

**RADFORD UNIVERSITY – OFFICE OF AUDIT & ADVISORY SERVICES**  
**Information Technology Audit – Global Facilities Management System**  
**May 14, 2026**

BUSINESS ISSUE	PLANNED ACTION	COMPLETION DATE
<p>2. Improvements are needed in account management practices. Specifically,</p> <p>2.1 Per our review of ten users with access to the key panel and specific keys within it, we noted that user access request forms are not consistently</p> <ul style="list-style-type: none"> <li>a. Retained on file. Four (40%) of the ten forms requested were not available.</li> <li>b. Completed with all required information related to the keys for which access is being requested. One (17%) of the six forms reviewed did not specify the access/keys being requested.</li> <li>c. Documented for security settings. None of the forms included security settings (SAM settings) which are assigned to individual panel users to restrict such things as the number of keys that can be removed at once, who can return the keys that were removed, etc.</li> </ul> <p>Access requests should be documented and based on the principle of least privilege.</p> <p>2.2 Employee separation notifications are not provided directly to the Application Administrators, who are responsible for removing access. Instead, the notifications from the ID Management-HR Separation listserv are provided to the Data Owner, who then sends them to the Application Administrators. This process increases the risk of delayed delivery or unintentional omission, which could result in unauthorized user access.</p>	<p>The System Owner and Data Owner, in coordination with the Application Administrators, will</p> <p>2.1.1 Perform a review of access request forms to ensure that all current panel users have a form on file. If a form is not on file, one will be completed and retained.</p> <p>2.1.2 Develop a new access request form to be used solely for electronic box access/permission requests. The new form will include specific information about keys for which access is requested and all necessary security settings to be assigned to the individual panel user.</p> <p>2.2 The System Owner and Data Owner will coordinate with ITS to add both Application Administrators to the ID Management – HR Separation list-serv.</p>	<p>August 1, 2026</p> <p>August 1, 2026</p> <p>August 1, 2026</p>

**RADFORD UNIVERSITY – OFFICE OF AUDIT & ADVISORY SERVICES**  
**Information Technology Audit – Global Facilities Management System**  
**May 14, 2026**

BUSINESS ISSUE	PLANNED ACTION	COMPLETION DATE
<p>2.3 Although informal reviews of user accounts are periodically conducted to determine the need for continued access to the system and panels, the reviews are not documented. The Radford University IT Security Standard (Standard) requires that annual access reviews are documented. Additionally, the reviews appear to not consistently assess the appropriateness of access to specific panels, group memberships, and/or individual keys. Periodic user access reviews serve as a key control to confirm that access is limited to current, authorized staff and that access is aligned with the employee's assigned responsibilities and key access requirements.</p>	<p>2.3.1 The System Owner and Data Owner will develop and document a plan to review panel users and user access to GFMS on an annual basis.</p> <p>2.3.2 The first annual review will be conducted.</p>	<p>August 1, 2026</p> <p>August 31, 2026</p>
<p>3. The application, which uses locally-managed application credentials, lacks the capability to comply with the password management requirements outlined in the Standard.</p> <p>Weak password rules are a significant contributor to system breaches, and an ineffective password strategy places an application and its data at risk of unauthorized access and data exfiltration.</p>	<p>3.1 The System Owner and Data Owner will coordinate with ITS to integrate the application and Active Directory.</p> <p>3.2 Until the Active Directory integration is completed, the password complexity setting, "Require Strong Passwords" will be enabled and current passwords will be changed to meet those requirements.</p>	<p>August 1, 2026</p> <p>Complete</p>

**RADFORD UNIVERSITY – OFFICE OF AUDIT & ADVISORY SERVICES**  
**Information Technology Audit – Global Facilities Management System**  
**May 14, 2026**

<b>BUSINESS ISSUE</b>	<b>PLANNED ACTION</b>	<b>COMPLETION DATE</b>
<p>4. Improvements are needed in database security.</p> <p>Details of this issue were communicated to management in a separate document marked Freedom of Information Act exempt under §2.2-3705.2(2) of the <u>Code of Virginia</u> due to it containing descriptions of security mechanisms.</p>	<p>4. Management provided a planned action under the same public disclosure exemption as noted in the business issue.</p>	<p>July 1, 2026</p>
<p>5. There is no System Security Plan (SSP) for GFMS. The Standard requires that each sensitive IT system has a documented SSP. An SSP documents the security controls required to demonstrate adequate protection of information systems against security risks. Not having an SSP could result in an ineffective or untimely response to a security event.</p>	<p>5. ITS will coordinate with the System Owner, the Data Owner, and the Application Administrators to create an SSP for this system.</p>	<p>July 1, 2026</p>



**FOLLOW-UP AUDIT STATUS REPORT  
BUSINESS AFFAIRS AND AUDIT COMMITTEE  
JUNE 2026**

<b>Audit: APA Student Financial Assistance Programs Cluster 06/30/2024</b>			
<b>Business Issue</b>	<b>Planned Action</b>	<b>Completion Date</b>	<b>Status</b>
<p>1.0 Radford University (Radford) personnel did not return unclaimed student financial aid funds to Education within the required timeframe. Upon review of the outstanding check list as of June 30, 2024, one student's refund contained \$1,486 which had not been returned timely. University management indicated the error was due to employee turnover.</p> <p>In accordance with 34 CFR § 668.164(l), if an institution attempts to disburse the funds by check and the recipient does not cash the check, the institution must return the funds no later than 240 days after the date it issued that check or no later than 45 days after the rejection of an electronic funds transfer (EFT). By not returning funds timely, the institution is subject to federal non-compliance and potential adverse actions that may affect Radford participation in Title IV aid programs.</p> <p>Radford's management should ensure staff responsible for tracking unclaimed student financial aid have a thorough understanding of the federal requirements. If University personnel are unable to contact the federal aid recipient, and the check remains uncashed or the banking institution rejects the EFT, University personnel should cease attempts with the student and return the unclaimed funds to the Federal Department of Education within the required timeframe.</p>	<p>1.0 Financial Aid and the Controller's Office continue to monitor and revise internal procedures as needed to ensure compliance.</p>	<p>December 31, 2025 Revised to March 31, 2026 Revised to May 31, 2026</p>	<p>In Process</p>



**FOLLOW-UP AUDIT STATUS REPORT  
BUSINESS AFFAIRS AND AUDIT COMMITTEE  
JUNE 2026**

<b>Report: IT - Cloud-Hosted Applications - Account Management - Applicant Insight</b>			
Business Issue	Planned Action	Completion Date	Status
1.0 The IT Security Standard (Standard) requires that accounts be locked, or passwords be expired if an account is not used for 180 days. We were unable to determine, through inquiry of Human Resources (HR) or the vendor, whether system configurations are in place to comply with the Standard. The vendor advised that this configuration would have been set up by the University upon implementation. We also noted that there is not a periodic inactivity review performed, which could help mitigate the risk if the system does not have the configuration.	1.0 The System Owner, in collaboration with IT Security, will contact the vendor to determine whether the system is configured to automatically lock accounts or expire passwords after 180 days of inactivity and, if not, request that this feature be enabled.	October 17, 2025 Revised to January 17, 2026 Revised to March 31, 2026	Complete
2.0 Password management practices need improvement. Details of this issue were communicated to management in a separate document marked Freedom of Information Act exempt under §2.2-3705.2(2) of the Code of Virginia due to it containing descriptions of security mechanisms.	2.0 Management provided a planned action under the same public disclosure exemption as noted in the business issue.	October 17, 2025 Revised to January 17, 2026 Revised to March 31, 2026	Complete

<b>Report: IT - Cloud-Hosted Applications - Account Management - I-9 HQ</b>			
Business Issue	Planned Action	Completion Date	Status
3.0 The delivery of access credentials needs improvement. Details of this issue were communicated to management in a separate document marked Freedom of Information Act exempt under §2.2-3705.2(2) of the Code of Virginia due to it containing descriptions of security mechanisms.	3.1 Management provided a planned action under the same public disclosure exemption as noted in the business issue.	October 17, 2025 Revised to February 20, 2026 Revised to April 15, 2026 Revised to June 15, 2026	In Process
	3.2 Management provided a planned action under the same public disclosure exemption as noted in the business issue.	October 17, 2025 Revised to February 20, 2026 Revised to April 15, 2026 Revised to June 15, 2026	In Process



**FOLLOW-UP AUDIT STATUS REPORT  
BUSINESS AFFAIRS AND AUDIT COMMITTEE  
JUNE 2026**

<b>Audit: FY 2025 Cash Counts</b>			
<b>Business Issue</b>	<b>Planned Action</b>	<b>Completion Date</b>	<b>Status</b>
2.0 Improvements are needed in the funds handling and deposit process in the Department of Theatre and Cinema (Department). Based on a 4/30/25 surprise visit:	2.1 The Department will implement processes to ensure that deposits are made timely, in accordance with the University's Funds Handling Policy.	December 15, 2025 Revised to April 23, 2026	Complete
2.1 Deposits for Box Office collections from 4/24-4/26/25 had not been made. The University's Funds Handling Policy requires collections to be deposited no later than the next business day; however, these deposits ranged from four to five days late.	2.2 The Department will implement processes to ensure that revenue reconciliations are performed, documented, and retained in accordance with the University's Funds Handling Policy.	December 15, 2025 Revised to April 23, 2026	Complete
2.2 Reconciliations were not being performed to reconcile revenue to collections to deposits. The University's Funds Handling Policy requires such reconciliations to ensure completeness and accuracy of deposits.			

# Finance and Administration

**Rob Hoover**

VPFA

06/04/26



**Radford**  
UNIVERSITY

# Capital Projects Update

# Ongoing Campus Projects



- Esports
- Selu
- Russell Hall
- Preston Hall
- Allen Building
- Student Choice
- Pickleball Courts
- Nursing Labs

# ESports



# Selu



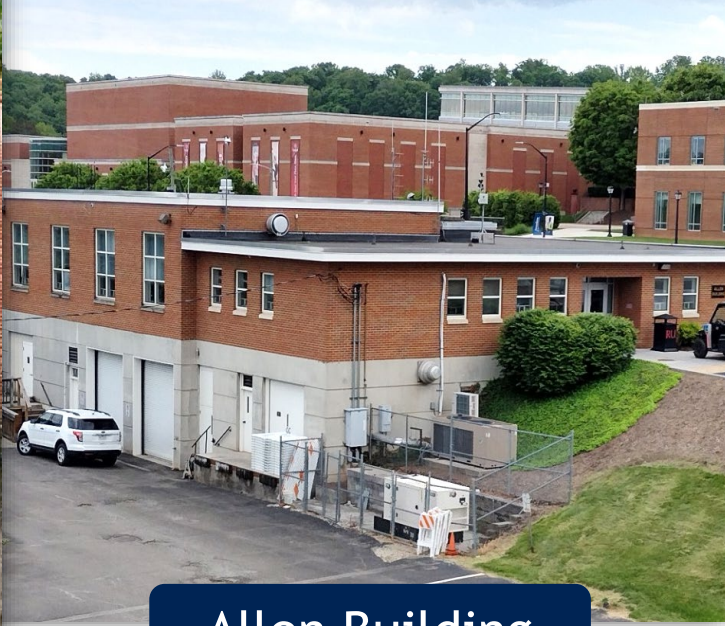
# Maintenance Projects



Preston Hall

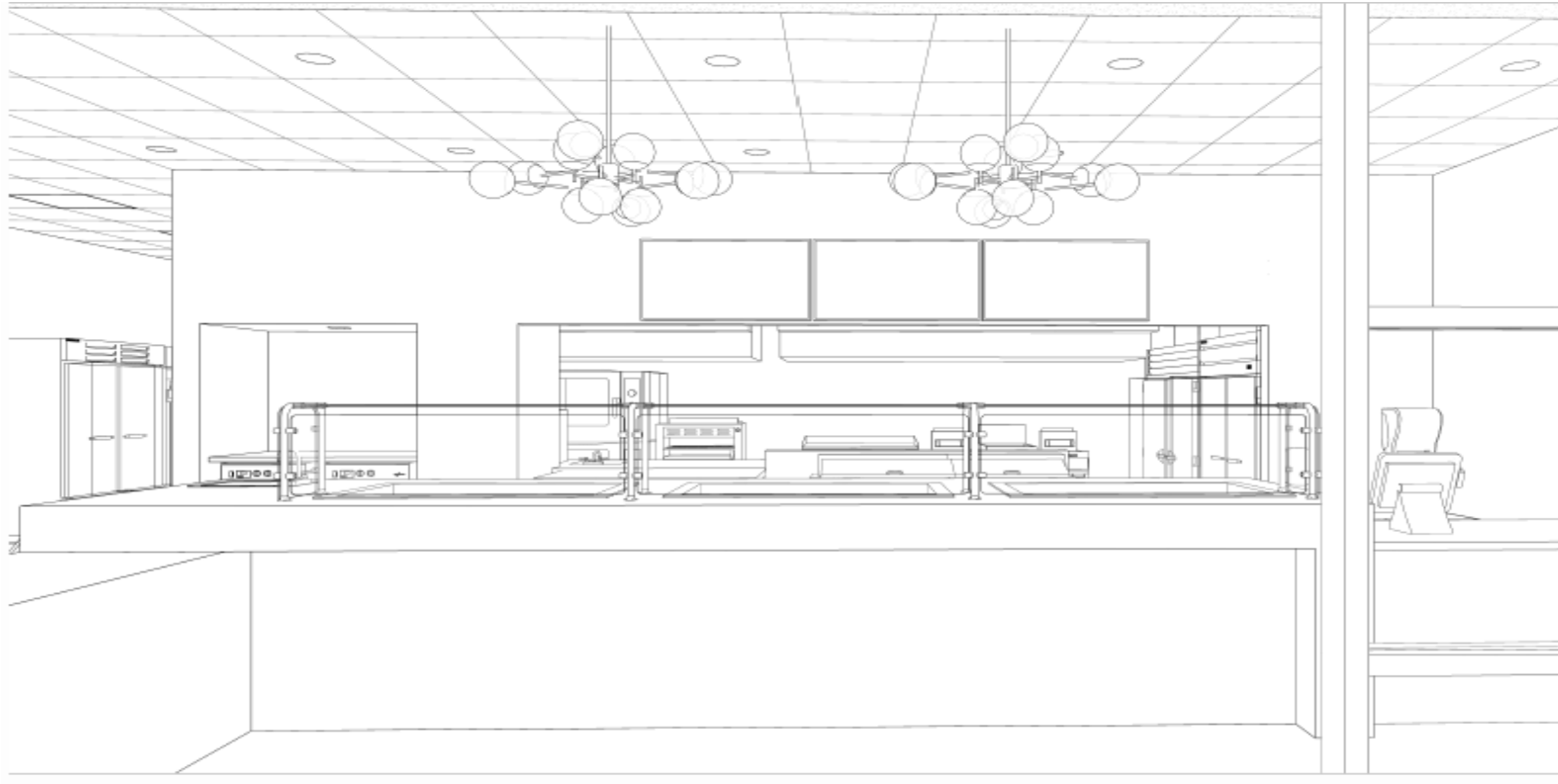


Russell Hall



Allen Building

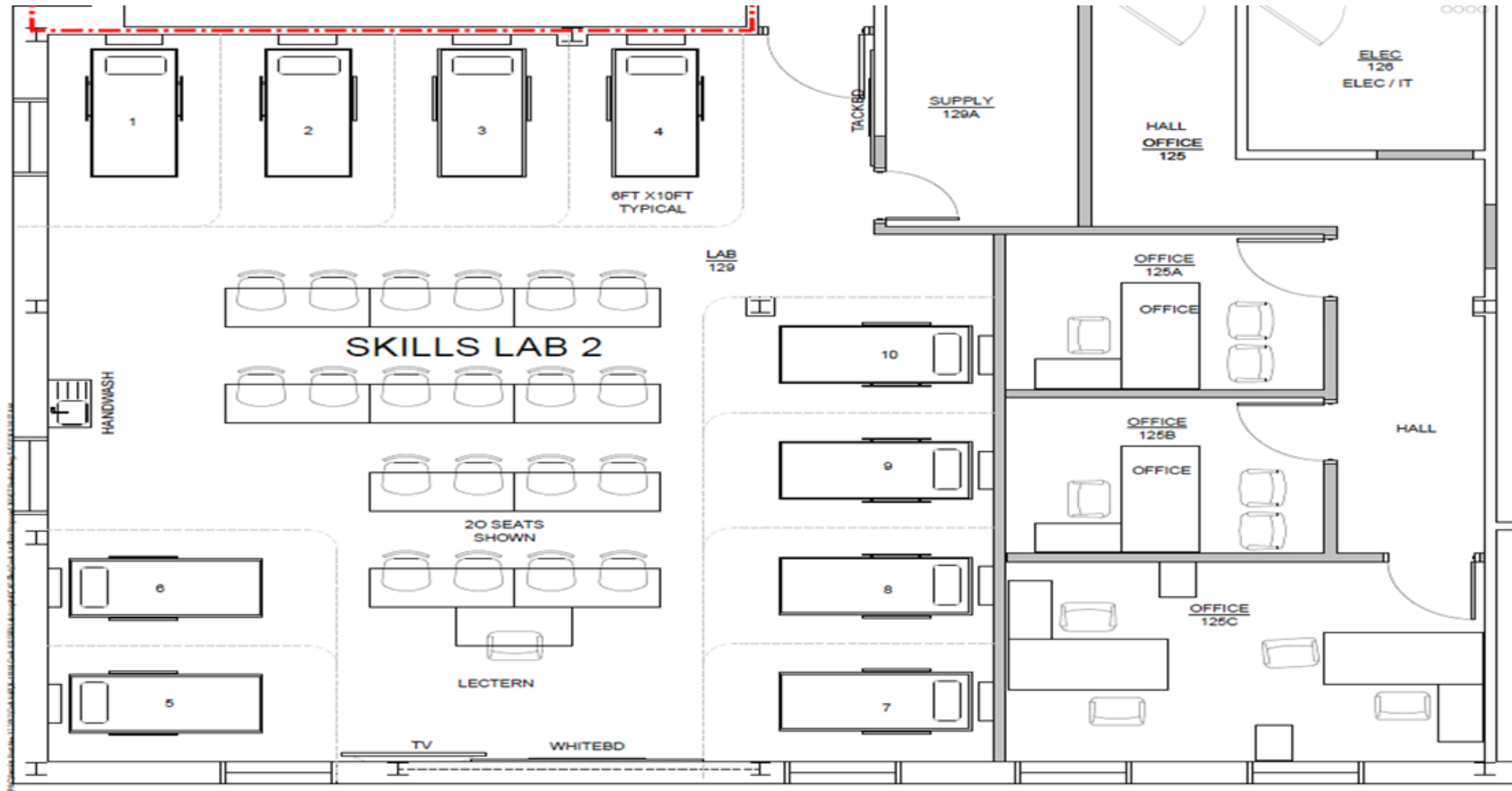
# Student Choice



# Pickleball Courts



# Nursing Labs



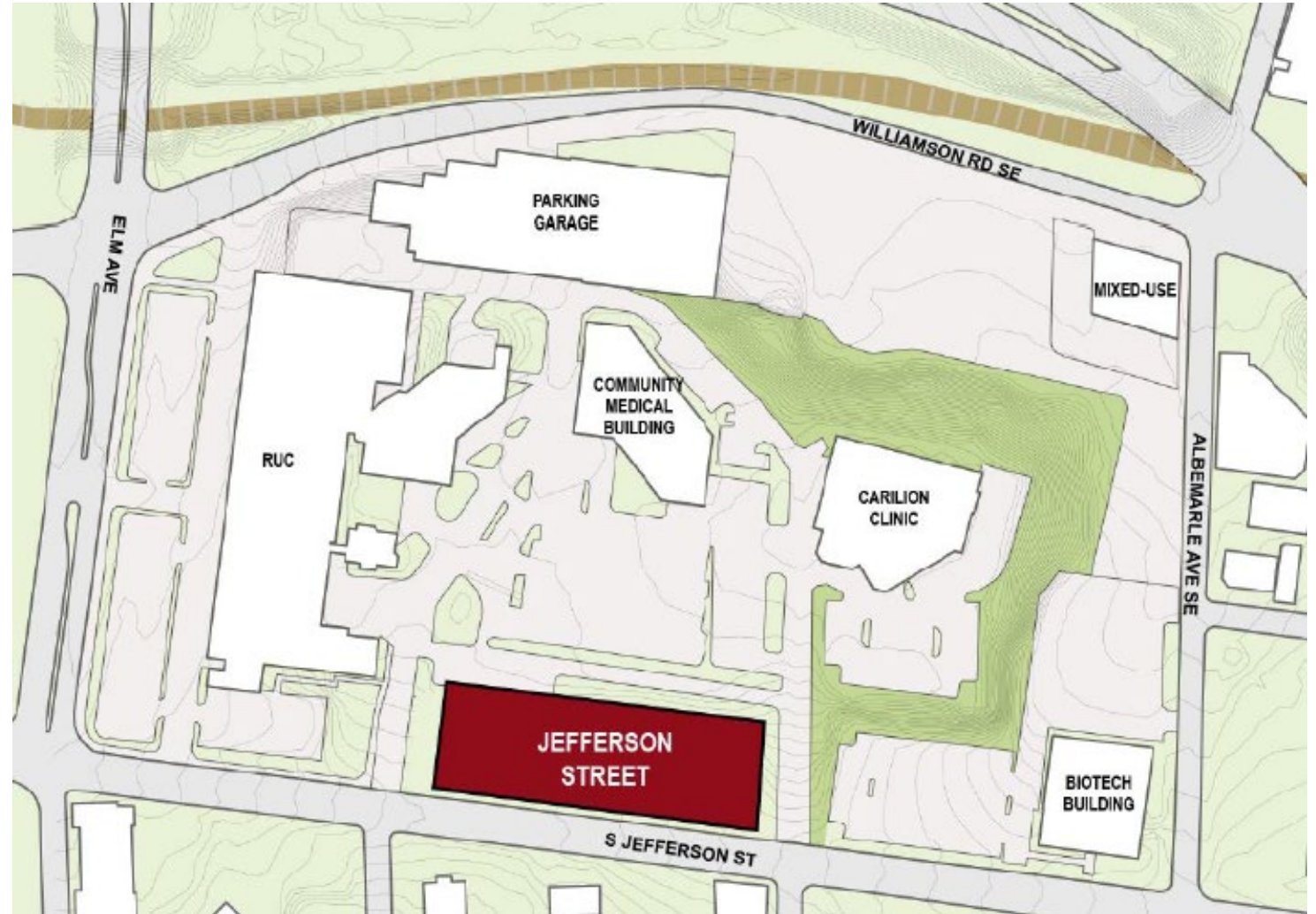
# Ongoing Capital Projects



- Roanoke Building
- Tyler and Norwood Halls
- Co-Gen
- Dalton Hall
- Amphitheatre
- Infrastructure

# Roanoke Health Sciences Building

- Site selected
- A/E firm in negotiation



# Tyler and Norwood Halls

- Norwood - Spring 2026
- Tyler - Summer 2027

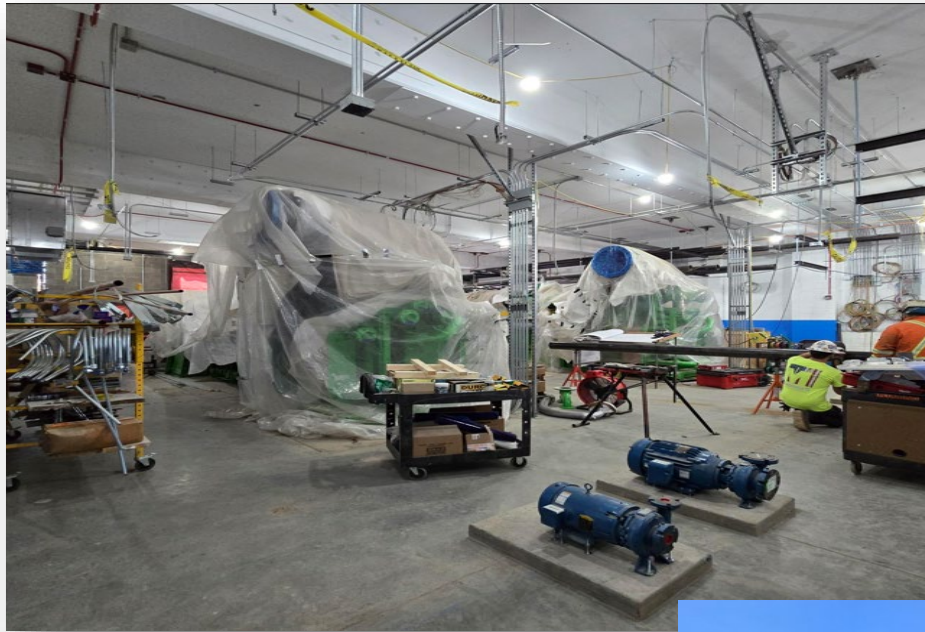


*Norwood Images*



# Co-Gen

- Exterior demo and underground piping complete
- Inside piping ongoing
- Addition to Art Annex Building underway
- Estimated Implementation date: October - December 2026



# Dalton Hall



- Pre-planning study complete
- A/E firm initiating design



# Amphitheatre

- Site Selected
- Consultant utilized for planning process
- A/E firm provided 2 design options - under review

# Improve Campus Infrastructure

- Shelter Aisle portion of work to be awarded soon
- Design for remainder to be bid in June



# Strategic Plan

# Division Objectives



Culture of Care



1.1 Create supportive networks that help students feel welcomed, connected and successful at every step of their journey

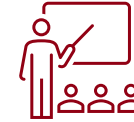


1.2 Build a campus community where faculty and staff feel supported and able to thrive

# Division Objectives



Student Success and  
Experiential Learning



3.1 Give every student real-world learning experience that prepares them for their future and make a positive difference in their communities



3.4 Work together across campus to provide the support resources needed to help every student reach their full potential

# Division Objectives



Organizational Excellence and Continuous Improvement



5.2 Design processes that are simple, helpful and focused on what people need



5.4 Encourage creativity and empower stakeholders to help make things better



5.3 Use data wisely to make better decisions and improve outcomes and encourage a strategic mindset



5.5 Work together seamlessly and share knowledge across the university.

# Division Objectives



Communication and  
Collaboration



6.3 Break down walls between departments and work together more effectively



6.4 Keep everyone informed and engaged in our shared mission

# Policy Update

# Discrimination and Harassment Policy

- Revised Statement on Non-Discrimination
- Removed Procedures from Policy
- Restructured Policy for Clarity

# Discussion

**RADFORD UNIVERSITY BOARD OF VISITORS  
Business Affairs and Audit Committee  
June 4, 2026**

**Information Item  
Capital Projects and Information Technology Services Update**

**Item 1:** Facilities /Planning and Construction update on capital projects.

**Artis Center for Adaptive Innovation and Creativity**

Project Budget ----- \$126,631,000  
Architect/Engineer Firm----- Hord Coplan and Macht  
Construction Manager----- Skanska

The Artis Center, an approximately 178,000-square-foot multi-story building, includes state-of-the-art instruction, laboratory, maker, studio, computer, and collaborative spaces that integrate the arts and health sciences, along with office and other academic support functions. Specialty spaces include an instructional auditorium and support spaces, health science clinical lab spaces, painting and drawing studio spaces, and music and dance studio spaces. The building hosts a beautiful 500-seat proscenium theatre. The project achieved LEED Silver certification through the US Green Building Council’s Leadership in Energy and Environmental Design (LEED).

The Artis Center for Adaptive Innovation and Creativity construction was substantially complete on August 2, 2024, and a temporary certificate of occupancy was received from the State Building Official. Classes were held in the building with the start of the fall semester 2024. The Contractor has completed Punchlist items and is finalizing closeout documents to enable the final contractor payment to be processed. Installation of a new gas kiln by Radford is expected to be completed in June 2026 at which time a final certificate of occupancy will be obtained.

**Renovation of Tyler and Norwood Halls**

Project Budget ----- \$42,800,000  
Architect/Engineer Firm----- Hanbury  
Contractor----- Avis Construction

Norwood Hall and Tyler Hall are currently undergoing substantial interior renovations similar to the renovation scopes completed for the Moffett Quad residence halls in 2016. The renovation includes the replacement of plumbing piping, fixtures, HVAC systems, fire alarm systems, electrical upgrades, accessibility improvements, and asbestos abatement. The renovations also include improvements to the first-floor building lobbies, and student support areas (i.e. lounges, kitchen, study spaces), along with activating the porch areas for student gathering space. These renovations will give vibrant new life to these buildings built in the early 1900’s.

Phase 1 of the project consisted of non-structural selective demolition of the interior of the buildings and was completed in the last quarter of 2023. The demolition revealed deficiencies in the existing floor structure in both buildings that were not anticipated in the design. Repairing the floors included structural support and fireproofing.

The project entered Phase 2 (Construction) of the project in June 2024. Avis Construction, from Roanoke, Virginia, was awarded the contract. The Norwood Hall renovation is scheduled for completion in Spring 2026. Extensive repairs to concrete floors, columns and beams in Tyler Hall are ongoing due to significant structural deficiencies that were discovered, causing the project completion of Tyler Hall to be delayed until Summer 2027.

**Combined Heat and Power/Co-Generation Facility**

Project Budget ----- \$23,000,000

Architect/Engineer Firm ----- Trane

The Combined Heat and Power/Co-Generation Facility project converts the existing Art Annex into a combined heat and power (CHP) facility. The project installs two 3.3-megawatt natural gas-fired reciprocating engines to generate electricity for campus. Waste heat generated from the equipment will supplement the University steam plant.

The overall project cost for construction is approximately \$23 million. The project is estimated to save the University \$2.0 million in annual operating costs. The approved 2022-24 Biennial Budget included \$11.2 million in general funds and \$4.8 million in non-general funds for this project. Due to the escalation of construction costs for mechanical and electrical projects, the university gained approval to infuse \$7.0 million in non-general funds into the project. The project qualifies for funding from the Investment Recovery Act, and the university is working to meet the criteria to receive \$7 million on completion of the project. The Interconnect Agreement has been reviewed by the OAG and has been sent to the City of Radford for legal review.

The Early Phase Interior Demolition and Foundations Package is complete. The 100% working design drawings were submitted to DEB in April 2025 and the CO-17 Building Permit was received in July 2025. The interior structural steel is complete. The ongoing interior activities include: the delivery and setting of the two - 3.3 MW Jenbacher engines, electricity generators and two Heat Recovery Steam Generation units. The electrical pathways for lighting and major equipment, and piping for all equipment are ongoing. Exterior demolition of the addition and the underground piping are complete. Piping inside the Art Annex Building and Boiler House are ongoing. The addition to the Art Annex Building is being reconstructed.

The University has executed a contract to purchase the equipment from the manufacturer’s supplier NESWES. All major equipment and other parts from NESWES have been delivered.

**Improve Campus Utilities Infrastructure**

Project Budget ----- \$15,425,000

The Improve Campus Utilities Infrastructure project will provide improvements to campus utility infrastructure, including upgrades and enhancements to basic utilities and overall building safety and security. The project will address infrastructure concerns in advance of planned future facility needs and will enhance the resiliency and

redundancy of the campus enterprise to mitigate the increased impacts of various weather, economic, and other external events, and factors. The approved 2022-24 Biennial Budget included \$15.4 million in general funds for this project.

The project will allow for significant campus utility improvements and upgrades for the safety and security of students, employees, and guests, as well as for the efficiency and effectiveness of the infrastructure future needs. Many of the basic campus utilities were originally installed between 75 and 100 years ago as part of the City of Radford. As the campus has grown and the facility footprint has increased, these original utility systems and components have reached end of life. As resources have been available, various utility improvement and upgrade projects have been undertaken across campus. This approach has been partially successful, but only a small portion of the campus, at the most critical locations, has been updated.

The existing infrastructure systems and components included in the construction portion of the umbrella project include water, stormwater, sanitary, steam, electrical, chilled water, information technology, fire alarm, access control and security, and accessibility.

University planning and evaluation of access control and security systems have begun with the intent to select a future direction for the University’s card access and security systems.

The infrastructure work will be completed in phases. The first phase (electrical medium voltage phase) began with the development of a Medium Voltage Electrical Master Plan, which included an evaluation of the existing underground medium voltage distribution system. This phase has now moved into design with an award of the design contract to Wiley and Wilson in April ‘25. The Electrical Infrastructure design is nearing completion with the bid set expected from the A/E firm in May 2026. Construction will be bid once the final design is permitted.

The design phase for the Improve Campus Infrastructure – Electrical project design is in progress. Responses to a Request for Proposal (RFP) regarding long-lead-time equipment have been received, and vendors have been selected. Contract and bonding execution were completed in October 2025. All equipment necessary to complete the Electrical Infrastructure project has been ordered with the delivery dates varying based on type of equipment.

The next planned phase(s) of the project is evaluation and improvements to the campus stormwater system, sanitary sewer system, domestic water, ADA walkways, and building access control. The overall scope for the remaining phase(s) of the Improved Campus Infrastructure project is being developed.

### **Dalton Hall**

Project Budget ----- \$52,320,333

Dalton Hall constructed in 1991 with approximately 74,000 square feet, serves as the primary hub for the University’s main dining facility, post office, and bookstore. In 1996, a substantial exterior modification expanded the main entrance by approximately 4,000 square feet. Over its 33-year lifespan, Dalton Hall has undergone minimal renovation, limited to repairs, interior updates, and mechanical equipment replacements.

The proposed renovation is targeted to support the University by enhancing the facility to meet the needs and preferences of today’s students. Fully renovating the building will enhance the dining experience, increase flexibility in dining choices, and improve pedestrian flow across and between floors. While the primary focus is on interior spaces, the project will also streamline ADA access, upgrade mechanical and electrical systems, and ensure compliance with current building codes for all modified components.

The University submitted the Capital Funding Request to the Department of Planning and Budget for approval to move forward with the design for this project and received approval in the Governor’s 2026 budget.

The Request for Proposal was submitted to the Department of General Services and the Office of the Attorney General for “High Risk” approval. Approval was received from both offices in August. The Request for Proposals (RFP) for Architectural Engineering services was advertised in August 2025. Radford began negotiations with the selected Architect in January 2026. Radford has contracted with Baskervill and the design for Dalton has begun.

### **Roanoke Academic Health Sciences Building**

The University submitted the Capital Funding Request to conduct pre-planning work for the proposed construction of a new Roanoke Academic Health Sciences Building to the Department of Planning and Budget for approval. The project received approval to proceed through detailed planning in the Governor’s 2026 budget.

The building will provide state-of-the-art medical education space, including academic classrooms, laboratories, and administrative spaces to support the Roanoke operations.

In October 2025, RRMM from Roanoke, Virginia, provided a study on two locations in the Roanoke Innovation Corridor to guide Radford’s site selection process. The study evaluates soils and building massing/volume, generates site surveys, and evaluates the utility infrastructure capacity at both locations. The study provides the University with a matrix for senior leadership decision-making on final site selection. Simultaneously, the University contracted for the completion of the Title work and a Phase I Environmental Site assessment.

The RFP for AE Services advertised in September 2025. An AE was selected in February 2026 and negotiations are ongoing.

### **River Campus**

The Master Plan identified opportunities for the development of a River Campus on University and City of Radford (City) properties adjacent to the New River.

The overall River Campus plan included zones for higher density public activities such as an amphitheater, event space, food and beverage areas, and associated support spaces; for quieter academic and passive recreation spaces; and for highly active recreation and student engagement areas.

An initial project was completed in Summer 2021 that included the greenway extension on university property adjacent to parking Lot Z and the New River. In coordination with the city, a second phase of the project to link the University greenway to the city greenway was completed in June 2022. Outdoor seating and spaces designed to accommodate small informal gatherings were recently added.

More recently, the university has focused specifically on the development of an amphitheater to serve as an event space and music venue to attract local and regional talent to the area. An architect-engineer firm, hired by the University, performed a feasibility study for the preferred location for the project and a site has been selected. Cost studies and preliminary renderings are currently being evaluated for next steps. The university has hired a consultant with experience in both music venues and related programming to support the project and advise during the planning process as well.

Thompson and Lytton, a local AE firm, has been retained to begin the design of the amphitheater. Surveying has been completed and the formal design process is due to begin soon. Two draft options with different orientations have been provided to Facilities for review.

Thompson and Lytton has been retained to relocate the athletic throws facility to allow the amphitheater to be located where the throws facility is currently.

**Item 2: Information Technology Services (ITS) update on information technology projects.**

***Navigate 360 Student Success System Implementation***

The EAB Navigate 360 student success system implementation team continues to work toward production for freshmen and continuing students during the summer of 2026. This will provide a richer suite of tools to help with student success and retention. Navigate 360 provides faculty, advisors, and student support staff with a platform for proactive outreach, early alerts, appointment scheduling, and case management. In addition, the EAB Mobile App will be replacing the Ready Education Mobile app (currently known as RU Mobile). The app will provide a customizable resource page where the university can add direct links to commonly used campus services and tools. This creates a convenient “one-stop” mobile experience that helps students quickly access the resources they use most often.

***Esports ITS Equipment Installation***

The ITS team configured and installed network equipment necessary to bring the new Esports arena and associated areas online. The teams also worked with Facilities Management to get door access and video surveillance configured and installed in these areas. The equipment installed in this area of Peter’s Hall will help to ensure a high-speed and low-latency experience for the Esports teams and the many events planned for this area.

***Network Core Equipment Replacement***

The Network Services team replaced critical core layer switches that serve as the high-speed backbone connecting campus distribution layer as well as datacenters and firewalls. This upgrade eliminated end-of-life infrastructure, reduced outage risk, and improved network performance, security, and resiliency. This will position the network to support future growth and technology initiatives.

***Entra ID Migration***

Identity Management and the System Administration teams have begun the transition of the University’s Single Sign-On (SSO) platform from Shibboleth to Microsoft Entra ID as part of a broader effort to modernize identity and access management services across campus. This transition improves the user experience through simplified access to campus and cloud applications, stronger support for modern authentication standards, and enhanced security capabilities.

### ***Intune Migration***

The Desktop Services and System Administration teams have begun migrating to Microsoft Intune from Standard Center Configuration Manager (SCCM). Intune enables centralized management of university-owned devices, streamlined software deployment, improved patch management, and stronger security policy enforcement across Windows desktops and laptops.

### ***Reviewing our Learning Management System (LMS)***

CITL and ITS have completed the campus-wide LMS review, informed by extensive input from departments and stakeholders. We will issue a Request for Proposals (RFP) in the coming weeks to solicit vendor proposals. Radford University currently uses Brightspace D2L.

### ***Upgraded Spaces with new Technology***

In May ITS began upgrading five classrooms and installed three new video walls on the Radford campus. During the summer three classrooms/lab at RUC will be getting updates, five conference rooms across campus will be getting AV upgrades and 108 computers in 5 labs and 30 computers in 30 teaching spaces will be upgraded.

### ***Computer Lifecycle replacement and new Hires***

Academic technologies will be initiating our annual upgrade cycle that includes refreshing 250 faculty/staff computers starting in May and will continue throughout the summer.

### ***Network in Residential Buildings***

Information Technology Services has partnered with a vendor to upgrade Residence Halls networking, with work beginning in early June and completing before students return in the fall. This partnership will enhance student experience through more reliable, high-performance connectivity while streamlining IT operations. We expect fewer help desk tickets and reduced bandwidth load on existing campus circuits.

**Radford University**

**Board of Visitors**

**Resolution**

*Board of Visitors Approval of the Amendments to the Radford University*

*Discrimination and Harassment Policy*

**June 5, 2026**

**WHEREAS**, Radford University is committed to providing an environment that emphasizes the dignity and worth of every member of its community and that is free from harassment and discrimination based on race, color, religion, ethnic or national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, sexual orientation, gender identity, military status, disability, or any other status protected by law; and

**WHEREAS**, the Radford University Board of Visitors adopted the Radford University Discrimination and Harassment Policy at its November 21, 2014, meeting and revised on September 18, 2015, September 15, 2017, May 10, 2019 and August 14, 2020; and

**WHEREAS**, the Title IX Coordinator, in consultation with the University Legal Counsel, has identified several items in the Radford University Discrimination and Harassment Policy that require amendment, as set forth in Attachment A, with final document in University approved policy format as set forth in Attachment B; and

**NOW, THEREFORE, BE IT RESOLVED** that, as part of this commitment, the Radford University Board of Visitors hereby adopts the revised Radford University Discrimination and Harassment Policy, dated June 5, 2026.

<b>Policy Title: Discrimination and Harassment Policy</b>	<b>Effective Date: 11/21/2014</b>
<b>Policy Number: GEN-PO-1002</b>	<b>Date of Last Review: 6/5/2026</b>
<b>Oversight Department: Office of Compliance</b>	<b>Next Review Date: 6/5/2029</b>

## 1. Purpose

~~A. Radford University is committed to providing an environment that emphasizes the dignity and worth of every member of its community and that is free from harassment and discrimination based on race, sex, color, national origin, religion, age, veteran status, sexual orientation, gender identity, gender expression, pregnancy, genetic information, against otherwise qualified persons with disabilities, or based on any other status protected by law.<sup>1</sup>~~

**B. A.** The purpose of the Discrimination and Harassment Policy (hereafter “Policy”) is to establish clearly and unequivocally that Radford University (hereafter “University”) prohibits discrimination **and** harassment **and retaliation**<sup>2</sup> by individuals subject to its control or supervision and to set forth procedures by which such allegations shall be **reported filed**, investigated, and adjudicated.

## 2. Applicability

### A. University Statement on Non-Discrimination

Radford University is committed to providing an environment that emphasizes the dignity and worth of every member of its community and that is free from harassment and discrimination based on race, sex, color, **ethnic or** national origin, religion, age, ~~veteran~~ **military** status, sexual orientation, gender identity, **marital status**, gender expression, pregnancy, **childbirth or related medical conditions**, genetic information, ~~against otherwise qualified persons with disabilities~~ **disability**, or based on any other status protected by law.<sup>3,4</sup>

### B. Application of Policy

**1. The prohibition against discrimination and harassment applies to all levels and areas of the University’s education program or activity including**

<sup>1</sup> Blue text moved to 2A.

<sup>2</sup> Removed retaliation, will use discrimination and harassment to mirror the name of the policy.

<sup>3</sup> Blue text moved from 1.

<sup>4</sup> Clarified according to Virginia code.

admission and employment. Such behavior is inconsistent with the University's Code of Ethics.<sup>5</sup>

2. This Policy applies ~~to on-campus conduct involving~~ students, employees, ~~faculty and staff~~, visitors to campus (including, but not limited to, individuals participating in camps and programs, volunteers, non-degree seeking students, exchange students, and other students taking courses or participating in programs at ~~Radford the~~ University), and contractors working on campus who are not ~~Radford~~ University employees, ~~as well as to students, visiting students, employees, faculty, and staff participating in Radford University-sponsored activities off-campus.~~ This Policy ~~is applicable~~ applies prohibited conduct to any conduct that

- a. ~~occurs~~ occurring on-campus,
- b. occurring off-campus against a person in the United States that has continuing effects that create a hostile environment on campus or that effectively denies a person equal access to ~~Radford the~~ University's education program. ~~This Policy applies to discrimination and harassment occurring against a person in the United States.~~
- c. occurring as part of University-sponsored activities occurring off-campus,
- d. committed by a person who at the time of the conduct was a student or employee of the University,
- e. Against Jewish individuals in violation of Title VI.

3. ~~Allegations of on-campus or off-campus violations of this Policy should be reported to the Title IX Coordinator in accordance with the guidance below and the Discrimination and Harassment Grievance Procedures (see Section 5).~~<sup>6</sup> This Policy replaces and supersedes ~~the Radford University Sexual Harassment Policy and Nondiscrimination Statement, as well as~~ any and all references related to discrimination and harassment that may be contained in other ~~Radford~~ University policies and may supersede other University grievance procedures, ~~including the Standards of Student Conduct.~~

4. ~~B.~~ Academic Freedom and Free Speech. This Policy does not allow curtailment or censorship of constitutionally protected expression, which is valued in higher education and by ~~Radford the~~ University. In addressing all reports of alleged violations of this Policy, ~~Radford the~~ University will take all permissible actions to ensure the safety of students and employees while complying with any and all applicable guidance regarding free speech rights of students and employees. This Policy does not in any way apply to curriculum and curriculum decisions or abridge the use of particular textbooks or curricular materials.

---

<sup>5</sup> Mirrors other Virginia university policies.

<sup>6</sup> Deleted, redundant.

### 3. Definitions

#### A. Policy Definitions

**Advisor** A Complainant's or Respondent's The advisor may be, but is not required to be, an attorney. The role of such the advisors shall be limited to advice and consult, except during a live hearing with a Decision Maker. During a live hearing with a Decision Maker, the advisor's role is also to conduct cross-examination on behalf of the party. Other than a live hearing with a Decision Maker, neither the advisor for the Complainant nor the advisor for the Respondent shall be permitted to question parties or witnesses, raise objections or make statements or arguments at any meetings or proceedings during an investigation or any hearing.<sup>7</sup>

**Appellant** means an individual who appeals either the final determination of a case or the Title IX Coordinator's dismissal of a Formal Complaint.

**Appellee** means an individual who is the non-appealing party in an appeal.<sup>8</sup>

**Complainant** means an individual who is alleged to be the victim of conduct that could constitute sexual harassment, discrimination, harassment, or other a possible violation of this Policy.

**Decision Maker** means an individual who is tasked with facilitating a Title IX hearing and making a determination.

**Exculpatory Evidence** means evidence that is favorable to the Respondent in an allegation that may supports an unsubstantiated finding.

**Formal Complaint** means a document filed by a Complainant or signed by the Title IX Coordinator alleging sexual harassment, harassment, or discrimination a violation of this Policy against a Respondent and requesting that the Office of Compliance investigate the allegation. At the time of filing a Formal Complaint, a Complainant must be participating in, or attempting to participate in, the University's education program or activity of Radford University. As used in this paragraph, the phrase A "document filed by a complainant" means a document or electronic submission through the submission form provided on the Radford University website, official Radford University email that contains the Complainant's physical or digital signature, or otherwise indicates that the Complainant is the person filing the Formal Complaint.

**Formal<sup>9</sup> Investigation** means an investigation a systematic inquiry conducted by the Title IX Coordinator into allegations that discrimination or harassment occurred.

**Inculpatory Evidence** is evidence that tends to show involvement in an act or evidence that can establish responsibility for an action and may support a substantiated finding.

---

<sup>7</sup> Blue text moved from Written Rights and Explanation.

<sup>8</sup> Purple text moved to Appeal Procedures.

<sup>9</sup> Regs only refer to it as an "investigation," we had added "formal," and I would like to remove it for clarity.

**Informal Resolution** means a resolution facilitated by the Title IX Coordinator as an alternative to an ~~Formal~~ Investigation.

**Party** means a Complainant or Respondent.

**Preponderance of the Evidence** is a standard that requires that the weight of the evidence, in totality, supports a finding that it is more likely than not that an alleged violation occurred.

**Reasonable Person** is a ~~person similarly situated to the Complainant.~~ a fictional person with an ordinary degree of reason, prudence, care, foresight, or intelligence whose conduct, conclusion, or expectation in relation to a particular circumstance or fact is used as an objective standard of measure.<sup>10</sup>

**Respondent** means an individual who has been reported to be the perpetrator of conduct that could constitute ~~sexual harassment, discrimination, harassment, or other conduct that may be~~ ~~in~~ a violation of this Policy.

**Responsible Employees** include all University employees. A Responsible Employee must report to the Title IX Coordinator all relevant information received about an incident of conduct that potentially is in violation of this Policy and without delay. If necessary, the report may be made after addressing any immediate needs of the victim. ~~“Responsible Employee” includes all Radford University employees.~~ A Responsible Employee is ~~considered confidential and is~~ not required to make a report if the Responsible Employee obtained, within the scope of their employment at ~~Radford the~~ University, the information through any communication considered privileged under state or federal law, or in the course of providing services as a licensed health care professional, an employee providing administrative support for such health care professionals, a professional counselor, an accredited rape crisis or domestic violence counselor, campus victim support personnel, a member of clergy, or an attorney.

**Supportive Measures** are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant and Respondent before or after the filing of a Formal Complaint or where no Formal Complaint has been filed. Such measures are designed to restore or preserve equal access to ~~Radford the~~ University’s education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or ~~Radford the~~ University’s educational environment, or deter sexual harassment, discrimination, or harassment. Supportive measures may include referral and coordination of counseling and health services, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties (e.g., no-contact orders), changes in work or housing locations, bans from campus or areas of campus, leaves of absence, increased security and monitoring of certain areas of the campus, and other

---

<sup>10</sup> Definition from Merriam-Webster.

similar measures. ~~Radford University must maintain as confidential any supportive measures provided to the Complainant, to the extent that maintaining such confidentiality would not impair the ability of the University to provide the supportive measures.<sup>11</sup> The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.<sup>12</sup>~~

## B. Definitions Related to Prohibited Conduct

**Antisemitism** means a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.<sup>13</sup>

**Consent** is knowing, voluntary, and clear permission, by word or action, to engage in mutually agreed upon sexual activity. Silence does not necessarily constitute consent. Past consent to sexual activities, or a current or previous dating relationship, does not imply ongoing or future consent. Consent to some sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as intercourse). Consent may be withdrawn at any time. Consent cannot be obtained by force, physical violence, threat, coercion, or intimidation. A person who is impaired or incapacitated ~~because of voluntary activity (e.g., alcohol or drug consumption) is unable to give consent because of age, disability,~~ mental or physical helplessness, sleep, unconsciousness, or lack of awareness that sexual activity is taking place ~~cannot give consent. A person may be incapacitated as a result of the consumption of alcohol or other drugs, or due to a temporary or permanent physical or mental health condition.~~ The existence of consent is based on the totality of the circumstances, including the context in which the alleged incident occurred.

**Dating Violence** means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship shall be determined based on a consideration of the following factors: the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

**Discrimination** ~~is inequitable and unlawful treatment based on an individual's protected characteristics or statuses—race, sex, color, national origin, religion, age, veteran status, sexual orientation, gender identity, gender expression, pregnancy, genetic information, disability, or any other status protected by law—that excludes an individual from participation in, denies the individual the benefits of, treats the individual differently or otherwise adversely affects a term or condition of an individual's employment, education, living environment or participation in an educational program or activity. This includes failing to provide reasonable accommodation,~~

---

<sup>11</sup> Deleted, redundant with supportive measures section.

<sup>12</sup> Deleted, redundant with role of Title IX Coordinator section.

<sup>13</sup> Required addition - <https://holocaustremembrance.com/resources/working-definition-antisemitism>

~~consistent with state and federal law, to persons with disabilities.~~ means conduct of any type (e.g., verbal, written, graphic, electronic, or physical) that is based on a person's protected traits as defined in the University's Non-Discrimination statement, and either 1) conditions any element of a person's employment, enrollment, or participation in the University's education program or activity unless otherwise permitted or required by applicable law, 2) unreasonably interferes with the person's work or academic performance or participation in the University's education program or activity, or 3) creates a working or learning environment that a reasonable person would find harassing, threatening, intimidating, or hostile.<sup>14</sup> Subjective offensiveness is not enough to create a hostile environment. In determining whether conduct is severe, persistent, or pervasive, and thus creates a **hostile environment**, the following factors will be considered: (a) the degree to which the conduct affected ~~one or more individual's the Complainant's access to~~ education or employment; (b) the nature, scope, frequency, duration, and location of the incident(s); (c) the identity, number, and relationships of persons involved; and (d) the perspective of a "reasonable person" in the same situation as the person subjected to the conduct,~~and (e) the nature of higher education.~~<sup>15</sup>

**Domestic Violence** includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the local jurisdiction, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

**Free Expression** means denial of free expression rights to any person, group, entity, or organization desiring to invoke their rights to freedom of expression on University property.

~~**Harassment** is a form of discrimination in which unwelcome verbal, written, or physical conduct is directed toward an individual on the basis of their protected characteristics or statuses. Harassment does not have to include intent to harm, be directed at a specific target, or involve repeated incidents. Harassment violates this Policy when it creates a hostile environment, as defined below.~~<sup>16</sup>

~~**Hostile Environment** may be created by oral, written, graphic or physical conduct that is sufficiently severe, persistent, or pervasive, and objectively offensive that it interferes with, limits, or denies the ability of an individual to participate in or benefit from Radford University's education programs, services, opportunities, or activities, or the individual's employment access, benefits, or opportunities. Mere subjective offensiveness is not enough to create a hostile environment. In determining whether conduct is severe, persistent, or pervasive, and thus creates a hostile environment, the following factors will be considered: (a) the degree to~~

---

<sup>14</sup> Mirrors other Virginia institution policies.

<sup>15</sup> Purple text has been moved from Hostile Environment definition and blended to read clearly.

<sup>16</sup> Blended with definition of Discrimination.

~~which the conduct affected one or more individual's education or employment; (b) the nature, scope, frequency, duration, and location of the incident(s); (c) the identity, number, and relationships of persons involved; (d) the perspective of a "reasonable person" in the same situation as the person subjected to the conduct, and (e) the nature of higher education.<sup>17</sup>~~

**Retaliation** is intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sexual harassment, discrimination, or harassment, but arise out of the same facts or circumstances as a report or Formal Complaint of discrimination, or harassment, for the purpose of interfering with any right or privilege secured by Title IX, ~~or other applicable laws, or because the individual has made a report, testified, assisted, participated, or refused to participate in any manner in an investigation, proceeding, or hearing. constitutes retaliation. Neither Radford University nor any person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, or because the individual has made a report,<sup>18</sup> testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing.~~

1. The exercise of rights protected under the First Amendment does not constitute retaliation.
2. Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding does not constitute retaliation, provided that a determination regarding responsibility alone is not sufficient to conclude that any party made a materially false statement in bad faith.
3. Action is generally deemed adverse if it would deter a reasonable person in the same circumstance from opposing practices prohibited by this Policy.  
~~Retaliation may result in disciplinary or other action independent of the sanctions, remedies, or supportive measures imposed in response to the underlying allegations of discrimination or harassment.<sup>19</sup>~~
4. Retaliation prohibited by this Policy includes any discrimination, intimidation, threat, or coercion against the Title IX Coordinator, or staff of the Office of Compliance, for purposes of interfering with their job responsibilities.

**Sexual Assault** means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.<sup>20</sup>

1. Sex Offenses— Any sexual act directed against another person, without the consent of the victim including instances where the victim is incapable of giving consent.
  - a. Rape – (except Statutory Rape) Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, or by a sex-related object. This definition also includes instances in which the victim is incapable of giving consent because of temporary or

---

<sup>17</sup> Combined with definition of Discrimination.

<sup>18</sup> Shifted to definition from regulations-[www.ecfr.gov/on/2024-01-01/title-34/subtitle-B/chapter-1/part-106](https://www.ecfr.gov/on/2024-01-01/title-34/subtitle-B/chapter-1/part-106).

<sup>19</sup> Deleted, redundant.

<sup>20</sup> Updated definition <https://le.fbi.gov/file-repository/nibrs-user-manual-2025-0-062625.pdf/view>

permanent mental or physical incapacity (including due to the influence of drugs or alcohol) or because of age. Physical resistance is not required on the part of the victim to demonstrate lack of consent.

b. Criminal Sexual Contact– The intentional touching of the clothed or unclothed ~~private~~ body parts without the consent of the victim for the purpose of sexual degradation, sexual gratification, or sexual humiliation. The forced touching by the victim of the actor’s clothed or unclothed body parts, without consent of the victim for the purpose of sexual gradation, sexual gratification, or sexual humiliation.

2. Sex Offenses– Unlawful sexual intercourse.

a. Incest – Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

b. Statutory Rape – Nonforcible sexual intercourse with a person who is under the statutory age of consent.

**Sexual Harassment** means conduct on the basis of sex that satisfies one or more of the following: 1) An employee of Radford University conditioning the provision of an aid, benefit, or service of Radford University on an individual’s participation in unwelcome sexual conduct; 2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to Radford University’s education program or activity; or 3) Sexual assault, dating violence, domestic violence, or stalking.

1) **Sexual Exploitation** is a form of sexual harassment that includes, but is not limited to: causing the incapacitation of another person for the purpose of compromising that person’s ability to consent to sexual activity; prostituting another person; non-consensual visual or audio recording of sexual activity; non-consensual recording or photographing private sexual activity and/or a person’s intimate body parts, or distribution of photos or other images of an individual’s sexual activity or intimate body parts; non-consensual voyeurism or allowing third parties to observe private sexual activity from a hidden location or through electronic means; knowingly transmitting HIV or an STD/STI to another; or exposing one’s genitals to another in non-consensual circumstances.

**Sexual Violence** is a physical sexual act perpetrated against a person’s will or where a person is incapable of giving consent.

**Stalking** is engaging in a course of conduct directed at a specific person that would cause a reasonable person to: i) fear for his or her safety or the safety of others; or ii) suffer substantial emotional distress.

**Sexual Misconduct** includes alleged sexual assault, dating violence, domestic violence, stalking, and sexual harassment incidents not otherwise covered by Title IX.

**Title IX Incidents** include sexual assault, dating violence, domestic violence, stalking and sexual harassment incidents alleged to have occurred on-campus, off-campus as part of Radford the University's education program or activity, or at an off-campus location controlled by a recognized student organization.

#### 4. Policy

A. ~~Policy~~ Any ~~question~~ allegation of ~~discrimination or harassment~~ a violation of this policy will be addressed with efficiency and energy and in accordance with this Policy and its accompanying the Radford University Discrimination and Harassment Grievance Pprocedures (see Section 5). This Policy and the its accompanying Discrimination and Harassment Grievance Pprocedures also address reports alleging any action that would be prohibited conduct under this Policy. ~~of retaliation against those who have opposed practices prohibited by this Policy, those who have filed or reports under this Policy, and those who have testified or otherwise participated in enforcement of this Policy. Further, the Discrimination and Harassment Grievance Procedures address reports that an individual's free expression was violated.~~<sup>21</sup>

~~Questions regarding discrimination prohibited by the Education Amendment Act of 1972 or other federal law, may be referred to Radford University's Title IX Coordinator, Office of Compliance, 540-831-5307 (Radford), 540-224-4644 (Roanoke), or the U.S. Department of Education, Office of Civil Rights.~~<sup>22</sup>

B. If an individual needs assistance accessing ~~The University recognizes that there may be circumstances in which an individual may need~~ the services of the Office of Compliance ~~and, if needed,~~ the University will ~~make arrangements to~~ ensure that appropriate accommodations are provided, to the extent necessary and available, to aid in understanding and/or complying with this Policy. Requests ~~for accommodations must may~~ be made to the ~~Title IX Coordinator~~ Office of Compliance.<sup>23</sup>

C. Questions regarding discrimination prohibited by the Education Amendment Act of 1972 or other federal law, may be referred to the University's Title IX Coordinator or the U.S. Department of Education, Office of Civil Rights.

#### ~~D. B.~~ Reporting

1) ~~c. 1.~~ Any person may report potential violations of this Policy ~~sexual harassment, discrimination, or and harassment,~~ whether or not the person reporting is the person alleged to be the victim of such ~~misconduct violation~~.

---

<sup>21</sup> Added prohibited conduct as a definition so removed it from this paragraph.

<sup>22</sup> Purple text shifted within this section.

<sup>23</sup> Cleaned up verbiage.

a. A report may ~~also~~ be made by any other means that results in the Title IX Coordinator receiving the person's ~~verbal~~ oral or written report.

b. Reports of potential violations of this Policy ~~may~~ should be made to the Title IX Coordinator, Dr. Andrea Zuschin, by email at [titleix@radford.edu](mailto:titleix@radford.edu), by calling 540-831-5307, or in person at 206 Walker Hall (Main Campus) or Room 407 (RUC Campus), through the website at [www.radford.edu/compliance](http://www.radford.edu/compliance). Reports may be mailed to PO Box 6988, Radford University, Radford, VA, 24142.<sup>24</sup>

c. The Title IX Coordinator will also accept, without comment or need for explanation, a sealed envelope addressed to the "Title IX Coordinator." The envelope, at a minimum, ~~needs~~ only contain a piece of paper with the name and contact information of the individual wishing to make a report.<sup>25</sup>

2. Individuals receiving reports of ~~potential violations of this Policy sexual harassment, discrimination, or and harassment~~ should immediately notify the Title IX Coordinator after addressing the immediate needs of the victim.
3. Individuals should not undertake any independent efforts to determine whether or not the ~~potential violation report~~ has merit before reporting it to the Title IX Coordinator.
4. All members of the University community are expected to provide truthful information in any report under this Policy. Submitting or providing any false or misleading information in bad faith or with a view toward personal gain or intentional harm to another in connection with any report is prohibited and subject to discipline under the appropriate policy. This provision does not apply to reports made in good faith, even if the facts as alleged are not later substantiated.<sup>26</sup>

~~2. A report may be made in person, by mail, by telephone, or by email, using the contact information below. A report may also be made by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. The Title IX Coordinator will also accept, without comment or need for explanation, a sealed envelope addressed to "Title IX Coordinator." The envelope, at a minimum, needs only contain a piece of paper with the name and contact information of the individual wishing to make a report. Such a report may be made at any time (including during non-business hours) by using the telephone number, or email address, or by mailing to the office address listed for the Title IX Coordinator. Radford University's Title IX Coordinator's contact information is as follows:~~

---

<sup>24</sup> Green text moved from a different location in the reporting section, also shortened it for clarity.

<sup>25</sup> Purple block of text moved from Reporting section #2

<sup>26</sup> Added as best practice.

Dr. Andrea Zuschin  
Director of Institutional Equity and Title IX Coordinator  
azuschin@radford.edu  
Office of Compliance  
Radford University (Radford)  
615 Fairfax Street  
P.O. Box 6988  
Radford, VA 24142  
(540) 831-5307 (Main)  
Radford University Carilion (Roanoke)  
101 Elm Avenue, SE  
Roanoke, VA 24013  
(540) 224-4644 <sup>27</sup>

~~5. 3. Mandatory Employee Reporting: All employees, other than the confidential employees detailed in the definition of Responsible Employees as defined in Section 3 of this Policy, who receive information regarding a report of discrimination or harassment must immediately report any relevant information about the alleged incident potential violation to the Title IX Coordinator without delay after addressing the needs of the victim. No Radford University employee shall undertake any independent efforts to determine whether or not the report has merit or can be substantiated before reporting it to the Title IX Coordinator. The Radford University Police Department will follow departmental procedures. Failure to report incidents or provide information as required may result in personnel action that may include termination from employment.~~

~~6. 4. Reports Made by Students: Students, visitors (including visiting students), and employees of contractors working on campus should report possible discrimination or harassment to the Title IX Coordinator. Students are not restricted to reporting to student contacts and may report Reports may be made to anyone listed in this Policy or any supervising staff or faculty member. Other than reports made to confidential sources in accordance with the definition of Responsible Employee in Section 3 of this Policy, reports must be forwarded to the Title IX Coordinator.<sup>28</sup>~~

~~5. Reports Made by Visitors or Contractors: Visitors, including visiting students, and employees of contractors working on campus should report possible discrimination or harassment to the Title IX Coordinator.~~

~~6. All members of the Radford University community are expected to provide truthful information in any report or proceeding under this Policy and the~~

---

<sup>27</sup> This section was combined with Reporting section under #1.

<sup>28</sup> Deleted, redundant.

Grievance Procedures (see Section 5). Submitting or providing any false or misleading information in bad faith or with a view toward personal gain or intentional harm to another in connection with any report, investigation, or proceeding under this Policy and the Grievance Procedures is prohibited and subject to conduct charges for students under the Standards of Student Conduct or discipline for employees under the appropriate policy. This provision does not apply to reports made or information provided in good faith, even if the facts as alleged are not later substantiated.<sup>29</sup>

7. Individuals can also submit a report through the Confidential Reporting and Silent Witness link on the Radford University Police Department webpage: <http://www.radford.edu/content/police/home/forms/witness.html> or by leaving an anonymous message with the Radford University Police Department at 540-831-STOP (7867). As will be the case with all reports, however made, the Complainant will be contacted promptly for an informational meeting with the Title IX Coordinator.<sup>30</sup>

~~8. Notwithstanding the forgoing, individuals who believe they have been the subject of conduct in violation of the Discrimination and Harassment Policy are encouraged to make detailed written statements of the facts, including the name(s) of the offending individual(s) and any witness(es), promptly after an incident.<sup>31</sup>~~

~~7. 9.~~ There is no time limit for filing a report of ~~discrimination or harassment potential violations of this Policy~~. However, Complainants should report as soon as possible to maximize ~~Radford the~~ University's ability to respond. Failure to report promptly could result in the loss of relevant evidence and impair ~~Radford the~~ University's ability to adequately respond to the allegations.

~~8. †. Disciplinary Immunity. Sometimes, individuals are hesitant to report to University employees because they fear that they may personally face sanctions due to possible policy violations that occurred at the time of the incident (e.g., alcohol or drug consumption). The University may provide disciplinary immunity to a person Ensuring the safety of individuals who report violations of this Policy is Radford University's primary concern. In compliance with Virginia Code §23.1-808, and in order to facilitate reporting, Radford University will provide disciplinary immunity to a person who reports to any individual employed by the institution that an act of sexual violence, or any other incident violating this Policy, which occurred on campus, in or on a non-campus building or property, or on public property as such terms are defined in Virginia Code § 23.1-806.~~

---

<sup>29</sup> Purple block moved to grievance procedures section.

<sup>30</sup> Green block of text moved and combined with criminal reporting options.

<sup>31</sup> Deleted, redundant.

~~Disciplinary immunity means that individuals who receives assistance, intervenes during an incident, and reports incidents, and who also committed a separate, unrelated, nonviolent act that violates University policy ,if the institution determines, as a result of any investigation relating to such alleged act of sexual violence or other violation of this Policy, the reporting individual committed a separate, unrelated, nonviolent act that violates the Radford University Standards of Student Conduct, that person is immune from disciplinary action for such violation.~~ Disciplinary immunity may also be offered to individuals who intervene to help others before a violation of this Policy occurs and to individuals who receive assistance or intervention.<sup>32</sup>

9) ~~9) C.~~ Criminal Reporting<sup>33</sup> Some conduct in violation of this Policy may also be a crime under ~~Virginia state or federal~~ law. Individuals are encouraged to report incidents of discrimination and harassment to law enforcement, even if the reporting individual is not certain if the conduct constitutes a crime. ~~Radford~~ The University will ~~provide assistance to~~ assist victims in notifying law enforcement if the victim so chooses. Crimes dealing with minors must be reported to law enforcement.

a. If a victim is in immediate danger or needs immediate medical attention, contact 911, the Radford University Police Department (RUPD) at (540) 831-5500 (blue light emergency phones on Radford University's main campus connect directly to RUPD) ~~or, at~~ Carilion Clinic Police at Radford University Carilion at (540) 981-7911, or Roanoke City Police at the Roanoke Higher Education Center at (540) 853-2212.<sup>34</sup>

b. Individuals ~~can also~~ may submit a report through the Confidential Reporting and Silent Witness link on ~~the Radford University Police Department~~ RUPD's webpage: <http://www.radford.edu/content/police/home/forms/witness.html> or by leaving leave an anonymous message with<sup>35</sup> ~~the Radford University Police Department~~ RUPD at 540-831-STOP (7867). ~~As will be the case with all reports, however made, the Complainant will be contacted promptly for an informational meeting with the Title IX Coordinator.~~<sup>36</sup>

c. Cooperation with law enforcement may require the Office of Compliance to temporarily suspend the fact-finding aspect of an investigation while the law enforcement agency gathers evidence. The Office of Compliance will promptly resume an investigation as soon as

---

<sup>32</sup> Orange text moved from Policy section and edited to mirror Conduct office language.

<sup>33</sup> Included criminal reporting with the other reporting items.

<sup>34</sup> Blue text is the same, just reversed the order and assigned numbers and added RHEC.

<sup>35</sup> Made this a link

<sup>36</sup> Green text moved from reporting section and combined with criminal reporting options.

notified by the law enforcement agency that it has completed the evidence gathering process. Otherwise, an investigation will not be altered or precluded on the grounds that criminal charges involving the same incident have been filed or that charges have been dismissed or reduced.<sup>37</sup>

#### ~~D. Criminal Process and Coordination~~<sup>38</sup>

~~If a victim is physically or mentally incapacitated for at least ten (10) calendar days, and thereby unable to report the incident to law enforcement, the Title IX Coordinator will make such a report.~~<sup>39</sup> Radford University will comply with all requests by the Radford University Police Department, Carilion Clinic Police, or local law enforcement for cooperation in investigations. Such cooperation may require the Title IX Coordinator to temporarily suspend the fact-finding aspect of an investigation detailed in the procedures below while the Radford University Police Department, Carilion Clinic Police, or the local law enforcement agency gathers evidence. The Title IX Coordinator will promptly resume the investigation as soon as notified by the Radford University Police Department, Carilion Clinic Police, or local law enforcement agency that it has completed the evidence gathering process. Otherwise, the investigation will not be altered or precluded on the grounds that criminal charges involving the same incident have been filed or that charges have been dismissed or reduced.<sup>40</sup>

#### E. Confidentiality ~~and Requests Not to Pursue Title IX Investigation~~

~~1) Radford The University will keep confidential the identity of any individual who has made a report, or who has filed a Formal Complaint, any Complainant, any Respondent, and any witness<sup>41</sup>, except as may be permitted by the Family Education Rights and Privacy Act (FERPA) statute, 20 U.S.C. 1232g, or FERPA regulations, 34 CFR part 99, or as required by law, or to carry out the purposes of 34 CFR part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder.~~

1. The Title IX Coordinator Investigators in the Office of Compliance may be limited in the ability to investigate an anonymous report unless sufficient information is furnished to enable the Title IX Coordinator investigators to conduct a meaningful and fair investigation. If the a Complainant requests confidentiality or that the report not be pursued, Radford the University may also be limited in the actions it is able to take and its ability to respond.<sup>42</sup>

---

<sup>37</sup> Orange text moved from Criminal Process and Coordination section.

<sup>38</sup> Deleted this heading as the content has been relocated to Criminal Reporting section.

<sup>39</sup> Removed.

<sup>40</sup> Orange text has been reworked and moved to the Criminal Reporting section.

<sup>41</sup> Purple text moved to Disclosures section.

<sup>42</sup> Green text was moved from elsewhere in the reporting section.

2. ~~Radford~~ University officials have varying reporting responsibilities under state and federal law. If a victim of conduct in violation of this Policy wishes to keep a report confidential, it must be made to a licensed medical provider, **professional** counselor or individual under professional supervision of a licensed counselor, or professional sexual assault advocate. These individuals will encourage victims to make a report to ~~the Radford University Police Department RUPD~~, the Carilion Clinic Police Department, the Title IX Coordinator, or local law enforcement. ~~Students and student organizations cannot keep reports confidential, even if working with officials above who are able to maintain confidentiality of reports.~~<sup>43</sup> ~~Other Radford University responsible employees receiving reports of conduct in violation of this Policy are mandated reporters but will maintain privacy to every extent possible without compromising Radford University's ability to investigate and respond in accordance with applicable law and regulations.~~<sup>44</sup> ~~The Title IX Coordinator may be limited in the ability to investigate an anonymous report unless sufficient information is furnished to enable the Title IX Coordinator to conduct a meaningful and fair investigation. If the Complainant requests confidentiality, or that an investigation not be conducted, Radford University may be limited in the actions it is able to take and its ability to respond while respecting the request.~~<sup>45</sup> ~~The Complainant will be asked to sign a statement stating a desire for confidentiality or that an investigation not be pursued, and the Title IX Coordinator will take all reasonable steps to respond to the report consistent with the request.~~<sup>46</sup>

3. ~~Notwithstanding a Complainant's request that law enforcement not be informed of an incident, Radford University is required pursuant to Virginia Code § 23.1-806 to report information about an incident to local law enforcement if necessary to address an articulable and significant threat posing a health or safety emergency, as defined by the implementing regulations of FERPA, 34 C.F.R. 99.36, and as detailed in the Sexual Violence Threat Assessment provisions below.~~<sup>47</sup>

#### F. Sexual Violence Threat Assessment

1. ~~Upon receipt of any report of sexual violence, defined as a physical sexual act perpetrated against a person's will or where a person is incapable of giving consent, that is alleged to have occurred (i) against any students; or (ii) on campus, in or on a Radford University building or property, or on public property that is on campus or immediately adjacent to and accessible from campus, the~~

---

<sup>43</sup> Removed.

<sup>44</sup> Deleted, redundant.

<sup>45</sup> Deleted, redundant.

<sup>46</sup> Removed.

<sup>47</sup> Deleted, Redundant.

Title IX Coordinator shall promptly inform a review committee of the report, including personally identifying information.

a. The review committee shall be comprised of, at a minimum, the Title IX Coordinator, a representative of law enforcement, and a student affairs representative. The review committee may consult other Radford University officials depending on whether the accused individual is a student, faculty, or staff member and the circumstances of the report. The review committee shall be advised by the Office of the Attorney General.

b. Within 72 hours of receipt of the report, the review committee shall meet to review the information and shall continue to meet as necessary as new information becomes available. If the criteria in Paragraph a. are met, the review committee shall convene regardless of whether or not the victim has notified the Radford University Police Department, Carilion Clinic Police, or local law enforcement or whether or not the victim has requested that Radford University proceed with a Title IX investigation.

c. The review committee may obtain law enforcement records and criminal history record information as provided in Virginia Code § 19.2-389 and § 19.2-389.1, health records as provided in Virginia Code § 32.1-127.1:03, available conduct or personnel records, and known facts and circumstances of the reported incident and other evidence known to Radford University, including the Radford University Police Department, Carilion Clinic Police, and local law enforcement. The review committee shall be considered to be a threat assessment team established pursuant to Virginia Code § 23.1-805 for purposes of (i) obtaining criminal history record information and health records and (ii) the Virginia Freedom of Information Act, (Virginia Code § 2.2-3700 et seq.). The review committee shall comply with the Family Educational Rights and Privacy Act in conducting its review.

d. In addition to the available information detailed in Paragraph c. above, the review committee shall consider factors that suggest there is an increased risk of the accused individual committing additional acts of sexual misconduct or other violence, including, but not limited to:

- i. Other sexual misconduct reports about the same individual;
- ii. Prior arrests or reports of misconduct at another institution or a history of violent behavior;
- iii. Threats of further sexual misconduct against the reporting individual or others;
- iv. A history of failing to comply with a no-contact order issued by Radford University officials;

- v. Allegations of multiple perpetrators in the same incident;
- vi. Use of physical violence in the reported incident or a prior incident. Examples of physical violence include, but are not limited to, hitting, punching, slapping, kicking, restraining, or choking;
- vii. Reports or evidence of a pattern of perpetration, including a pattern of the accused individual using alcohol or drugs to facilitate sexual misconduct or harassment;
- viii. Use of a weapon in the reported incident or a prior incident; and
- ix. A victim under the age of 18 or who is significantly younger than the accused individual.

The review committee shall also consider whether means exist to obtain evidence other than investigation by law enforcement or the Office of Compliance, such as security camera footage, eyewitness reports from security personnel, or physical evidence.

e. If, based on a consideration of all factors, the review committee determines that there is a significant and articulable threat to the health or safety of one or more individuals and that disclosure of the information to law enforcement, including personally identifying information, is necessary to protect the health and safety of one or more individuals, the law enforcement representative shall immediately disclose such information to the law enforcement agency that would be responsible for investigating the incident, for the purpose of investigation and other actions by law enforcement. If the review committee cannot reach a consensus, the law enforcement representative may make the threat determination. Upon any disclosure to law enforcement under this paragraph, the Title IX Coordinator shall notify the victim that such disclosure is being made. The provisions of this paragraph shall not apply if the law enforcement agency responsible for investigating the alleged incident is located outside the United States.

f. If information is disclosed to law enforcement under Paragraph e. or if the review committee determines that sufficient factors exist to proceed with a Formal Investigation, despite the stated desires of the victim for confidentiality or not to proceed with a Formal Investigation, the Title IX Coordinator may proceed with a Formal Investigation under these procedures. In those situations, the Title IX Coordinator will notify the victim that Radford University is overriding the victim's request for confidentiality in order to meet its obligations but, other than the disclosure under Paragraph e., if made, the information will only be shared with individuals who are responsible for handling Radford University's response to incidents of sexual violence. Radford University will ensure that any information maintained by Radford University is

~~maintained in a secure manner.~~

~~g. If the reported incident would constitute a felony violation of Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2 of the Code of Virginia, as determined by the law enforcement member or any other member of the review committee, the law enforcement member or any other member of the review committee, shall inform other members of the review committee, and shall notify, within 24 hours, the attorney for the Commonwealth or other prosecutor responsible for prosecuting the incident and provide the information received without disclosing personally identifying information, unless such information was disclosed to a law enforcement agency pursuant to Paragraph e.~~

~~h. At the conclusion of the Sexual Violence Threat Assessment, the Title IX Coordinator and law enforcement member shall each retain (i) the authority to proceed with any further investigation or adjudication allowed under state or federal law and (ii) independent records of the review committee's determination considerations, which shall be maintained under applicable state and federal law.<sup>48</sup>~~

~~3. 2. Notwithstanding a Complainant's request that law enforcement not be informed of an incident, Radford the University is required pursuant to Virginia Code § 23.1-806 to report information about an incident to law enforcement if necessary to address an articulable and significant threat posing a health or safety emergency. ,as defined by the implementing regulations of the Family Educational Rights and Privacy Act, 34 C.F.R. § 99.36, and as detailed in these Sexual Violence Threat Assessment provisions. The Title IX Coordinator may be limited in the ability to investigate an anonymous report unless sufficient information is furnished to enable the Title IX Coordinator to conduct a meaningful and fair investigation. If the Complainant requests confidentiality or that the report not be pursued, Radford University may also be limited in the actions it is able to take and its ability to respond.<sup>49</sup>~~

~~4. 3. Radford The University is required by federal law to issue timely warnings for reported incidents that pose a substantial threat of bodily harm or danger to members of the campus community. Radford The University will ensure, to every extent possible, that a victim's name and other identifying information is not disclosed, while still providing enough information for members of the campus community to make decisions to address their own safety in light of the potential danger.~~

~~5. In neither an the Formal Investigation nor an the Informal Resolution may Radford the University require, allow, rely upon, or otherwise use questions or evidence that constitute, or~~

---

<sup>48</sup> Purple text lifted from this policy and moved to its own procedural document. This is state law.

<sup>49</sup> Green text was moved to earlier in the reporting section and given its own number.

seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.<sup>50</sup>

6. The University will keep confidential the identity of any individual who has ~~made~~ filed a report, or ~~who has filed a~~ Formal Complaint, any Complainant, any Respondent, and any witness<sup>51</sup> However, disclosure of information may be made as follows:

- a. When the University has obtained prior written consent from a person with the legal right to consent to the disclosure.
- b. When the information is disclosed to a parent, guardian, or other authorized legal representative with the legal right to receive disclosures on behalf of the person whose personally identifiable information is at issue.
- c. To carry out the purposes of this part, including action taken to address conduct that reasonably may constitute discrimination in the University's education program or activity.
- d. As required by Federal, State, or local law; Federal regulations; or the terms and conditions of a Federal award, including a grant award or other funding agreement.
- e. To the extent such disclosures are not otherwise in conflict with Title IX or when required by State or local law, or when permitted under FERPA or its implementing regulations.<sup>52</sup>

#### F. G. Role of the Title IX Coordinator Oversight

##### 1. The Title IX Coordinator

a. ~~The Title IX Coordinator is responsible for overseeing~~ Oversees the University's efforts to comply with its responsibilities under Title IX, related laws, and this Policy by ensuring the University's prompt, equitable, and effective response to<sup>53</sup> all reports of ~~discrimination and harassment~~ allegations that a policy violation occurred. ~~and~~

b. Identifies and addresses ~~identifying and addressing~~ any pattern or systemic problems that arise during the review of such reports.

~~3. 2. The Title IX Coordinator oversees the investigation and resolution of all reports by students, visiting students, and faculty and staff of alleged discrimination and harassment in accordance with the Discrimination and Harassment Grievance Procedures.~~<sup>54</sup>

---

<sup>50</sup> Orange text moved from Investigation and Resolution section.

<sup>51</sup> Purple text moved from Confidentiality and Requests Not to Investigate section.

<sup>52</sup> Consolidated other language re disclosures.

<sup>53</sup> Mirrored other Virginia schools.

<sup>54</sup> Deleted, redundant.

~~c. 3. The Title IX Coordinator also Coordinates a training and awareness program on mandated reporting of incidents involving alleged Policy violations. discrimination and harassment for students and employees.~~

~~d. 4. The Title IX Coordinator May name a designees as needed.~~

~~2. 5. The Title IX Coordinator and Office of Compliance staff employees do not serve as an advocates for either the Complainant or the Respondent.~~

~~3. 6. Reports of discrimination and harassment violations of this Policy by the Title IX Coordinator should be made to the Title IX Coordinator's immediate supervisor.~~

#### ~~G. H. Supportive Measures~~

~~1. The Title IX Coordinator is responsible for coordinating effective implementation of supportive measures, as necessary to assist or protect for the Complainant or and Respondent.~~

~~2. To the extent possible, Radford The University will seek the consent of the Complainant before offering supportive measures to the greatest degree possible.~~

~~3. Radford The University will maintain as confidential any supportive measures provided to the Complainant or Respondent, to the extent that maintaining such confidentiality would not impair the ability of the University to provide the supportive measures.~~

#### ~~I. Disciplinary Immunity~~

~~Ensuring the safety of individuals who report violations of this Policy is Radford University's primary concern. In compliance with Virginia Code §23.1-808, and in order to facilitate reporting, Radford University will provide disciplinary immunity to a person who reports to any individual employed by the institution that an act of sexual violence, or any other incident violating this Policy, which occurred on campus, in or on a non-campus building or property, or on public property as such terms are defined in Virginia Code § 23.1-806. Disciplinary immunity means that, if the institution determines, as a result of any investigation relating to such alleged act of sexual violence or other violation of this Policy, the reporting individual committed a separate, unrelated, nonviolent act that violates the Radford University Standards of Student Conduct, that person is immune from disciplinary action for such violation. Disciplinary immunity may also be offered to individuals who intervene to help others before a violation of this Policy occurs and to individuals who receive assistance or intervention.<sup>55</sup>~~

## 5. PROCEDURES

~~Purpose These The Grievance Procedures provide a prompt, and equitable, and effective resolution for reports of discrimination and harassment allegations of conduct~~

---

<sup>55</sup> Orange text moved to reporting section.

prohibited by the ~~Radford University Discrimination and Harassment Policy~~. Any person who believes he or she has been subjected to discrimination or harassment on any of these bases may file a report with Radford University as outlined in these procedures.<sup>56</sup>

~~These procedures also address 1) any reports of retaliation against individuals who have filed reports of discrimination and harassment, who have opposed discriminatory practices, and those who have testified or otherwise participated in investigations or proceedings arising from reports of discrimination and harassment; and 2) reports of violation of the Radford University Free Expression Policy. Questions regarding discrimination and harassment prohibited by the Education Amendment Act of 1972 or other federal law, may be referred to Radford University's Title IX Coordinator, Office of Compliance, 540-831-5307 (Radford), 540-224-4644 (Roanoke), or the U.S. Department of Education, Office of Civil Rights.<sup>57</sup>~~

#### ~~B. Written Explanation of Rights and Options~~

~~1. When the Title IX Coordinator receives a report that a Complainant has been a victim of discrimination or harassment, the Title IX Coordinator will promptly contact the Complainant to share and provide a written explanation of rights and options, which shall include:~~

- ~~a. Notification of resources, including information on contacting the local sexual assault crisis center or other victim support service, both within Radford University and in the local community.~~
- ~~b. Options for, available assistance in, and how to request supportive measures, regardless of whether the Complainant chooses to report the crime to law enforcement, or file a Formal Complaint.~~
- ~~c. The procedures for Title IX, including filing a Formal Complaint, Formal Investigation, and Informal Resolution procedures, dismissal of cases, adjudication, appeals, and disciplinary sanctions and remedies.~~

~~Three factors determine the category of the case and, thus, the route by which the case is adjudicated. The determining factors are 1) whether the alleged incident is considered "sexual harassment," 2) the location where the alleged incident occurred, and 3) the Respondent's affiliation with Radford University (e.g., student, employee). Parties to a case will be notified simultaneously of the category in which their case falls. The categories are "Title IX Case," "Student Conduct Referral Case," and "Non-Title IX/Non-Student Case." Parties to a case will be informed of the proper category for their case and will be informed if the category changes as investigators learn more information. Cases will be identified and adjudicated as follows:~~

---

<sup>56</sup> Deleted, redundant.

<sup>57</sup> Deleted, redundant.

~~i. The case will be categorized as a “Title IX Case” and will be referred to a Decision Maker for a live hearing, with a document review as appeal, if~~

~~(a) The allegation is sexual harassment, and~~

~~(b) The incident(s) alleged occurred either on campus, off campus as part of Radford University’s education program or activity, or at an off-campus location controlled by a recognized student organization.~~

~~Refer to “Title IX Case Process” in Section 5.C.b.viii. and Appeal Document Review in Section 5.E.4. below.~~

~~ii. The case will be categorized as a “Student Conduct Referral Case” and will be dismissed as a Title IX Case. However, the Title IX Coordinator will continue the fact-finding process and will refer the case for adjudication to the Office of Student Standards and Conduct, with appeal through that same process, if~~

~~(a) The Respondent is a student, and~~

~~(b) The allegation does not fall within the definition of sexual harassment, or~~

~~(c) The alleged incident falls within the definition of sexual harassment; however, the alleged incident occurred neither on campus, nor within Radford University’s education program or activity, nor at an off-campus location controlled by a recognized student organization.~~

~~Refer to “Student Conduct Referral Case” in Section 5.C.b.vi. below.~~

~~iii. The case will be categorized as a “Non-Title IX/Non-Student Case” and will continue to be processed in the Office of Compliance, with a live appeal option, if~~

~~(a) The Respondent is a Radford University employee or non-student, and~~

~~(b) The allegation is violation of this Policy that does not fall within the definitions of sexual harassment, or~~

~~(c) The alleged incident falls within the definition of sexual harassment; however, the alleged incident occurred neither on campus, nor within Radford University’s education program or activity, nor at an off-campus location controlled by a recognized student organization.~~

~~Refer to “Non-Title IX/Non-Student Case” in Section 5.C.b.vii. and Appeal Hearing in Section 5.E.3. below<sup>58</sup>~~

~~d. The right to bring a trusted advisor of their choice with them to the meetings with the Office of Compliance. The advisor may be, but is not~~

---

<sup>58</sup> Purple block has been shortened and moved to Discrimination and Harassment Grievance Procedure, Title IX Grievance Procedure, and Informal Resolution Procedure.

~~required to be, an attorney. The role of such advisors shall be limited to advice and consult, except during a live hearing with a Decision Maker. During a live hearing with a Decision Maker, the advisor's role is also to conduct cross examination on behalf of the party. Other than a live hearing with a Decision Maker, neither the advisor for the Complainant nor the advisor for the Respondent shall be permitted to question parties or witnesses, raise objections or make statements or arguments at any meetings or proceedings during an investigation or any hearing.<sup>59</sup>~~

~~e. Procedures Complainants should follow if a crime has occurred, including information about:~~

~~i. The importance of seeking medical attention and of the collection and preservation of evidence that may assist in proving that the alleged criminal offense occurred or may be helpful in obtaining a protective order;~~

~~ii. How and to whom the alleged offense should be reported;~~

~~iii. Options about the involvement of local law enforcement, and the Radford University Police Department, and Carilion Clinic Police, including the Complainant's option to:~~

~~(a) Notify proper law enforcement authorities;~~

~~(b) Have assistance with notifying law enforcement authorities, if the Complainant so chooses; and~~

~~(c) Decline to notify such authorities.<sup>60</sup>~~

~~f. The Respondent is presumed not responsible for the alleged conduct until the determination at the end of the grievance process.<sup>61</sup>~~

~~g. All members of the Radford University community are expected to provide truthful information in any report or proceeding under this Policy and the Discrimination and Harassment Grievance Procedures. Submitting or providing any false or misleading information in bad faith or with a view toward personal gain or intentional harm to another in connection with any report, investigation, or proceeding under this Policy and the Discrimination Harassment Grievance Procedures is prohibited and subject to conduct charges for students under the Standards of Student Conduct or discipline for employees under the appropriate policy.<sup>62</sup>~~

~~h. If an incident contains any actions or allegations that are a violation of the Radford University Standards of Student Conduct, and that do not fall within the scope of this Policy, then the portion of the case where the Standards of Student Conduct applies may be referred to that office for adjudication and resolution.<sup>63</sup>~~

---

<sup>59</sup> Blue text has been moved to the definition section.

<sup>60</sup> Criminal procedures is on the information sheet the Office of Compliance provides to Complainants, it isn't necessary to have it in a policy.

<sup>61</sup> Purple block has been shortened and moved to the Grievance Procedures section.

<sup>62</sup> Orange text been moved to the Grievance Procedures section.

<sup>63</sup> Green text moved to the Grievance Procedures section.

~~i. If, in the course of an investigation, the Title IX Coordinator decides to investigate allegations about the Complainant or Respondent that were not included in the notice provided to the parties, if known, then the Title IX Coordinator will provide notice of the additional allegation(s) to the parties whose identities are known.<sup>64</sup>~~

~~j. Both parties may inspect and review evidence relevant to the Formal Investigation and/or Informal Resolution.<sup>65</sup>~~

~~k. The Complainant's right to decline to participate in a Title IX investigation and the Title IX Coordinator's ability to pursue a Formal Complaint and Formal Investigation.~~

~~i. The Title IX Coordinator has discretion to sign a Formal Complaint and initiate an investigation under the following conditions:~~

~~(a) The Title IX Coordinator has received multiple reports of potential sexual harassment, harassment, or~~

~~discrimination against the same Respondent,~~

~~(b) The Title IX Coordinator determines that circumstances surrounding an allegation (e.g., violence, use of weapons, threats, serial predation) warrant an investigation.~~

~~Where the Title IX Coordinator signs a Formal Complaint, the Title IX Coordinator is not a Complainant or otherwise a party to the investigation.<sup>66</sup>~~

~~ii. The Title IX Coordinator may dismiss a Formal Complaint or any allegations therein, if at any time during the investigation, hearing, or resolution the Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations therein; the Respondent is no longer enrolled in or employed by Radford University; or specific circumstances prevent the Office of Compliance from gathering evidence sufficient to reach a determination as to the Formal Complaint or allegations therein. The dismissal of a Formal Complaint may be appealed (see Section 5.E.4.).<sup>67</sup>~~

~~iii. The University may not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of a Formal Complaint of sexual harassment or other discrimination or harassment. The University may not require the parties to participate in an Informal Resolution process<sup>68</sup> and may not offer an Informal Resolution unless a Formal Complaint is filed.<sup>69</sup>~~

---

<sup>64</sup> Teal text moved to the Grievance Procedures section.

<sup>65</sup> Orange text moved to the Grievance Procedures section.

<sup>66</sup> Purple text moved to the Grievance Procedures section.

<sup>67</sup> Blue text moved to Grievance Procedures section.

<sup>68</sup> Green text moved to Grievance Procedures section.

<sup>69</sup> Blue text moved to Grievance Procedures section.

~~I. Information about how Radford University will protect the confidentiality of Complainants and other parties, including how Radford University will:~~

~~i. Complete publicly available recordkeeping, including reporting and disclosures required by the Clery Act, without the inclusion of personally identifying information about the Complainant;<sup>70</sup>~~

~~ii. Maintain as confidential, any supportive measures provided to the Complainant, to the extent that maintaining such confidentiality would not impair the ability of Radford University to provide the supportive measures; and<sup>71</sup>~~

~~iii. Ensure confidentiality of investigative files as education records protected by FERPA, including that the process for the Sexual Violence Threat Assessment in accordance with Virginia Code § 23.1-806 could, if the incident poses to members of the Radford University community a health or safety emergency, as defined by the FERPA regulations, lead to disclosure of personally identifying information to the law enforcement agency that would be responsible for investigating the incident and other appropriate parties whose knowledge of the information is necessary to protect the health and safety of the Complainant or other individuals.<sup>72</sup>~~

~~m. Any incidents of retaliation as defined in Section 3 should be reported to the Office of Compliance without delay.<sup>73</sup>~~

~~2. On receipt of a Formal Complaint from a Complainant, the Title IX Coordinator will provide written notice and written explanation of rights and options to the Respondent, which shall include:~~

~~a.—Notice of the allegations of sexual harassment, discrimination, or harassment potentially constituting a violation of this Policy, including sufficient details known at the time and with notice provided for the Respondent to prepare a response prior to an initial interview. Sufficient details will include the identities of the parties involved in the incident, if known, the conduct allegedly constituting a violation, and the date and location of the alleged incident, if known. The notice will also provide contact information for the Title IX Coordinator and a date by which the Respondent must contact the Title IX Coordinator, so the Respondent may receive additional information.<sup>74</sup>~~

~~b.—Notification of resources, both within Radford University and in the local community:~~

---

<sup>70</sup> Moved to new “disclosures” section.

<sup>71</sup> Deleted, redundant with supportive measures section.

<sup>72</sup> Moved to new “disclosures” section.

<sup>73</sup> Deleted, redundant.

<sup>74</sup> This is moved, in parts, to Discrimination and Harassment Grievance Procedure and Title IX Grievance Procedure.

- ~~**e.**—The procedures for Title IX, including filing a Formal Complaint, Formal Investigation, and Informal Resolution procedures, dismissal of cases, adjudication, appeals, and disciplinary sanctions and remedies:~~

~~Three factors determine the category of the case and, thus, the route by which the case is adjudicated. The determining factors are 1) whether the alleged incident is considered “sexual harassment,” 2) the location where the alleged incident occurred, and 3) the Respondent’s affiliation with Radford University (e.g., student, employee). Parties to a case will be notified simultaneously of the category in which their case falls. The categories are “Title IX Case,” “Student Conduct Referral Case,” and “Non-Title IX/Non-Student Case.” Parties to a case will be informed of the proper category for their case and will be informed if the category changes as investigators learn information. Cases will be identified and adjudicated as follow~~

- ~~**i.**—The case will be categorized as a “Title IX Case” and will be referred to a Decision Maker for a live hearing, with a document review as appeal, if~~

- ~~**(a)**—The allegation is sexual harassment, and~~
- ~~**(b)**—The incident(s) alleged occurred either on campus, off campus as part of Radford University’s education program or activity, or at an off-campus location controlled by a recognized student organization.~~

~~Refer to “Title IX Case Process” in Section 5.C.b.viii. and Appeal Document Review in Section 5.E.4. below.~~

- ~~**ii.**—The case will be categorized as a “Student Conduct Referral Case” and will be dismissed as a Title IX Case. However, the Title IX Coordinator will continue the fact-finding process and will refer the case for adjudication to the Office of Student Standards and Conduct, with appeal through that same process, if~~

- ~~**(a)**—The Respondent is a student, and~~
- ~~**(b)**—The allegation does not fall within the definition of sexual harassment, or~~
- ~~**(c)**—The alleged incident falls within the definition of sexual harassment; however, the alleged incident occurred neither on campus, nor within Radford University’s education program or activity, nor at an off-campus location controlled by a recognized student organization.~~

~~Refer to “Student Conduct Referral Case” in Section 5.C.b.vi. below~~

- ~~**iii.**—The case will be categorized as a “Non-Title IX/Non-Student Case” and will continue to be processed in the Office of Compliance, with a live appeal option, if~~

- ~~**(a)**—The Respondent is a Radford University employee or non-student, and~~
- ~~**(b)**—The allegation is violation of this Policy that does not fall within the definitions of sexual harassment, or~~
- ~~**(c)**—The alleged incident falls within the definition of sexual harassment; however,~~

the alleged incident occurred neither on campus, nor within Radford University's education program or activity, nor at an off-campus location controlled by a recognized student organization:

Refer to "Non-Title IX/Non-Student Case" in Section 5.C.b.vii. and Appeal Hearing in Section 5.E.3. below

- d.—The right to bring a trusted advisor of their choice with them to the meetings with the Office of Compliance. The advisor may be, but is not required to be, an attorney. The role of such advisors shall be limited to advice and consult, except during a live hearing with a Decision Maker. During a live hearing with a Decision Maker, the advisor's role is also to conduct cross-examination on behalf of the party. Other than a live hearing with a Decision Maker, neither the advisor for the Complainant nor the advisor for the Respondent shall be permitted to question parties or witnesses, raise objections or make statements or arguments at any meetings or proceedings during an investigation or any hearing.
- e.—The Respondent is presumed not responsible for the alleged conduct until the determination at the end of the grievance process:
- f.—All members of the Radford University community are expected to provide truthful information in any report or proceeding under this Policy and the Discrimination and Harassment Grievance Procedures. Submitting or providing any false or misleading information in bad faith or with a view toward personal gain or intentional harm to another in connection with any report, investigation, or proceeding under this Policy and the Discrimination and Harassment Grievance Procedures is prohibited and subject to conduct charges for students under the Standards of Student Conduct or discipline for employees under the appropriate policy:
- g.—If an incident contains any actions or allegations that are a violation of the Radford University Standards of Student Conduct, and that do not fall within the scope of this Policy, then the portion of the case where the Standards of Student Conduct applies may be referred to that office for adjudication and resolution:
- h.—If, in the course of an investigation, the Title IX Coordinator decides to investigate allegations about the Complainant or Respondent that were not included in the notice provided to the parties, if known, then the Title IX Coordinator will provide notice of the additional allegation(s) to the parties whose identities are known:
- i.—Both parties may inspect and review evidence relevant to the Formal Investigation and/or Informal Resolution:
- j.—The Complainant's right to decline to participate in a Title IX investigation and the Title IX Coordinator's ability to pursue a Formal Complaint and Formal Investigation:
  - i.—The Title IX Coordinator has discretion to sign a Formal Complaint and initiate an investigation under the following conditions:
    - (a)—The Title IX Coordinator has received multiple reports of potential sexual harassment, harassment, or discrimination against the same

Respondent;

~~(b) The Title IX Coordinator determines that circumstances surrounding an allegation (e.g., violence, use of weapons, threats, serial predation) warrant an investigation.~~

~~Where the Title IX Coordinator signs a Formal Complaint, the Title IX Coordinator is not a Complainant or otherwise a party to the investigation.~~

~~ii.—The Title IX Coordinator may dismiss a Formal Complaint or any allegations therein, if at any time during the investigation, hearing, or resolution the Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations therein; the Respondent is no longer enrolled in or employed by Radford University; or specific circumstances prevent the Office of Compliance from gathering evidence sufficient to reach a determination as to the Formal Complaint or allegations therein. The dismissal of a Formal Complaint may be appealed (see Section 5.E.4.).~~

~~iii.—The University may not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of Formal Complaints of sexual harassment discrimination or other discrimination or harassment. The University may not require the parties to participate in an Informal Resolution process and may not offer an Informal Resolution unless a Formal Complaint is filed.~~

~~k.—Information about how Radford University will protect the confidentiality of Complainants and other parties, including how Radford University will:~~

~~i.—Complete publicly available recordkeeping, including reporting and disclosures required by the Clery Act, without the inclusion of personally identifying information about the Complainant;~~

~~ii.—Maintain as confidential, any supportive measures provided to the Complainant, to the extent that maintaining such confidentiality would not impair the ability of Radford University to provide the supportive measures; and~~

~~iii.—Ensure confidentiality of investigative files as education records protected by FERPA, including that the process for the Sexual Violence Threat Assessment in accordance with Virginia Code § 23.1-806 could, if the incident poses to members of the Radford University community a health or safety emergency, as defined by the FERPA regulations, lead to disclosure of personally identifying information to the law enforcement agency that would be responsible for investigating the incident and other appropriate parties whose knowledge of the information is necessary to protect the health and safety of the Complainant or other individuals.~~

~~1.—Any incidents of retaliation as defined in Section 3 should be reported to the Office of Compliance without delay.<sup>75</sup>~~

~~3. Witnesses will be informed of resources on campus and in the community; the investigation and resolution process, including how to file a Formal Complaint; and how their information will be used in any report. As with all members of the Radford University community, witnesses are expected to provide truthful information in any report or proceeding under this Policy and the Discrimination and Harassment Grievance Procedures. Also<sup>76</sup>~~

### ~~C. Investigation and Resolution~~

~~1. After being informed of their Written Explanation of Rights and Options, a Complainant may choose to file a Formal Complaint. The Complainant will be asked to indicate what allegation(s) they want to pursue and which route of resolution they wish to take. There are two possible methods for investigation and resolution of a Formal Complaint alleging violations of the Discrimination and Harassment Policy: Informal Resolution and Formal Investigation.<sup>77</sup>~~

~~2.—In all cases, Radford University will ensure that the Title IX Coordinator, investigators, Decision Maker, or any person designated to facilitate any process, not have a conflict of interest or bias for or against complainants or respondents generally, or an individual Complainant or Respondent, in the investigation and resolution of reports and will strive to avoid the appearance of conflict of interest.<sup>78</sup>~~

~~3. In all investigations and resolutions, there is a presumption that the Respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process. All relevant evidence, both inculpatory and exculpatory, will be objectively evaluated, and determinations of credibility may not be based on a person's status as a Complainant, Respondent, or Witness.<sup>79</sup> In neither the Formal Investigation nor the Informal Resolution may Radford University require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.<sup>80</sup>~~

~~4.—Radford University will treat Complainants and Respondents equitably by offering supportive measures to a Complainant, by providing remedies to a Complainant where a~~

---

<sup>75</sup> Deleted, redundant.

<sup>76</sup> Black text moved to the end of the Grievance Procedures section.

<sup>77</sup> Green text moved to Grievance Procedures section.

<sup>78</sup> Purple text moved to Grievance Procedures section.

<sup>79</sup> Deleted, redundant.

<sup>80</sup> Orange text moved to the Grievance Procedures section.

determination of responsibility for sexual harassment, discrimination, or harassment has been made against the Respondent, and by following the grievance process before imposing disciplinary sanctions or other actions that are not supportive measures against a Respondent.<sup>81</sup>

5. Parties will be provided an equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.<sup>82</sup> Parties will not be restricted from their ability to discuss the allegations under investigation<sup>83</sup> or to gather and present relevant evidence.<sup>84</sup> including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney, and not limit the choice or presence of advisor for either the Complainant or Respondent in any meeting or grievance proceeding. The role of such advisors shall be limited to advice and consult, except during a live hearing with a Decision Maker. During a live hearing with a Decision Maker, the advisor's role is also to conduct cross-examination on behalf of the party. Other than a live hearing with a Decision Maker, neither the advisor for the Complainant nor the advisor for the Respondent shall be permitted to question parties or witnesses, raise objections or make statements or arguments at any meetings or proceedings during an investigation or any hearing.<sup>85</sup> All hearings will be closed to the public.<sup>86</sup>

6. The Title IX Coordinator will provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate.<sup>87</sup>

7. The Title IX Coordinator must investigate the allegations in a Formal Complaint; however, the Title IX Coordinator may also dismiss a Formal Complaint if the conduct alleged in the Formal Complaint 1) would not constitute sexual harassment, discrimination, or harassment, even if proved; 2) did not occur in Radford University's education program or activity; or 3) did not occur against a person in the United States. Such dismissal does not preclude action under another provision of Radford University's code of conduct. If the Title IX Coordinator dismisses the Formal Complaint, the Title IX Coordinator will promptly send written notice of the dismissal and reason(s) to the parties simultaneously.<sup>88</sup>

8. The Title IX Coordinator may consolidate Formal Complaints as to allegations of sexual harassment, discrimination, or harassment against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party, where the allegations of sexual harassment, discrimination, or harassment

---

<sup>81</sup> Deleted, redundant.

<sup>82</sup> Deleted, redundant.

<sup>83</sup> Purple text moved to Grievance Procedures section.

<sup>84</sup> Deleted, redundant.

<sup>85</sup> Deleted, redundant.

<sup>86</sup> Orange text moved to the Grievance Procedures section.

<sup>87</sup> Blue text moved to the Grievance Procedures section.

<sup>88</sup> Black text moved to the Grievance Procedures under #2 dismissals

~~arise out of the same facts or circumstances. Where a grievance process involves more than one Complainant or more than one Respondent, references in this section to the singular “party,” “complainant,” or “respondent,” include the plural as applicable.<sup>89</sup>~~

~~9. If a Formal Investigation is requested, at any time prior to reaching a determination regarding responsibility, the Title IX Coordinator may facilitate an Informal Resolution process that does not involve a full investigation and adjudication, provided that the Title IX Coordinator provides written notice as outlined in Section 5; obtains the parties’ voluntary, written consent to the Informal Resolution process; and the Informal Resolution process is not offered or facilitated to resolve allegations that an employee sexually harassed or otherwise discriminated against a student.<sup>90</sup>~~

### ~~a. Informal Resolution~~

- ~~i. For alleged violations of the Discrimination and Harassment Policy, the Complainant and the Respondent have the option to proceed under an informal procedure, when deemed permissible by the Title IX Coordinator and when the allegations are not that an employee sexually harassed or otherwise discriminated against a student.~~
- ~~ii. If the Complainant, the Respondent, and the Title IX Coordinator all agree that an Informal Resolution should be pursued, the Title IX Coordinator shall attempt to facilitate a resolution that is agreeable to all parties. Prior to beginning the Informal Resolution process, the Title IX Coordinator must obtain the parties’ voluntary, written consent to the process.<sup>91</sup>~~
- ~~iii. Upon initiating an Informal Resolution, the Title IX Coordinator will provide the parties written notice of the following:
  - ~~(a) the allegations;~~
  - ~~(b) either party has the right to withdraw from the Informal Resolution process at any time prior to agreeing to a resolution and may resume a Formal Investigation process with respect to the Formal Complaint;~~
  - ~~(c) if an Informal Resolution is pursued and a resolution is reached, parties may not request a Formal Investigation arising from the same allegations;~~
  - ~~(d) any agreement between parties as part of the Informal Resolution will be provided to the parties in writing. Any violation of the agreement should be reported by the parties to the Title IX Coordinator; and~~
  - ~~(e) the record of the Informal Resolution will be maintained per the Policy.~~~~

---

<sup>89</sup> Deleted, redundant.

<sup>90</sup> Black text moved to the Grievance Procedures section.

<sup>91</sup> Purple text moved to the Grievance Procedures section.

- iv.—Under this procedure, the Title IX Coordinator will gather information and evidence only to the extent fact-finding is needed to resolve the conflict and to protect the interests of all parties, Radford University, and the campus community. Typically, an Informal Resolution will be completed within 30 business days of confirmed delivery of the Formal Complaint. If an extension is necessary, all parties will be notified of the expected resolution time frame and the reason for the extension. If at any point during the Informal Resolution process, the Complainant, the Respondent, or the Title IX Coordinator wish to suspend the Informal Resolution and proceed through the Formal Investigation, such request will be granted<sup>92</sup>.
- v.—Any resolution of a Formal Complaint through an Informal Resolution must adequately address the concerns of the Complainant, as well as the rights of the Respondent and the responsibility of Radford University to prevent, address, and remedy alleged violations of the Discrimination and Harassment Policy. Informal Resolution remedies may include providing training; providing counseling to an individual whose conduct, if not ceased, could rise to the level of discrimination or harassment; confidential briefing of the Respondent's work supervisor; or use of processes and sanctions set forth in Radford University's code of conduct. There shall be no right of appeal afforded to the complainant or the respondent following Informal Resolution.<sup>93</sup>

**b.—Formal Investigation**

- i. If a Complainant asks for a Formal Investigation, the Title IX Coordinator will conduct a prompt, adequate, reliable, and impartial investigation of the Formal Complaint.<sup>94</sup> The Complainant is not required to submit a written report to the Title IX Coordinator to commence a Formal Investigation.<sup>95</sup> The Complainant may provide additional supporting documents, evidence, or recommendations of witnesses to be interviewed during the course of the Formal Investigation.<sup>96</sup> The Complainant must also disclose if a Formal Complaint has been filed with another Radford University office, or a state or federal entity for the same offense.<sup>97</sup>
- ii.—Typically, a Formal Investigation, not including the time necessary for potential appeals, will be completed within 45 business days of receipt of notice. If extension is necessary, all parties will be notified of the expected time frame and the reason for the extension.<sup>98</sup> Only the Title IX Coordinator, or a trained investigator designated by the Title IX Coordinator, shall conduct the investigation.<sup>99</sup>

---

<sup>92</sup> Purple text moved Informal Resolution Procedure.

<sup>93</sup> Dark blue text moved to Informal Resolution Procedure.

<sup>94</sup> Deleted, redundant.

<sup>95</sup> Dark blue text deleted, not necessary to specify this.

<sup>96</sup> Deleted, redundant.

<sup>97</sup> Purple text moved to the Grievance Procedures section.

<sup>98</sup> Green text moved to each of the three separate grievance procedures.

<sup>99</sup> Blue text moved to Discrimination and Harassment Grievance Procedure and Title IX Grievance Procedure.

iii. Both Complainants and Respondents will be provided an equal opportunity to inspect and review any evidence obtained as part of an investigation, that is directly related to the allegations raised in the Formal Complaint, including the evidence upon which the University does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence, whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. The Title IX Coordinator will send to each party and the party's advisor, if any, the Draft Investigative Report and the evidence subject to inspection and review in an electronic format or hard copy. The parties will have ten (10) business days to submit a written response to the Draft Investigative Report, which the investigator will consider prior to completion of the Final Investigative Report. Radford University will make all such evidence subject to the parties' inspection and review available at any hearing to give each party equal opportunity to refer to such evidence during the hearing, and for purposes of cross-examination.<sup>100</sup>

iv. The investigator will create a Final Investigative Report that fairly summarizes relevant evidence. At least ten (10) business days prior to a hearing, the Title IX Coordinator will send the Final Investigative Report to each party and the party's advisor, if any, in an electronic format or a hard copy.<sup>101</sup>

v. The burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on Radford University and not on the parties provided that the University cannot access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the University obtains that party's voluntary, written consent to do so for a grievance process.<sup>102</sup>

#### **vi. Student Conduct Referral Case**

If the criteria for a "Student Conduct Referral Case" are met, the case will be dismissed as a Title IX Case. However, the Title IX Coordinator will continue the fact-finding process and will refer the case for adjudication to the Office of Student Standards and Conduct for adjudication and appeal. On receiving notice of the referral, the Office of Student Standards and Conduct will contact the parties in the case to notify them of the policies and procedures that will be followed for adjudication, appeal, and implementation of sanctions (if any).<sup>103</sup>

---

<sup>100</sup> Orange text moved to Discrimination and Harassment Grievance Procedure and Title IX Grievance Procedure and altered to appropriate timelines.

<sup>101</sup> Blue text moved to Discrimination and Harassment Grievance Procedure and Title IX Grievance Procedure and altered appropriately.

<sup>102</sup> Purple text has been moved to Discrimination and Harassment Grievance Procedure and Title IX Grievance Procedure and altered appropriately.

<sup>103</sup> Orange text has been moved to the Discrimination and Harassment Grievance Procedure and simplified.

## ~~vii. Non–Title IX/Non–Student Case~~

~~(a) Using information learned from interviews and gathered as evidence during the Formal Investigation, the Title IX Coordinator will determine whether there is a preponderance of the evidence to substantiate the alleged violation of the Policy. A Respondent will not be found in violation of the Policy absent a finding of preponderance of evidence that the violation occurred.~~

~~(b) If the Title IX Coordinator finds, by a preponderance of the evidence that violation of the Policy did occur, the Title IX Coordinator's written report will contain recommendations for steps that should be taken to prevent recurrence of any such violation and, as appropriate, remedies for the Complainant and the community. The written report also will contain the Title IX Coordinator's recommendation on sanctions. If supportive measures have been taken, the Title IX Coordinator shall include a recommendation regarding continuation, suspension or modification of any such supportive measures. The Title IX Coordinator shall provide the written report to both the Complainant and Respondent. Notwithstanding any other provision of these procedures, the Respondent shall not be provided information about the individual remedies offered or provided to the Complainant, but such information may be provided to the Complainant. The Complainant and Respondent will be advised of their right to appeal any finding or recommended remedy or sanction to the Appeal Committee. The appeal procedure outlined in Section 5.E.3. will also be explained. The completed investigation and recommended sanctions will be provided to the Department of Human Resources and other appropriate department heads to determine and impose appropriate sanctions, as described below.<sup>104</sup>~~

## ~~viii. Title IX Case~~

~~Following the Formal Investigation, the Title IX Coordinator will schedule a live hearing with a Decision Maker.~~

~~(a) The Title IX Coordinator will notify both parties of the time, date, and location of the live hearing.~~

~~(b) The hearing will occur within ten (10) business days from the date the Final Investigative Report is distributed to the parties. If an extension is necessary, all parties will be notified of the expected time frame and the reason for the extension.~~

~~(c) The Decision Maker will facilitate the hearing.~~

~~(d) The Decision Maker will permit each party's advisor to ask the other~~

---

<sup>104</sup> Purple section moved to Discrimination and Harassment Grievance Procedure.

party and any witnesses all relevant questions and follow-up questions, including questions challenging credibility. Such cross-examination at the live hearing must be conducted directly, orally, and in real time by the party's advisor of choice and never by a party personally.

- (i) Only relevant cross examination and other questions may be asked of a party or witness. Before a Complainant, Respondent, or witness answers a cross-examination or other question, the Decision Maker must first determine whether the question is relevant and explain any decision to exclude a question as not relevant.
- (ii) If a party or witness does not submit to cross examination at the live hearing, the Decision Maker must not rely on any statement of that party or witness in reaching a determination regarding responsibility; however, the Decision Maker cannot draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.
- (e) Live hearings may be conducted with all parties physically present in the same geographic location or, at Radford University's discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually, with technology enabling participants to simultaneously see and hear each other. At the request of either party, Radford University will provide for the live hearing to occur with the parties located in separate rooms with the technology enabling the Decision Maker and parties to simultaneously see and hear the other party or the witness answering questions.
- (f) If a party does not have an advisor present at the live hearing, Radford University must provide, without fee or charge to that party, an advisor of the University's choice, who may be, but is not required to be, an attorney, to conduct cross examination on behalf of that party.
- (g) Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.
- (h) Radford University will create an audio or audiovisual recording, or transcript, of any live hearing and make it available to the parties for inspection and review.
- (i) Following the hearing, the Decision Maker, who is not the Title IX Coordinator or investigator, will issue to both parties simultaneously a written

determination regarding responsibility using the preponderance of the evidence standard. The written determination will include:

- ~~(i) Identification of the allegations potentially constituting sexual harassment, discrimination or harassment;~~
  - ~~(ii) A description of the procedural steps taken from the receipt of the Formal Complaint through the written determination of responsibility, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;~~
  - ~~(iii) Findings of fact supporting the determination of responsibility;~~
  - ~~(iv) Conclusions regarding the application of the Policy to the facts;~~
  - ~~(v) A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions Radford University imposes on the Respondent, and whether remedies designed to restore or preserve equal access to Radford University's education program or activity will be provided by the University to the Complainant;~~
  - ~~(vi) The procedures and permissible bases for the Complainant and Respondent to appeal.~~
- ~~(j) The written determination regarding responsibility becomes final either on the date that the University provides the parties with the written determination of the result of the appeal, if an appeal is filed, or the date on which an appeal would no longer be considered timely, if an appeal is not filed.<sup>105</sup>~~

## **D. Sanctions and Remedies**

1. If it is determined that conduct in violation of this Policy has occurred, sanctions and remedies will depend on the facts and circumstances of each particular situation, the frequency and severity of the offense, institutional precedence, and any history of past conduct.

2. Remedies will be designed to restore or preserve equal access to Radford University's education program or activity. The Title IX Coordinator will consult with the Complainant to determine those remedies in order to restore or preserve equal access. Sanctions and remedies will be reasonable and will fall within the bounds of law and Radford University Policy. Sanctions and remedies may affect one's access to and/or affiliation with Radford University's physical campus and/or any portion of Radford University's education program or activity.

3. In addition to sanctions that may be imposed on an individual found in violation of

---

<sup>105</sup> Green text moved to Title IX Grievance Procedure

this Policy, Radford University will take steps to prevent recurrence of any discrimination or harassment and to remedy discriminatory effects on the Complainant and others, if appropriate:

4. Not every violation of the Discrimination and Harassment Policy will result in an identical sanction. Radford University reserves the right to impose different sanctions depending on the severity of the incident as well as any previous proven violations by the respondent:

a. Sanctions and remedies for students may include education, disciplinary probation, deferred suspension, suspension, and penalties up to and including dismissal. Such sanctions and remedies will be recommended by either the Title IX Coordinator or by the Decision Maker in consultation with the Director of the Office of Student Standards and Conduct and in accordance with the Standards of Conduct.

b. Sanctions and remedies for employees may include education, probationary status, reassignment and termination from employment. Such sanctions and remedies will be recommended by either the Title IX Coordinator or by the Decision Maker in consultation with the Department of Human Resources and the Respondent's supervisor(s) or division leader(s):

i. Sanctions and remedies for Teaching and Research Faculty will be determined by the Provost, in consultation with the Deans and/or the President and in accordance with the Teaching and Research Faculty Handbook and any other applicable Radford University policies and regulations:

ii. Sanctions and remedies for Administrative and Professional Faculty will be determined by the employee's supervisor and Division Head, in consultation with the Assistant Vice President for Human Resources and in accordance with the Administrative and Professional Faculty Handbook and any other applicable Radford University policies and regulations:

iii. Sanctions and remedies for Classified or Wage employees will be determined by the employee's supervisor in consultation with the Assistant Vice President for Human Resources in accordance with the Commonwealth's Standards of Conduct Policy.

c. Contractors shall assign for duty only employees acceptable to Radford University. Radford University reserves the right to require the Contractor to remove from campus any employee who violates the Discrimination and Harassment Policy.

d. Visitors, including, but not limited to, students participating in camps or other programs at Radford University, who violate the Discrimination and Harassment Policy will be directed to immediately leave campus and may be subject to a permanent ban from campus.<sup>106</sup>

---

<sup>106</sup> Purple text moved to the Discrimination and Harassment Grievance Procedure and Title IX Grievance Procedure and simplified.

5. ~~If neither the Complainant nor the Respondent requests an appeal, then a determination regarding the imposition of sanctions shall be made within ten (10) business days of the date of either the Title IX Coordinator's Final Investigative Report for a case adjudicated through the Non-Title IX/Non-Student Case process, or the Decision Maker's written determination for a case adjudicated through the Title IX Case process. If an appeal is requested, sanctions, if any, shall be imposed within ten (10) business days of the final decision of the President after consideration of the written decision of the Appeal Committee. If extension of the time frame for sanctions to be imposed beyond ten (10) business days is necessary, all parties will be notified by the appropriate office of the expected time for imposing the sanctions. The Respondent shall be informed in writing of any sanctions imposed for violation of the Discrimination and Harassment Policy, by the individual imposing the sanctions, within five (5) business days of the determination of an appropriate sanction. The Title IX Coordinator shall be provided a copy of such written notification. The Title IX Coordinator will disclose to the Complainant, as simultaneously as possible to the notification provided to the Respondent, information about the sanctions that directly relate to the Complainant as is permitted by state and federal law including FERPA and the Virginia Freedom of Information Act.<sup>107</sup>~~

#### A. Informal Resolution

1. ~~The Title IX Coordinator may offer an Informal Resolution as appropriate after a Formal Complaint is filed.<sup>108</sup>~~
2. ~~If the Complainant, the Respondent, and the Title IX Coordinator all agree that an Informal Resolution should be pursued, the Title IX Coordinator shall attempt to facilitate a resolution that is agreeable to all parties. Prior to beginning the Informal Resolution process, the Title IX Coordinator must obtain the parties' voluntary, written consent to the process.<sup>109</sup>~~
3. ~~If an **Formal** investigation is requested, at any time prior to reaching a determination regarding responsibility, the Title IX Coordinator may facilitate an Informal Resolution process that does not involve a full investigation and adjudication, provided that the Title IX Coordinator provides written notice; **and** obtains the parties' voluntary, written consent to the Informal Resolution process. ~~;~~ ~~and the~~~~
4. ~~Informal Resolution process is not offered or facilitated to resolve allegations that an employee sexually harassed or otherwise discriminated against a student.<sup>110</sup>~~

---

<sup>107</sup> Green text moved to Discrimination and Harassment Grievance Procedure and Title IX Grievance Procedure.

<sup>108</sup> Orange text moved from Written Explanation of Rights and Options.

<sup>109</sup> Dark blue text moved from Informal Resolution section.

<sup>110</sup> Black text moved from the Investigation and Resolution section.

€ B. Investigation grievance procedures for investigating Formal Complaints depend on the allegations as follows:

1. The “Compliance Investigation” A ~~“Non-Title IX Case”~~ is the investigation grievance procedure for allegations other than Title IX incidents. ~~sexual harassment and allegations of sexual harassment where the alleged incident occurred neither on campus, nor within the University’s education program or activity, nor at an off-campus location controlled by a recognized student organization.~~<sup>111</sup>
2. The “Title IX Investigation” A ~~“Title IX Case”~~ is the investigation grievance procedure for allegations of Title IX incidents. ~~sexual harassment occurring on-campus, off-campus as part of the University’s education program or activity, or at an off-campus location controlled by a recognized student organization.~~

### C. Formal Complaint Grievance Procedures

1. At a minimum, the grievance procedures:
  - a. Provide for the prompt, equitable, and effective resolution of Formal Complaints.
  - b. Provide that ~~only~~ the Title IX Coordinator, or a trained investigator designated by the Title IX Coordinator, shall conduct the investigation.<sup>112</sup>
  - c. Require that any person designated ~~as a~~ Title IX Coordinator, investigators, Decision Maker, or any person designated to facilitate any process, not have a conflict of interest ~~or~~ for or against complainants or respondents generally, or an individual complainant or respondent.<sup>113</sup>
  - d. Treat Complainants and Respondents equitably.<sup>114</sup>
  - e. Presume that the Respondent is not responsible ~~presumed not responsible~~ for the alleged conduct until the determination at the end of the grievance process.<sup>115</sup>
  - f. Provide notice of the allegations.
  - g. ~~The Title IX Coordinator will~~ Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate.<sup>116</sup>
  - h. Allow ~~the right for~~ both parties to have a trusted advisor of their choice during any meeting or grievance proceeding.
  - i. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and

---

<sup>111</sup> Purple text has been moved from Written Explanation of Rights and Options and shortened for easier understanding.

<sup>112</sup> Green text moved from investigation and resolution section.

<sup>113</sup> Purple text moved from Investigation and resolution section

<sup>114</sup> Added as best practice.

<sup>115</sup> Purple text moved from Written Explanation of Rights and Options

<sup>116</sup> Blue text moved from Investigation and Resolution section.

exculpatory evidence. Parties will not be restricted from their ability to discuss the allegations under investigation.<sup>117</sup>

j. Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the University and not on the parties provided that the University cannot access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the University obtains that party's voluntary, written consent to do so for a grievance process.

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

l. Provide both parties an equal opportunity to respond to the evidence about the allegations against the Respondent.

m. Require an objective evaluation of all relevant evidence, including both inculpatory and exculpatory evidence, and provide that credibility determinations may not be based on a person's status as a Complainant, Respondent, or witness.

n. Include reasonably prompt time frames for concluding the grievance process, including reasonably prompt time frames for filing and resolving appeals and informal resolution processes, and a process that allows for the temporary delay of the grievance process or the limited extension of time frames for good cause with written notice to the complainant and the respondent of the delay or extension and reasons for the action.

## 2. The procedures for resolving and investigating Formal Complaints

a. A Formal Complaint or any allegations therein may be dismissed under the following conditions:→

i. If at any time during the investigation, hearing, or resolution the Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations therein;

ii. The Respondent is no longer enrolled in or employed by ~~Radford~~ the University; or

iii. Specific circumstances prevent ~~the Office of Compliance investigators~~ from gathering evidence sufficient to reach a determination as to the Formal Complaint or allegations therein.<sup>118</sup>

---

<sup>117</sup> Purple text moved from Investigation and Resolution section.

<sup>118</sup> Purple text moved from Written Rights and Options.

b. A Formal Complaint involving a Title IX incident must be dismissed if the conduct alleged in the Formal Complaint a) would not constitute ~~sexual harassment, discrimination, or harassment~~, a Policy violation even if proved; b) did not occur in the University's education program or activity; or c) did not occur against a person in the United States. Such dismissal does not preclude action under another provision of the University's code of conduct.<sup>119</sup>

i. Notification of dismissal and reason(s) will be provided to parties in writing.

ii. The dismissal of a Formal Complaint may be appealed.<sup>120</sup>

c. Consolidation of Formal Complaints may occur as to allegations against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party, where the allegations arise out of the same facts or circumstances.

~~€~~ d. The Title IX Coordinator ~~to~~ may sign a Formal Complaint and initiate an investigation under the following conditions:

i. The Title IX Coordinator has received multiple reports of potential ~~sexual harassment, harassment, or discrimination~~ Policy violations against the same Respondent.

ii. The Title IX Coordinator determines that circumstances surrounding an allegation (~~e.g., violence, use of weapons, threats, serial predation~~) warrant an investigation.

Where the Title IX Coordinator signs a Formal Complaint, the Title IX Coordinator is not a Complainant or otherwise a party to the investigation<sup>121</sup>

~~e. If, in the course of an investigation, the~~ The Title IX Coordinator may ~~decides to~~ investigate allegations about the Complainant or Respondent that were not included in the notice provided to the parties, if known, ~~then the Title IX Coordinator will provide with~~ notice of the additional allegation(s) to the parties whose identities are known.<sup>122</sup>

3. Following an investigation and evaluation of all relevant evidence, the University will:

a. Provide a written decision using the preponderance of the evidence standard of proof.

b. Implement disciplinary sanctions and remedies as appropriate.

---

<sup>119</sup> Purple text moved from Written Rights and Options.

<sup>120</sup> Purple text moved from Written rights and options

<sup>121</sup> Blue text moved from Written Rights and Options.

<sup>122</sup> Green text was moved from Written Rights and Options.

i. Disciplinary sanctions are consequences imposed on a Respondent following a determination that the allegation was substantiated.

ii. Remedies are measures provided to a Complainant to restore or preserve that person's access to the University's education program or activity after a determination is made that ~~discrimination or harassment occurred~~ the allegations were substantiated.

iii. Disciplinary sanctions and remedies depend on the facts and circumstances of each particular situation, the frequency and severity of the offense(s), institutional precedence, and any history of past conduct. Disciplinary sanctions and remedies may affect one's access to and/or affiliation with the University's physical campus and/or any portion of the University's education program or activity.

iv. Disciplinary sanctions and remedies for students may include education, disciplinary probation, deferred suspension, suspension, and penalties up to and including dismissal. Such disciplinary sanctions and remedies will be recommended ~~by the Decision Maker~~ in consultation with the Title IX Coordinator and the Director of the Office of Student Standards and Conduct ~~and~~ in accordance with the Standards of Student Conduct.

(a) Pursuant to VA Code § 23.1-900, any student who accepts responsibility for, or is determined to have committed, a violation of the University's Discrimination and Harassment Policy or the Student Standards of Conduct involving sexual violence, and the sanction includes suspension or dismissal, will have a prominent notation placed on the student's academic transcript. A student under investigation for such a violation who withdraws from the University or does not enroll in a subsequent fall or spring term, prior to the investigation being concluded, will have a prominent notation placed on the student's academic transcript.<sup>123</sup>

v. Disciplinary sanctions and remedies for employees may include education, probationary status, reassignment, and termination from employment. Such disciplinary sanctions and remedies will be recommended ~~by the Decision Maker~~ in consultation with the Department of Human Resources; ~~and/or~~ the Respondent's supervisor(s) or division leader(s), ~~and/or the Provost in consultation with the Deans and/or President, and in~~

---

<sup>123</sup> Green text added – state law

accordance with applicable Federal, State, and University policies and regulations.

vi. Contractors shall assign for duty only employees acceptable to Radford the University. Radford The University reserves the right to require the Contractor to remove from campus any employee who violates the Discrimination and Harassment Policy.

vii. Visitors, including, but not limited to, individuals participating in camps or other programs at the University, who violate the Discrimination and Harassment Policy will may be directed to immediately leave campus and may be subject to a permanent ban from campus.<sup>124</sup>

c. The University will offer the parties an appeal. Grounds for appeal are as follows:

- i. The Title IX Coordinator, investigator, or Decision Maker had a conflict of interest or bias for or against Complainants or Respondents generally, or the individual Complainant or Respondent, that affected the outcome of the matter;
- ii. Procedural irregularity that affected the outcome of the matter;
- iii. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made that could affect the outcome of the matter; and
- iv. A student's disciplinary sanctions involving separation were unreasonable in light of all relevant factors; other student disciplinary sanctions are not eligible for appeal.<sup>125</sup>

Appeals submitted that do not demonstrate sufficient grounds in areas 2, 3, or 4 will be denied.<sup>126</sup>

4. All members of the University community are expected to provide truthful information in any report or proceeding under this Policy (see Section 5). Submitting or providing any false or misleading information in bad faith or with a view toward personal gain or intentional harm to another in connection with any report, investigation or proceeding under this Policy and the Grievance Procedures is prohibited and subject to conduct charges for students under the Standards of Student Conduct or discipline for employees under the appropriate policy. This provision does not apply to reports made or information provided in good faith, even if the facts as alleged are not later substantiated by a preponderance of the evidence.<sup>127</sup> Information and evidence obtained during this process are confidential except as permitted by law.<sup>128</sup>

---

<sup>124</sup> Purple text moved from Sanctions section, simplified, and reordered for clarity.

<sup>125</sup> Employees may not file appeal under reason 4 due to there being other administrative appeal opportunities.

<sup>126</sup> Blue text moved from Policy, Appeals section, mirroring best practice.

<sup>127</sup> Orange section was moved from Reporting and also Written Rights and Options.

<sup>128</sup> Added this sentence to all forms, also adding it to this policy.

5. If ~~an incident a report~~ contains any action or allegation that ~~are is~~ a violation(s) of the ~~Radford any~~ University Policy Standards of Student Conduct, and that ~~does~~ not fall within the scope of this Policy, then ~~the~~ that portion of the case where ~~the Standards of Student Conduct applies~~ may be referred to that ~~the~~ appropriate office for adjudication and resolution.<sup>129</sup>

~~iii-~~ 6. The University may not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, wavier of the right to an investigation and adjudication of a Formal Complaint ~~of sexual harassment or other discrimination or harassment.~~

7. The University may not require the parties to participate in an Informal Resolution process.

8. Students and employees have the responsibility to participate fully and truthfully in investigations.<sup>130</sup>

~~3~~9. Witnesses will be informed of resources on campus and in the community; ~~and of~~ the investigation and resolution process, including how to file a Formal Complaint; ~~and~~ how their information will be used in any report. As with all members of the Radford University community, witnesses are expected to provide truthful information in any report or proceeding under this Policy. ~~and the Discrimination and Harassment Grievance Procedures.~~ Information and evidence witnesses obtain during this process are confidential except as permitted by law.

10. All hearings will be closed to the public.<sup>131</sup>

11 ~~9~~. The Complainant must ~~also~~ disclose if a ~~Formal~~ Complaint has been filed with another ~~Radford~~ University office, or a state or federal entity for the same offense.<sup>132</sup>

~~12. 10. Radford~~ The University may remove a Respondent from an educational program or activity on an emergency basis, provided that the University undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of ~~sexual harassment, discrimination, or harassment violations of this Policy~~ justifies removal, and provides the Respondent with notice and an opportunity to challenge the decision immediately following the removal. ~~Radford The~~ University may temporarily reassign or place on administrative leave any employee alleged to have violated

---

<sup>129</sup> Green text moved from Written Rights and Options section.

<sup>130</sup> Blue text moved from Written Rights and Options section.

<sup>131</sup> Green text moved from Investigation and Resolution section.

<sup>132</sup> Purple text moved from Investigation and resolution section.

this Policy, pending investigation. Leave will be administered in accordance with appropriate employment policies.<sup>133</sup>

## E. Appeals

### 1. Composition of the Appeal Committee

1.—The Appeal Committee shall be comprised of trained individuals selected by the Title IX Coordinator from a pool of faculty and staff appointed by the President: Teaching and Research Faculty members are nominated to the President by the Provost; Administrative and Professional Faculty members are nominated to the President by the Vice President for Finance and Administration, and Classified Employee members are nominated to the President by the Assistant Vice President for Human Resources. Each Appeal Committee shall include one member from each of the three representative areas. The President shall select individuals within the pool who are identified as Appeal Committee Chairs. Committee members shall serve indefinitely at the pleasure of the President. The President may appoint one or more persons to serve on the Committee temporarily to fill a vacancy due to recusal or otherwise to ensure a full three-member Committee. The President has sole discretion to permanently remove members from the pool.

2.—The Appeal Committee will not include the same person who served as the Decision Maker who reached the determination regarding responsibility; the investigator(s), or the Title IX Coordinator. Further, Radford University requires that individuals serving on the Appeal Committee not have a conflict of interest or bias for or against complainants or respondents generally or an individual Complainant or Respondent

2. The grounds for appeal are as follows:

a. The Title IX Coordinator, investigator, or Decision Maker had a conflict of interest or bias for or against complainants or respondents generally, or the individual Complainant or Respondent, that affected the outcome of the matter;

---

<sup>133</sup> Black text moved from supportive measures section.

- b. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter;
- c. Procedural irregularity that affected the outcome of the matter;
- d. The recommended sanctions or remedies are substantially outside the parameters or guidelines set by Radford University for this type of offense, as outlined in Section 5.D.

### **3. Appeal Procedure for a “Non-Title IX/Non-Student Case”**

- a. A Complainant or Respondent desiring to appeal the investigative findings shall file a written request for appeal with the Title IX Coordinator within five (5) business days of delivery of the Final Investigative Report.
- b. The Title IX Coordinator will notify the other party in writing when an appeal is filed.
- c. Within five (5) business days of receipt of the written request for appeal, the Title IX Coordinator will notify the parties of the names of the individuals serving on the Appeal Committee. The parties must raise, within five (5) business days of such notification, objections to members of the Committee on the basis of conflict of interest or bias for or against the appellant or appellee. The objection shall be made to the Title IX Coordinator, who will present the objection to the President. The President shall rule on any such objections within five (5) business days:
  - a. ~~Within five (5) business days following the deadline to raise objections, or within five (5) business days following the resolution of the objection, the Title IX Coordinator will notify the parties of the time, date, and location of the appeal hearing. Such appeal hearings typically will be scheduled within fifteen (15) business days of receipt of the request for appeal. If extension beyond fifteen (15) business days is necessary, both parties will be notified by the Appeals Committee of the revised time frame.~~
- d. Within five (5) business days following the deadline for appeal, the appealing party (appellant) must submit a written statement in support of, or challenging, the outcome; identify the names and addresses of witnesses that are requested to be called at the hearing; identify and include copies of any documents that will be used as evidence at the hearing; describe with specificity the grounds for appeal and request a specific remedy. The non-appealing party (appellee) also may submit, within five (5) business days of the deadline for appeal, such information for the Committee's consideration. The Title IX Coordinator will provide to the Committee within five (5) business days prior to the hearing, a copy of the

Final Investigative Report and copies of any documents used in the investigation:

e. Both the appellant and the appellee may retain legal counsel at their own expense or designate a non-attorney advisor to accompany him or her at any meeting or proceeding in the appeal process. If either party has retained legal counsel or a non-attorney advisor, the party must immediately notify the Committee Chair of such representation. The role of counsel or the non-attorney advisor for the parties shall be limited to advice and consultation with the attorney's client and the client's witnesses. Neither counsel/advisor for the appellant nor counsel/advisor for the appellee shall be permitted to question witnesses, raise objections, or make statements or arguments to the Committee at the hearing. If either party is represented by legal counsel, Radford University may be represented at the hearing by assigned legal counsel from the Office of the Attorney General, who will ensure that the rights of Radford University and the parties are respected.

f. The Chair of the Committee shall preside over the hearing. The hearing will be a non-adversarial proceeding and rules of evidence shall not be strictly applied. However, the Chair of the Committee may limit evidence or testimony that is not relevant to a determination of whether a violation of the Policy occurred and whether the grounds for appeal are met by a preponderance of evidence. The hearing will be conducted in a fair and impartial manner. Both the appellant and appellee, or the Title IX Coordinator if the appellee does not participate, will address the Chair of the Committee and not each other. The Chair will make the final decision on all matters of procedure during the hearing.

g. The past sexual history or sexual character of a party to the Formal Complaint, Complainant or Respondent, with anyone other than each other, will not be admissible. Notwithstanding the above, demonstration of pattern, repeated, and/or predatory behavior by the Respondent, in the form of previous findings in any Radford University or judicial proceeding will be admissible. The parties will be notified in advance by the Appeal Committee Chair of the hearing if any information addressed by this paragraph is deemed admissible.

h. The Appeal Committee will review all provided documents and, within ten (10) business days following the hearing, the Committee will submit a written recommendation simultaneously to both parties, the Title IX Coordinator, and the President. The recommendation shall include: (i) a description of the appellant's grounds for appeal; (ii) whether such grounds are accepted or rejected and the rationale for such determination; (iii) the Committee's decision to uphold or reject the findings of the Title IX

Coordinator and/or the recommended sanction and the rationale for such determination; (iv) if the Title IX Coordinator's findings and/or recommended sanction are rejected, the findings of the Committee and recommendations for resolution, and (v) the materials the Committee members were provided by the Title IX Coordinator and by the appellant and appellee.

i. Within three (3) business days of the Committee's recommendation, the President shall notify the Committee, the Title IX Coordinator, and the parties, in writing, of his decision relative to the findings and recommendations of the Committee. The decision of the President is final with no further right to appeal.

#### **4. Appeal Procedure (Document Review) for a “Title IX Case” and a “Dismissal of Formal Complaint”**

a. A Complainant or Respondent may appeal the Decision Maker's written determination, or the Title IX Coordinator's dismissal of a Formal Complaint. In order to request appeal, the Appellant shall file a written request for appeal with the Title IX Coordinator within five (5) business days of delivery of Decision Maker's findings or the Title IX Coordinator's Written Notice of Dismissal of Formal Complaint.

b. The Title IX Coordinator will notify the other party in writing when an appeal is filed.

c. Within five (5) business days of receipt of the written request for appeal, the Title IX Coordinator will notify the parties of the names of the individuals serving on the Appeal Committee. The parties must raise within five (5) business days of such notification, objections to members of the Committee on the basis of conflict of interest or bias for or against the appellant or appellee. The objection shall be made to the Title IX Coordinator, who will present the objection to the President. The President shall rule on any such objections within five (5) business days.

d. Within five (5) business days following the deadline for appeal, the appealing party (appellant) must submit a written statement in support of, or challenging, the outcome; describing the specificity the grounds for appeal; and including copies of any pertinent documents. The non-appealing party (appellee) also may submit, within five (5) business days of the deadline for appeal, such information for the Committee's consideration. The Title IX Coordinator will provide to the Committee, within five (5) business days of the deadline for appeal, copies of any documents used in the investigation.

e. The Appeal Committee will review all provided documents and, within

ten (10) business days of receipt of the documents, the Committee will submit a written recommendation simultaneously to both parties, the Title IX Coordinator, and the President. The recommendation shall include: (i) a description of the appellant's grounds for appeal; (ii) whether such grounds are accepted or rejected and the rationale for such determination; (iii) the Committee's decision to uphold or reject the Decision Maker's finding regarding responsibility and/or the recommended sanction and the rationale for such determination; or the Title IX Coordinator's dismissal of a Formal Complaint (iv) if the Decision Maker's findings and/or recommended sanction are rejected, the findings of the Committee and recommendations for resolution, and (v) the materials the Committee members were provided by the Title IX Coordinator and by the appellant and appellee.

f. Within three (3) business days of the Committee's recommendation, the President shall notify the Committee, the Title IX Coordinator, and the parties, in writing, of his decision relative to the findings and recommendations of the Committee. The decision of the President is final with no further right to appeal.<sup>134</sup>

## **F D. Documentation and Record-keeping**

1. The Title IX Coordinator shall maintain, in a confidential manner, for at least ten (10) years, paper or electronic files of all reports, witness statements, documentary evidence, written investigation reports, audio or audiovisual recordings or transcripts, **Formal** Investigation findings, Informal Resolution processes and the result therein, appeals and appeal results, disciplinary sanctions imposed on the Respondent, and any remedies provided to the Complainant designed to restore or preserve equal access to **Radford the** University's education program or activity, and associated documents. The Title IX Coordinator will collect and maintain information received and created by investigators, Decision Makers, and Appeal Committee members.

2. The Title IX Coordinator will maintain, for at least (10) years, records of any actions, including supportive measures taken in response to a report or Formal Complaint **of sexual harassment, discrimination, or harassment**. In each instance, the Title IX Coordinator will document the basis for the conclusion that the response was not deliberately indifferent and document that the measures were designed to restore or preserve equal access to **Radford the** University's education program or activity. If the Title IX Coordinator did not provide the Complainant with supportive measures, then the Title IX

---

<sup>134</sup> Purple text moved to Appeal Procedures and simplified for clarity and ease of use.

Coordinator will document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The documentation of certain bases or measures does not limit Radford the University from providing additional explanations or detailing additional measures taken.

3. The Title IX Coordinator will prepare a monthly summary of pending reports, present the summary to the President, and retain the summary for at least ten (10) years. Such summary will contain sufficient information to permit the Title IX Coordinator and the President to assess Radford the University's compliance with the requirements of Title IX.

## **GE. Training**

1. The Title IX Coordinator, investigators, Decision Makers, and any person who facilitates an Informal Resolution process, will receive training on the definition of sexual harassment; the scope of Radford the University's education program or activity; how to conduct an investigation and grievance process, including hearings, appeals, and informal resolution processes, as applicable; and how to serve impartially, including how to avoid prejudgment of the facts at issue, conflicts of interest, and bias. Decision Makers will receive training on any technology to be used at a live hearing and on issues of relevance of questions and evidence, including questions and evidence about the Complainant's sexual predisposition or prior sexual behavior. Investigators will receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence.

2. Materials used to train the Title IX Coordinator, investigators, Decision Makers, and any person who facilitates an informal resolution process will not rely on sex stereotypes and will promote impartial investigations and adjudications of Formal Complaints of ~~sexual harassment, discrimination, and harassment violations of this Policy~~. The Title IX Coordinator shall maintain, for at least ten (10) years, all materials used to train the Title IX Coordinator, investigators, Decision Makers, and persons who facilitate Informal Resolution processes. These materials are available on the Office of Compliance's website.

## **6. EXCLUSIONS**

None

## **7. APPENDICES**

None

## 8. REFERENCES<sup>135</sup>

[34.C.F.R. 106](#), Nondiscrimination on the basis of sex in education programs or activities receiving federal assistance

[Antisemitism Definition](#)

[Violence Against Women Reauthorization Act of 2013](#)

[Code of Virginia § 23.1-806](#), "Reporting of acts of sexual violence."

[Code of Virginia § 23.1-808](#), "Sexual violence; policy review; disciplinary immunity for certain individuals who make reports."

[Code of Virginia § 23.1-900](#), "Academic transcripts; suspension, permanent dismissal, or withdrawal from institution."

[FBI Definitions of Sexual Assault](#)

[Radford University Code of Ethics](#)

[Title VII of the Civil Rights Act of 1964](#)

[Title IX of the Educational Amendment Acts of 1972](#)

[U.S. Department of Education - Family Educational Rights and Privacy Act \(FERPA\)](#)

[U.S. Department of Education – Office for Civil Rights \(OCR\)](#)

[U.S. Equal Opportunity Commission - Laws, Regulations, Guidance & MOUs](#)

[Violence Against Women Reauthorization Act of 2013](#)

~~[Campus SAVE Act of 2013](#)~~

~~[34 C.F.R. 99.36, Disclosure of information in health and safety emergencies](#)~~

~~[Code of Virginia § 2.2-3700 et seq. \(Chapter 37\), "Virginia Freedom of Information Act"](#)~~

~~[Code of Virginia § 18.2-61 et seq. \(Article 7\), "Criminal Sexual Assault."](#)~~

~~[Code of Virginia § 19.2-389, "Dissemination of criminal history record information."](#)~~

~~[Code of Virginia § 19.2-389.1, "Dissemination of juvenile record information."](#)~~

~~[Code of Virginia § 23.1-805, "Violence prevention committee; threat assessment team."](#)~~

~~[Code of Virginia § 32.1-127.1:03, "Health records privacy."<sup>136</sup>](#)~~

## 9. INTERPRETATION

The authority to interpret this policy rests with the President of the University and is generally delegated to the (appropriate Vice President).

## 10. APPROVAL AND REVISIONS

The *Discrimination, Harassment, Sexual Misconduct, and Retaliation Policy* was adopted by the Radford University Board of Visitors on November 21, 2014.

The *Discrimination, Harassment, Sexual Misconduct, and Retaliation Policy* was amended by the Radford University Board of Visitors on September 18, 2015.

---

<sup>135</sup> Removed items not referenced, also put in alphabetical order

<sup>136</sup> Not referenced in document, so removed.

The *Discrimination, Harassment, Sexual Misconduct, and Retaliation Policy* was amended by the Radford University Board of Visitors on September 15, 2017.

The *Discrimination, Harassment, Sexual Misconduct, and Retaliation Policy* was amended by the Radford University Board of Visitors on May 10, 2019.

On August 5, 2020, the Radford University Board of Visitors approved a revision to the *Discrimination and Harassment Policy* (previously titled *Discrimination, Harassment, Sexual Misconduct, and Retaliation Policy*) effective August 14, 2020.

Note: This policy was reviewed in February 2024, but was not revised at the time pending issuance of revised Title IX regulations by the Department of Education. New Title IX regulations were released in April 2024 and the policy was reviewed. In June 2024 the U.S. District Court for the Eastern District of Kentucky issued an injunction pending the outcome of litigation in which the Commonwealth of Virginia is a plaintiff. The policy was not revised in 2024 in order to comply with the injunction. Accordingly, the next review date for this policy is being moved forward to May 2025.

The *Discrimination and Harassment Policy* was reviewed by the oversight department on May 15, 2025. Only minor changes were made to the department information and website links, which did not alter the scope or application of the policy.

The *Discrimination and Harassment Policy* was reviewed by the oversight department on November 21, 2025. On December 5, 2025, the Radford University Board of Visitors approved a revision to the *Discrimination and Harassment Policy*, effective December 5, 2025.

*The Discrimination and Harassment Policy was amended by the Radford University Board of Visitors on June 5, 2026.*

DATE: \_\_\_\_\_

\_\_\_\_\_  
**Bret Danilowicz, Ph.D., President (signature)**

**For questions or guidance on a specific policy, contact the Oversight Department referenced in the policy.**

<b>Policy Title: Discrimination and Harassment Policy</b>	<b>Effective Date: 11/21/2014</b>
<b>Policy Number: GEN-PO-1002</b>	<b>Date of Last Review: 6/5/2026</b>
<b>Oversight Department: Office of Compliance</b>	<b>Next Review Date: 6/5/2029</b>

## 1. PURPOSE

- A. The purpose of the Discrimination and Harassment Policy (hereafter “Policy”) is to establish clearly and unequivocally that Radford University (hereafter “University”) prohibits discrimination and harassment by individuals subject to its control or supervision and to set forth procedures by which such allegations shall be reported, investigated, and adjudicated.

## 2. APPLICABILITY

- A. University Statement on Non-Discrimination

Radford University is committed to providing an environment that emphasizes the dignity and worth of every member of its community and that is free from harassment and discrimination based on race, color, religion, ethnic or national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, sexual orientation, gender identity, military status, disability, or any other status protected by law.

- B. Application of Policy

1. The prohibition against discrimination and harassment applies to all levels and areas of the University’s education program or activity including admission and employment. Such behavior is inconsistent with the University’s [Code of Ethics](#).
2. This Policy applies to students, employees, visitors to campus (including, but not limited to, individuals participating in camps and programs, volunteers, non-degree seeking students, exchange students, and other students taking courses or participating in programs at the University), and contractors working on campus who are not University employees. This Policy applies to prohibited conduct:
  - a. Occurring on-campus,
  - b. Occurring off-campus against a person in the United States that has continuing effects that create a hostile environment on campus or that effectively denies a person equal access to the University’s education program,

- c. Occurring as part of University-sponsored activities occurring off-campus,
  - d. Committed by a person who at the time of the conduct was a student or employee of the University.
  - e. Against Jewish individuals in violation of Title VI.
3. This Policy replaces and supersedes any and all references related to discrimination and harassment that may be contained in other University policies and may supersede other University grievance procedures.
4. Academic Freedom and Free Speech. This Policy does not allow curtailment or censorship of constitutionally protected expression, which is valued in higher education and by the University. In addressing all reports of alleged violations of this Policy, the University will take all permissible actions to ensure the safety of students and employees while complying with any and all applicable guidance regarding free speech rights of students and employees. This Policy does not in any way apply to curriculum and curriculum decisions or abridge the use of particular textbooks or curricular materials.

### 3. DEFINITIONS

#### A. Policy Definitions

**Advisor** A Complainant's or Respondent's advisor may be, but is not required to be, an attorney. The role of the advisor shall be limited to advice and consult, except during a live hearing with a Decision Maker. During a live hearing with a Decision Maker, the advisor's role is also to conduct cross-examination on behalf of the party. Other than a live hearing with a Decision Maker, neither the advisor for the Complainant nor the advisor for the Respondent shall be permitted to question parties or witnesses, raise objections or make statements or arguments at any meetings or proceedings during an investigation or any hearing.

**Complainant** means an individual who is alleged to be the victim of conduct that could constitute a possible violation of this Policy.

**Decision Maker** means an individual who is tasked with facilitating a Title IX hearing and making a determination.

**Exculpatory Evidence** means evidence that is favorable to the Respondent in an allegation that may support an unsubstantiated finding.

**Formal Complaint** means a document filed by a Complainant or signed by the Title IX Coordinator alleging a violation of this Policy against a Respondent and requesting that the Office of Compliance investigate the allegation. At the time of filing a Formal Complaint, a Complainant must be participating in, or attempting to participate in, the University's education program or activity. A "document filed by a complainant" means

a document or electronic submission that contains the Complainant's physical or digital signature or otherwise indicates that the Complainant is the person filing the Formal Complaint.

**Investigation** means a systematic inquiry conducted by the Title IX Coordinator into allegations that a violation of this Policy occurred.

**Inculpatory Evidence** is evidence that tends to show involvement in an act or evidence that can establish responsibility for an action and may support a substantiated finding.

**Informal Resolution** means a resolution facilitated by the Title IX Coordinator as an alternative to an Investigation.

**Party** means a Complainant or Respondent.

**Preponderance of the Evidence** is a standard that requires that the weight of the evidence, in totality, supports a finding that it is more likely than not that an alleged violation occurred.

**Reasonable Person** is a fictional person with an ordinary degree of reason, prudence, care, foresight, or intelligence whose conduct, conclusion, or expectation in relation to a particular circumstance or fact is used as an objective standard of measure.

**Respondent** means an individual who has been reported to be the perpetrator of conduct that could constitute a violation of this Policy.

**Responsible Employees** include all University employees. A Responsible Employee must report to the Title IX Coordinator all relevant information received about an incident of conduct that potentially is in violation of this Policy and without delay. If necessary, the report may be made after addressing any immediate needs of the victim. A Responsible Employee is not required to make a report if the Responsible Employee obtained, within the scope of their employment at the University, the information through any communication considered privileged under state or federal law, or in the course of providing services as a licensed health care professional, an employee providing administrative support for such health care professionals, a professional counselor, an accredited rape crisis or domestic violence counselor, campus victim support personnel, a member of clergy, or an attorney.

**Supportive Measures** are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant and Respondent before or after the filing of a Formal Complaint or where no Formal Complaint has been filed. Such measures are designed to restore or preserve equal access to the University's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all

parties or the University's educational environment, or deter sexual harassment, discrimination, or harassment. Supportive measures may include referral and coordination of counseling and health services, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties (e.g., no-contact orders), changes in work or housing locations, bans from campus or areas of campus, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures.

## B. Definitions Related to Prohibited Conduct

**Antisemitism** means a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.

**Consent** is knowing, voluntary, and clear permission, by word or action, to engage in mutually agreed upon sexual activity. Silence does not necessarily constitute consent. Past consent to sexual activities, or a current or previous dating relationship, does not imply ongoing or future consent. Consent to some sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as intercourse). Consent may be withdrawn at any time. Consent cannot be obtained by force, physical violence, threat, coercion, or intimidation. A person who is impaired or incapacitated because of voluntary activity (e.g., alcohol or drug consumption), age, disability, mental or physical helplessness, sleep, unconsciousness, or lack of awareness that sexual activity is taking place cannot give consent. The existence of consent is based on the totality of the circumstances, including the context in which the alleged incident occurred.

**Dating Violence** means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship shall be determined based on a consideration of the following factors: the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

**Discrimination** means conduct of any type (e.g., verbal, written, graphic, electronic, or physical) that is based on a person's protected traits as defined in the University's Statement on Non-Discrimination, and either 1) conditions any element of a person's employment, enrollment, or participation in the University's education program or activity unless otherwise permitted or required by applicable law, 2) unreasonably interferes with the person's work or academic performance or participation in the University's education program or activity, or 3) creates a working or learning environment that a reasonable person would find harassing, threatening, intimidating, or hostile. Subjective offensiveness is not enough to create a hostile environment. In

determining whether conduct is severe, persistent, or pervasive, and thus creates a **hostile environment**, the following factors will be considered: (a) the degree to which the conduct affected the Complainant's access to education or employment; (b) the nature, scope, frequency, duration, and location of the incident(s); (c) the identity, number, and relationships of persons involved; (d) and the perspective of a "reasonable person" in the same situation as the person subjected to the conduct.

**Domestic Violence** includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the local jurisdiction, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

**Free Expression** violation means denial of free expression rights to any person, group, entity, or organization desiring to invoke their rights to freedom of expression on University property.

**Retaliation** is intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sexual harassment, discrimination, or harassment, but arise out of the same facts or circumstances as a report or Formal Complaint of discrimination, or harassment, for the purpose of interfering with any right or privilege secured by Title IX or other applicable laws, or because the individual has made a report, testified, assisted, participated or refused to participate in any manner in an investigation, proceeding, or hearing.

1. The exercise of rights protected under the First Amendment does not constitute retaliation.
2. Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding does not constitute retaliation, provided that a determination regarding responsibility alone is not sufficient to conclude that any party made a materially false statement in bad faith.
3. Action is generally deemed adverse if it would deter a reasonable person in the same circumstance from opposing practices prohibited by this Policy.
4. Retaliation prohibited by this Policy includes any discrimination, intimidation, threat, or coercion against the Title IX Coordinator, or individuals employed in the Office of Compliance, for purposes of interfering with their job responsibilities.

**Sexual Assault** means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.

1. Sex Offenses – Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

- a. Rape – (except Statutory Rape) Penetration, no matter how slight, of the vagina or anus with any body part of object, or oral penetration by a sex organ of another person, or by a sex-related object. This definition also includes instances in which the victim is incapable of giving consent because of temporary or permanent mental or physical incapacity (including due to the influence of drugs or alcohol) or because of age. Physical resistance is not required on the part of the victim to demonstrate lack of consent.
  - b. Criminal Sexual Contact – The intentional touching of the clothed or unclothed body parts without the consent of the victim for the purpose of sexual degradation, sexual gratification, or sexual humiliation. The forced touching by the victim of the actor’s clothed or unclothed body parts, without consent of the victim for the purpose of sexual gradation, sexual gratification, or sexual humiliation.
2. Sex Offenses – Unlawful sexual intercourse.
- a. Incest – Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
  - b. Statutory Rape – Nonforcible sexual intercourse with a person who is under the statutory age of consent.

**Sexual Harassment** means conduct on the basis of sex that satisfies one or more of the following: 1) An employee of the University conditioning the provision of an aid, benefit, or service of the University on an individual’s participation in unwelcome sexual conduct; 2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University’s education program or activity; or 3) Sexual assault, dating violence, domestic violence, or stalking.

- 1. **Sexual Exploitation** is a form of sexual harassment that includes, but is not limited to: causing the incapacitation of another person for the purpose of compromising that person’s ability to consent to sexual activity; prostituting another person; non-consensual visual or audio recording of sexual activity; non-consensual recording or photographing private sexual activity and/or a person’s intimate body parts, or distribution of photos or other images of an individual’s sexual activity or intimate body parts; non-consensual voyeurism or allowing third parties to observe private sexual activity from a hidden location or through electronic means; knowingly transmitting HIV or an STD/STI to another; or exposing one’s genitals to another in non-consensual circumstances.

**Sexual Violence** is a physical sexual act perpetrated against a person’s will or where a person is incapable of giving consent.

**Stalking** is engaging in a course of conduct directed at a specific person that would cause a reasonable person to: i) fear for his or her safety or the safety of others; or ii) suffer substantial emotional distress.

**Sexual Misconduct** includes alleged sexual assault, dating violence, domestic violence, stalking, and sexual harassment incidents not otherwise covered by Title IX.

**Title IX Incidents** include sexual assault, dating violence, domestic violence, stalking and sexual harassment incidents alleged to have occurred on-campus, off-campus as part of the University's education program or activity, or at an off-campus location controlled by a recognized student organization.

#### 4. POLICY

- A. Any allegation of a violation of this Policy will be addressed with efficiency and energy and in accordance with this Policy and its accompanying Procedures. This Policy and its accompanying Procedures address reports alleging any action that would be prohibited conduct under this Policy.
- B. If an individual needs assistance accessing the services of the Office of Compliance, the University will ensure that appropriate accommodations are provided, to the extent necessary and available, to aid in understanding and/or complying with this Policy. Requests may be made to the Office of Compliance.
- C. Questions regarding discrimination prohibited by the Education Amendment Act of 1972 or other federal law, may be referred to the University's Title IX Coordinator or the U.S. Department of Education, Office of Civil Rights.
- D. Reporting
  1. Any person may report potential violations of this Policy, whether or not the person reporting is the person alleged to be the victim of such violation.
    - a. A report may be made by any means that results in the Title IX Coordinator receiving the person's oral or written report.
    - b. Reports of potential violations of this Policy should be made to the Title IX Coordinator, Dr. Andrea Zuschin, by email at [titleix@radford.edu](mailto:titleix@radford.edu), by calling 540-831-5307, in person at 206 Walker Hall (Main Campus) or Room 407 (RUC Campus), or through the website at [www.radford.edu/compliance](http://www.radford.edu/compliance). Reports may also be mailed to PO Box 6988, Radford University, Radford, VA, 24142.
    - c. The Title IX Coordinator will also accept, without comment or need for explanation, a sealed envelope addressed to the "Title IX Coordinator." The envelope, at a minimum, need only contain a piece of paper with the name and contact information of the individual wishing to make a report.

2. Individuals receiving reports of potential violations of this Policy should immediately notify the Title IX Coordinator after addressing the immediate needs of the victim.
3. Individuals should not undertake any independent efforts to determine whether or not the potential violation has merit before reporting it to the Title IX Coordinator.
4. All members of the University community are expected to provide truthful information in any report under this Policy. Submitting or providing any false or misleading information in bad faith or with a view toward personal gain or intentional harm to another in connection with any report is prohibited and subject to discipline under the appropriate policy. This provision does not apply to reports made in good faith, even if the facts as alleged are not later substantiated.
5. **Mandatory Employee Reporting:** Responsible Employees as defined in Section 3 of this Policy who receive information regarding a potential violation of this Policy must immediately report any relevant information about the potential violation to the Title IX Coordinator. Failure to report incidents or provide information as required may result in personnel action that may include termination from employment. The Radford University Police Department will follow departmental procedures.
6. Students, visitors (including visiting students), and employees of contractors working on campus should report potential violations of this Policy to the Title IX Coordinator.
7. There is no time limit for filing a report of potential violations of this policy. However, Complainants should report as soon as possible to maximize the University's ability to respond. Failure to report promptly could result in the loss of relevant evidence and impair the University's ability to adequately respond to the allegations.
8. **Disciplinary Immunity.** Sometimes, individuals are hesitant to report to University employees because they fear that they may personally face sanctions due to possible policy violations that occurred at the time of the incident (e.g., alcohol or drug consumption). The University may provide disciplinary immunity to a person who receives assistance, intervenes during an incident, and reports incidents, and who also committed a separate, unrelated, nonviolent act that violates University policy. Disciplinary immunity may also be offered to individuals who intervene to help others before a violation of this Policy occurs and to individuals who receive assistance or intervention.
9. **Criminal Reporting.** Some conduct in violation of this Policy may also be a crime under state or federal law. Individuals are encouraged to report incidents of

discrimination and harassment to law enforcement, even if the reporting individual is not certain if the conduct constitutes a crime. The University will assist victims in notifying law enforcement if the victim so chooses. Crimes dealing with minors must be reported to law enforcement.

- a. If a victim is in immediate danger or needs immediate medical attention, contact 911, the Radford University Police Department (RUPD) at (540) 831-5500 (blue light emergency phones on the University's main campus connect directly to RUPD), Carilion Clinic Police at Radford University Carilion at (540) 981-7911, or Roanoke City Police at the Roanoke Higher Education Center at (540) 853-2212.
- b. Individuals may submit a report through the [Confidential Reporting and Silent Witness link](#) on RUPD's webpage or leave an anonymous message with RUPD at 540-831-STOP (7867).
- c. Cooperation with law enforcement may require the Office of Compliance to temporarily suspend the fact-finding aspect of an investigation while the law enforcement agency gathers evidence. The Office of Compliance will promptly resume an investigation as soon as notified by the law enforcement agency that it has completed the evidence gathering process. Otherwise, an investigation will not be altered or precluded on the grounds that criminal charges involving the same incident have been filed or that charges have been dismissed or reduced.

#### E. Confidentiality

1. Investigators in the Office of Compliance may be limited in the ability to investigate an anonymous report unless sufficient information is furnished to enable investigators to conduct a meaningful and fair investigation. If a Complainant requests confidentiality or that the report not be pursued, the University may also be limited in the actions it is able to take and its ability to respond.
2. University employees have varying reporting responsibilities under state and federal law. If a victim of conduct in violation of this Policy wishes to keep a report confidential, it must be made to a licensed medical provider, professional counselor or individual under professional supervision of a licensed counselor, professional sexual assault advocate. These individuals will encourage victims to make a report to RUPD, the Carilion Clinic Police Department, the Title IX Coordinator, or local law enforcement.
3. Notwithstanding a Complainant's request that law enforcement not be informed of an incident, the University is required pursuant to Virginia Code § 23.1-806 to

report information about an incident to law enforcement if necessary to address an articulable and significant threat posing a health or safety emergency.

4. The University is required by federal law to issue timely warnings for reported incidents that pose a substantial threat of bodily harm or danger to members of the campus community. The University will ensure, to every extent possible, that a victim's name and other identifying information is not disclosed, while still providing enough information for members of the campus community to make decisions to address their own safety in light of the potential danger.
5. In neither an Investigation nor an Informal Resolution may the University require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.
6. The University will keep confidential the identity of any individual who has filed a report or Formal Complaint, any Complainant, any Respondent, and any witness. However, disclosure of information may be made as follows:
  - a. When the University has obtained prior written consent from a person with the legal right to consent to the disclosure.
  - b. When the information is disclosed to a parent, guardian, or other authorized legal representative with the legal right to receive disclosures on behalf of the person whose personally identifiable information is at issue.
  - c. To carry out the purposes of this part, including action taken to address conduct that reasonably may constitute discrimination in the University's education program or activity.
  - d. As required by Federal, State, or local law; Federal regulations; or the terms and conditions of a Federal award, including a grant award or other funding agreement.
  - e. To the extent such disclosures are not otherwise in conflict with Title IX or when required by State or local law, or when permitted under FERPA, or its implementing regulations.

#### F. Role of the Title IX Coordinator

1. The Title IX Coordinator
  - a. Oversees the University's efforts to comply with its responsibilities under Title IX, related laws, and this Policy by ensuring the University's prompt, equitable,

and effective response to all reports of allegations that a Policy violation occurred.

- b. Identifies and addresses any pattern or systemic problems that arise during the review of such reports.
  - c. Coordinates a training and awareness program on mandated reporting of incidents involving alleged Policy violations.
  - d. may name a designee as needed.
2. The Title IX Coordinator and Office of Compliance employees do not serve as advocates for either the Complainant or the Respondent.
  3. Reports of violations of this Policy by the Title IX Coordinator should be made to the Title IX Coordinator's immediate supervisor.

#### G. Supportive Measures

1. The Title IX Coordinator is responsible for coordinating effective implementation of supportive measures as necessary for the Complainant and Respondent.
2. The University will seek the consent of the Complainant before offering supportive measures to the greatest degree possible.
3. The University will maintain as confidential any supportive measures provided to the Complainant or Respondent, to the extent that maintaining such confidentiality would not impair the ability of the University to provide the supportive measures.

### 5. PROCEDURES

The Grievance Procedures provide a prompt, equitable, and effective resolution for reports of allegations of conduct prohibited by the Policy.

#### A. Informal Resolution

1. The Title IX Coordinator may offer an Informal Resolution as appropriate after a Formal Complaint is filed.
2. If the Complainant, the Respondent, and the Title IX Coordinator all agree that an Informal Resolution should be pursued, the Title IX Coordinator shall attempt to facilitate a resolution that is agreeable to all parties. Prior to beginning the Informal Resolution process, the Title IX Coordinator must obtain the parties'

voluntary, written consent to the process.

3. If a Formal Investigation is requested, at any time prior to reaching a determination regarding responsibility, the Title IX Coordinator may facilitate an Informal Resolution process that does not involve a full investigation and adjudication, provided that the Title IX Coordinator provides written notice; and obtains the parties' voluntary, written consent to the Informal Resolution process.
  4. The Informal Resolution process is not offered or facilitated to resolve allegations that an employee sexually harassed or otherwise discriminated against a student.
- B. Investigation grievance procedures for Formal Complaints depend on the allegations as follows:
1. The "Compliance Investigation" is the investigation grievance procedure for allegations other than Title IX incidents.
  2. The "Title IX Investigation" is the investigation grievance procedure for allegations of Title IX incidents.
- C. Formal Complaint Grievance Procedures
1. At a minimum, the grievance procedures:
    - a. Provide for the prompt, equitable, and effective resolution of Formal Complaints.
    - b. Provide that only the Title IX Coordinator, or a trained investigator designated by the Title IX Coordinator, shall conduct the investigation.
    - c. Require that any person designated a Title IX Coordinator, investigators, Decision Maker, or any person designated to facilitate any process, not have a conflict of interest for or against complainants or respondents generally, or an individual complainant or respondent.
    - d. Treat Complainants and Respondents equitably.
    - e. Presume that the Respondent is not responsible for the alleged conduct until the determination at the end of the grievance process.
    - f. Provide notice of the allegations.
    - g. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative

interviews, or other meetings, with sufficient time for the party to prepare to participate.

- h. Allow both parties to have a trusted advisor of their choice during any meeting or grievance proceeding.
  - i. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence. Parties will not be restricted from their ability to discuss the allegations under investigation.
  - j. Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the University and not on the parties, provided that the University cannot access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the University obtains that party's voluntary, written consent to do so for a grievance process.
  - k. Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a Formal Complaint.
  - l. Provide both parties an equal opportunity to respond to the evidence about the allegations against the Respondent.
  - m. Require an objective evaluation of all relevant evidence, including both inculpatory and exculpatory evidence, and provide that credibility determinations may not be based on a person's status as a Complainant, Respondent, or witness.
  - n. Include reasonably prompt time frames for concluding the grievance process, including reasonably prompt time frames for filing and resolving appeals and informal resolution processes, and a process that allows for the temporary delay of the grievance process or the limited extension of time frames for good cause with written notice to the complainant and the respondent of the delay or extension and reasons for the action.
2. The procedures for investigating and resolving Formal Complaints

- a. A Formal Complaint or any allegations therein may be dismissed under the following conditions:
  - i. If at any time during the investigation, hearing, or resolution the Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations therein;
  - ii. The Respondent is no longer enrolled in or employed by the University; or
  - iii. Specific circumstances prevent investigators from gathering evidence sufficient to reach a determination as to the Formal Complaint or allegations therein.
- b. A Formal Complaint involving a Title IX incident must be dismissed if the conduct alleged in the Formal Complaint a) would not constitute a Policy violation even if proved; b) did not occur in the University's education program or activity; or c) did not occur against a person in the United States. Such dismissal does not preclude action under another provision of the University's code of conduct.
  - i. Notification of dismissal and reason(s) will be provided to parties in writing.
  - ii. The dismissal of a Formal Complaint may be appealed.
- c. Consolidation of Formal Complaints may occur as to allegations against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party, where the allegations arise out of the same facts or circumstances.
- d. The Title IX Coordinator may sign a Formal Complaint and initiate an investigation under the following conditions:
  - i. The Title IX Coordinator has received multiple reports of potential Policy violations against the same Respondent.
  - ii. The Title IX Coordinator determines that circumstances surrounding an allegation warrant an investigation.

Where the Title IX Coordinator signs a Formal Complaint, the Title IX Coordinator is not a Complainant or otherwise a party to the investigation.
- e. The Title IX Coordinator may investigate allegations about the Complainant or Respondent that were not included in the notice provided to the parties, if

known, with notice of the additional allegation(s) to the parties whose identities are known.

3. Following an investigation and evaluation of all relevant evidence, the University will:
  - a. Provide a written decision using the preponderance of the evidence standard of proof.
  - b. Implement disciplinary sanctions and remedies as appropriate.
    - i. Disciplinary sanctions are consequences imposed on a Respondent following a determination that the allegations were substantiated.
    - ii. Remedies are measures provided to a Complainant to restore or preserve that person's access to the University's education program or activity after a determination is made that the allegations were substantiated.
    - iii. Disciplinary sanctions and remedies depend on the facts and circumstances of each particular situation, the frequency and severity of the offense(s), institutional precedence, and any history of past conduct. Disciplinary sanctions and remedies may affect one's access to and/or affiliation with the University's physical campus and/or any portion of the University's education program or activity.
    - iv. Disciplinary sanctions and remedies for students may include education, disciplinary probation, deferred suspension, suspension, and penalties up to and including dismissal. Such disciplinary sanctions and remedies will be recommended in consultation with the Title IX Coordinator and the Director of the Office of Student Standards and Conduct in accordance with the Standards of Student Conduct.
      - (a) Pursuant to [VA Code § 23.1-900](#), any student who accepts responsibility for, or is determined to have committed, a violation of the University's Discrimination and Harassment Policy or the Student Standards of Conduct involving sexual violence, and the sanction includes suspension or dismissal, will have a prominent notation placed on the student's academic transcript. A student under investigation for such a violation who withdraws from the University or does not enroll in a subsequent fall or spring term, prior to the investigation being concluded, will have a prominent notation placed on the student's academic transcript.
    - v. Disciplinary sanctions and remedies for employees may include education, probationary status, reassignment, and termination from employment. Such

disciplinary sanctions and remedies will be recommended in consultation with the Department of Human Resources and/or the Respondent's supervisor(s) or division leader(s) in accordance with applicable Federal, State, and University policies and regulations.

vi. Contractors shall assign for duty only employees acceptable to the University. The University reserves the right to require the Contractor to remove from campus any employee who violates the Policy.

vii. Visitors, including, but not limited to, individuals participating in camps or other programs at the University, who violate the Policy may be directed to immediately leave campus and may be subject to a permanent ban from campus.

c. The University will offer the parties an appeal. Grounds for appeal are as follows:

i. The Title IX Coordinator, investigator, or Decision Maker had a conflict of interest or bias for or against Complainants or Respondents generally, or the individual Complainant or Respondent, that affected the outcome of the matter;

ii. Procedural irregularity that affected the outcome of the matter;

iii. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made that could affect the outcome of the matter; and

iv. A student's disciplinary sanctions involving separation were unreasonable in light of all relevant factors; other student disciplinary sanctions are not eligible for appeal.<sup>1</sup>

Appeals submitted that do not demonstrate sufficient grounds in areas 2, 3, or 4 will be denied.

4. All members of the University community are expected to provide truthful information in any proceeding under this Policy. Submitting or providing any false or misleading information in bad faith or with a view toward personal gain or intentional harm to another in connection with any investigation or proceeding under this Policy is prohibited and subject to discipline under the appropriate policy. This provision does not apply to information provided in good faith, even if

---

<sup>1</sup> Employees may not file appeal under reason 4 due to there being other administrative appeal opportunities.

the facts as alleged are not later substantiated. Information and evidence obtained during this process are confidential except as permitted by law.

5. If a report contains any action or allegation that is a violation of any University Policy, and does not fall within the scope of this Policy, then that portion of the case may be referred to the appropriate office for adjudication and resolution.
6. The University may not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of a Formal Complaint.
7. The University may not require the parties to participate in an Informal Resolution process.
8. Students and employees have the responsibility to participate fully and truthfully in investigations.
9. Witnesses will be informed of resources on campus and in the community and of the investigation and resolution process, including how to file a Formal Complaint and how their information will be used in any report. As with all members of the Radford University community, witnesses are expected to provide truthful information in any report or proceeding under this Policy. Information and evidence witnesses obtain during this process are confidential except as permitted by law.
10. All hearings will be closed to the public.
11. The Complainant must disclose if a Complaint has been filed with another University office or a state or federal entity for the same offense.
12. The University may remove a Respondent from an educational program or activity on an emergency basis, provided that the University undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of violations of this Policy justifies removal, and provides the Respondent with notice and an opportunity to challenge the decision immediately following the removal. The University may temporarily reassign or place on administrative leave any employee alleged to have violated this Policy, pending investigation. Leave will be administered in accordance with appropriate employment policies.

#### **D. Documentation and Record-keeping**

1. The Title IX Coordinator shall maintain, in a confidential manner, for at least

ten (10) years, paper or electronic files of all reports, witness statements, documentary evidence, written investigation reports, audio or audiovisual recordings or transcripts, investigation findings, Informal Resolution processes and the result therein, appeals and appeal results, disciplinary sanctions imposed on the Respondent, and any remedies provided to the Complainant designed to restore or preserve equal access to the University's education program or activity, and associated documents. The Title IX Coordinator will collect and maintain information received and created by investigators, Decision Makers, and Appeal Committee members.

2. The Title IX Coordinator will maintain, for at least (10) years, records of any actions, including supportive measures taken in response to a report or Formal Complaint. In each instance, the Title IX Coordinator will document the basis for the conclusion that the response was not deliberately indifferent and document that the measures were designed to restore or preserve equal access to the University's education program or activity. If the Title IX Coordinator did not provide the Complainant with supportive measures, then the Title IX Coordinator will document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The documentation of certain bases or measures does not limit the University from providing additional explanations or detailing additional measures taken.
3. The Title IX Coordinator will prepare a monthly summary of pending reports, present the summary to the President, and retain the summary for at least ten (10) years. Such summary will contain sufficient information to permit the Title IX Coordinator and the President to assess the University's compliance with the requirements of Title IX.

#### **E. Training**

1. The Title IX Coordinator, investigators, Decision Makers, and any person who facilitates an Informal Resolution process, will receive training on the definition of sexual harassment; the scope of the University's education program or activity; how to conduct an investigation and grievance process, including hearings, appeals, and informal resolution processes, as applicable; and how to serve impartially, including how to avoid prejudgment of the facts at issue, conflicts of interest, and bias. Decision Makers will receive training on any technology to be used at a live hearing and on issues of relevance of questions and evidence, including questions and evidence about the Complainant's sexual predisposition or prior sexual behavior. Investigators will receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence.
2. Materials used to train the Title IX Coordinator, investigators, Decision Makers,

and any person who facilitates an informal resolution process will not rely on sex stereotypes and will promote impartial investigations and adjudications of Formal Complaints of violations of this Policy. The Title IX Coordinator shall maintain, for at least ten (10) years, all materials used to train the Title IX Coordinator, investigators, Decision Makers, and persons who facilitate Informal Resolution processes. These materials are available on the Office of Compliance's website.

## **6. EXCLUSIONS**

None

## **7. APPENDICES**

None

## **8. REFERENCES**

[34.C.F.R. 106](#), Nondiscrimination on the basis of sex in education programs or activities receiving federal assistance

[Antisemitism Definition](#)

[Violence Against Women Reauthorization Act of 2013](#)

[Code of Virginia § 23.1-806](#), "Reporting of acts of sexual violence."

[Code of Virginia § 23.1-808](#), "Sexual violence; policy review; disciplinary immunity for certain individuals who make reports."

[Code of Virginia § 23.1-900](#), "Academic transcripts; suspension, permanent dismissal, or withdrawal from institution."

[FBI Definitions of Sexual Assault](#)

[Radford University Code of Ethics](#)

[Title VII of the Civil Rights Act of 1964](#)

[Title IX of the Educational Amendment Acts of 1972](#)

[U.S. Department of Education - Family Educational Rights and Privacy Act \(FERPA\)](#)

[U.S. Department of Education – Office for Civil Rights \(OCR\)](#)

[U.S. Equal Opportunity Commission - Laws, Regulations, Guidance & MOUs](#)

[Violence Against Women Reauthorization Act of 2013](#)

## **9. INTERPRETATION**

The authority to interpret this policy rests with the President of the University and is generally delegated to the (appropriate Vice President).

## **10. APPROVAL AND REVISIONS**

The *Discrimination, Harassment, Sexual Misconduct, and Retaliation Policy* was adopted by the Radford University Board of Visitors on November 21, 2014.

The *Discrimination, Harassment, Sexual Misconduct, and Retaliation Policy* was amended by the Radford University Board of Visitors on September 18, 2015.

The *Discrimination, Harassment, Sexual Misconduct, and Retaliation Policy* was amended by the Radford University Board of Visitors on September 15, 2017.

The *Discrimination, Harassment, Sexual Misconduct, and Retaliation Policy* was amended by the Radford University Board of Visitors on May 10, 2019.

On August 5, 2020, the Radford University Board of Visitors approved a revision to the *Discrimination and Harassment Policy* (previously titled *Discrimination, Harassment, Sexual Misconduct, and Retaliation Policy*) effective August 14, 2020.

Note: This policy was reviewed in February 2024, but was not revised at the time pending issuance of revised Title IX regulations by the Department of Education. New Title IX regulations were released in April 2024 and the policy was reviewed. In June 2024 the U.S. District Court for the Eastern District of Kentucky issued an injunction pending the outcome of litigation in which the Commonwealth of Virginia is a plaintiff. The policy was not revised in 2024 in order to comply with the injunction. Accordingly, the next review date for this policy is being moved forward to May 2025.

The *Discrimination and Harassment Policy* was reviewed by the oversight department on May 15, 2025. Only minor changes were made to the department information and website links, which did not alter the scope or application of the policy.

The *Discrimination and Harassment Policy* was reviewed by the oversight department on November 21, 2025. On December 5, 2025, the Radford University Board of Visitors approved a revision to the *Discrimination and Harassment Policy*, effective December 5, 2025.

The *Discrimination and Harassment Policy* was amended by the Radford University Board of Visitors on June 5, 2026.

DATE: \_\_\_\_\_

---

**Bret Danilowicz, Ph.D., President (*signature*)**

**For questions or guidance on a specific policy, contact the Oversight Department referenced in the policy.**

**Radford University**

**Board of Visitors**

**Resolution**

*Board of Visitors Approval of the Amendments to the Radford University*

*Discrimination and Harassment Policy*

**June 5, 2026**

**WHEREAS**, Radford University is committed to providing an environment that emphasizes the dignity and worth of every member of its community and that is free from harassment and discrimination based on race, color, religion, ethnic or national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, sexual orientation, gender identity, military status, disability, or any other status protected by law; and

**WHEREAS**, the Radford University Board of Visitors adopted the Radford University Discrimination and Harassment Policy at its November 21, 2014, meeting and revised on September 18, 2015, September 15, 2017, May 10, 2019 and August 14, 2020; and

**WHEREAS**, the Title IX Coordinator, in consultation with the University Legal Counsel, has identified several items in the Radford University Discrimination and Harassment Policy that require amendment, as set forth in Attachment A, with final document in University approved policy format as set forth in Attachment B; and

**NOW, THEREFORE, BE IT RESOLVED** that, as part of this commitment, the Radford University Board of Visitors hereby adopts the revised Radford University Discrimination and Harassment Policy, dated June 5, 2026.

# Minutes



**Radford**  
UNIVERSITY



**Business Affairs and Audit Committee**

**10:15 a.m.**

**March 19, 2026**

**Kyle Hall, Room 340, Radford, VA**

**DRAFT**  
**Minutes**

**Committee Members Present**

Ms. Jeanne S. Armentrout, Chair  
Ms. Joann Craig, Vice Chair  
Dr. Betty Jo Foster  
Mr. George Mendiola Jr.  
Mr. Jonathan D. Sweet  
Mr. James C. Turk, Jr.

**Board Members Present**

Mr. Tyler W. Lester, Rector  
Ms. Jennifer Wishon Gilbert, Vice Rector  
Mr. Dale S. Ardizzone  
Ms. Callie M. Dalton  
Ms. Mary Anne Holbrook  
Mr. David A. Smith  
Dr. Matthew Close, Faculty Representative

**Others Present:**

Dr. Bret Danilowicz, President  
Dr. Ryan Bowyer, Chief of Staff, Office of the President  
Mr. Jorge Coartney, Associate Vice President, Facilities Management  
Ms. Crystal Cregger, Director, University Services  
Ms. Kim Dulaney, Executive Director of Strategic Sourcing  
Mr. Paul Ely, Director of Capital Planning and Construction  
Ms. Allison Gallimore, Manager of Business Operations, Finance and Administration  
Ms. Lisa Ghidotti, Executive Director of Government Relations and Strategic Initiatives  
Dr. Dannette Gomez-Beane, Vice President for Enrollment Management and Strategic Communications  
Dr. Rob Hoover, Vice President for Finance and Administration and Chief Financial Officer  
Ms. Kimberly Johnson, Budget Analyst  
Dr. Angela Joyner, Vice President for Economic Development and Corporate Education  
Ms. Michele Laudenbacher, Associate Vice President for Budget and Planning  
Ms. Margaret McManus, University Auditor  
Dr. Jeanne Mekolichick, Associate Provost for Research, Faculty Success and Strategic Initiatives  
Mr. Joel Newman, Director, Executive Communications

Mr. Ed Oakes, Associate Vice President for Information Technology Services and Chief Information Officer

Dr. David Perryman, Associate Vice President of Strategic Communications

Ms. Connie Phillips, Assistant Director, Budget Operations

Mr. David Rasnic, Higher Education Programs Director, Auditor of Public Accounts (via zoom for presentation only)

Ms. Susan Richardson, University Counsel

Ms. Deana Sentman, Associate Vice President for Finance and University Controller

Ms. Lauren Snelson, Assistant Director, University Services

Mr. Chris Stafford, Assistant Director, Financial Planning

Ms. Michele Thacker, Director of Finance and Administration, Facilities

Dr. Susan Trageser, Vice President for Student Affairs

Dr. Bethany Usher, Provost and Senior Vice President for Academic Affairs

Ms. Penny Helms White, Vice President for University Advancement and Alumni Relations

Ms. Andrea Zuschin, Director of Compliance and Title IX Coordinator

### **Call to Order**

Ms. Jeanne Armentrout, Chair, formally called the meeting to order at 9:52 a.m. in Kyle Hall, Room 340, Radford, Virginia. Ms. Armentrout welcomed everyone to the March meeting of the Business Affairs and Audit Committee.

### **Approval of Agenda**

Ms. Armentrout asked for a motion to approve the March 19, 2026 meeting agenda, as published. Mr. Jonathan Sweet so moved, Dr. Betty Jo Foster seconded, and the motion was carried unanimously.

### **Approval of Minutes**

Ms. Armentrout asked for a motion to approve the minutes of the December 4, 2025 Business Affairs and Audit Committee meeting, as published. Ms. Joann Craig so moved, Mr. George Mendiola seconded, and the motion was carried unanimously.

### **Reports**

#### **Auditor of Public Accounts Report**

David Rasnic with the Auditor of Public Accounts (APA) presented information regarding the ongoing audit of the University's FY 2025 financial statements, including Audit Objectives, Audit Plan, and Audit Roles. Mr. Rasnic also presented the Independent Accountants' Report on Applying Agreed-Upon Procedures Performed on the Intercollegiate Athletics Program as required by the NCAA. A copy of said presentation was included with the board materials.

#### **University Auditor's Report**

University Auditor Margaret McManus presented an oral report on the December 2025 quarterly review of the University Discretionary Fund. She also presented a follow-up audit status report. A copy of the report was included with the board materials.

#### **Financial Update**

Vice President for Finance and Administration and Chief Financial Officer Rob Hoover provided a financial overview; and a fiscal outlook for FY2026-FY2027 and FY2027-2031. A copy of this presentation as well as additional capital updates and updates on current projects for Information Technology Services were provided in the board materials.

**Action Items:**

**Recommendation for Approval of Resolution Certifying Compliance with the Radford University Debt Management Policy**

Vice President Hoover explained that the Secretary of Finance requires annual certification of debt compliance as part of Institutional Performance reporting standards. Dr. Hoover provided documentation demonstrating the University's compliance with its Debt Management Policy. Ms. Armentrout asked for a motion to recommend the Resolution Certifying Compliance with the Radford University Debt Management Policy, as presented, to the full Board for approval. Ms. Foster so moved, Ms. Craig seconded, and the motion carried unanimously. A copy of the proposed resolution is attached hereto as ***Attachment A*** and is made a part hereof.

**Recommendation for Approval of Resolution for 2026-27 Tuition and Fees**

Vice President Hoover presented to the committee the proposed 2026-27 tuition and fee recommendations for Radford University. Vice President Hoover discussed factors considered in the development of the proposed tuition and fee recommendations. Ms. Armentrout asked for a motion to recommend the proposed 2026-27 tuition and fees, as presented, to the full Board for approval. Mr. Mendiola so moved, Mr. Sweet seconded, and the motion carried unanimously. A copy of the proposed resolution is attached hereto as ***Attachment B*** and is made a part hereof.

**Recommendation for Approval of Extension of Norfolk Southern Easement**

Vice President Hoover presented a request for the modification of the expiration date for a temporary construction easement between Radford University and Norfolk Southern Railway Company. Ms. Armentrout asked for a motion to recommend the proposed modification, as presented, to the full Board for approval. Dr. Foster so moved, Ms. Craig seconded, and the motion carried unanimously. A copy of the proposed resolution is attached hereto as ***Attachment C*** and is made a part hereof.

**Adjournment**

With no further business to come before the committee, Ms. Armentrout adjourned the meeting at 11:24 a.m.

Respectfully submitted,

Pamela Fitchett  
Executive Assistant to the  
Vice President for Finance and Administration  
and Chief Financial Officer

# End of Board of Visitors Materials

