



NOVEMBER 29 - DECEMBER 1, 2018

LONGWOOD UNIVERSITY

BOARD OF VISITORS



November 29 – December 1, 2018



BOARD OF VISITORS November 29 - December 1, 2018

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BOARD OF VISITORS November 29 - December 1, 2018

Schedule of Events and Public Meeting Agenda Stallard Ballroom (unless otherwise noted)

Thursday, November 29

12:30pm – 3:00pm	Executive Committee and Board Lunch, Longwood House
3:00pm – 4:00pm	Audit Committee Meeting, Longwood House
6:00pm – 8:30pm	Board Dinner, Longwood House

Friday, November 30

8:30am - 9:00am

9:00am - 10:00am

12:00pm

3:00pm

8:30am – 9:00am	Continental Breakfast
9:00am – 9:30am	Rector's Welcome and Consent Agenda
9:30am – 11:30am	President's Report and Discussion
11:30am – 12:00pm	Reports of Representatives to the Board
12:00pm – 2:00pm	Tour to Alexander Stoddart's Joan of Arc, and Board Lunch with Brock Experience students, <i>Brock Hall</i>
2:30pm – 3:30pm	Executive Session, Stallard Boardroom
	* * * *
5:00pm – 6:00pm	Pre-Concert Reception, Soza Ballroom, Upchurch University Center
6:30pm – 9:00pm	Holiday Dinner and Concert, Dorrill Dining Hall
3	
Saturday, December	<u>1</u>

Board Conversation on Hull Springs Farm, French Hall

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Women's Basketball, Longwood vs. St. Francis, Willett Hall

Men's Basketball, Longwood vs. VMI, Willett Hall

Continental Breakfast



Overview Message from the President

copy follows in this tab, as distributed November 19, 2018

From: Reveley IV, Taylor Sent: Monday, November 19, 2018 11:27 AM To: BOV Subject: Longwood BOV Meeting

Friends,

It is a happy thing to look ahead to the holidays. And in a semester beset by hurricanes and transitions, it's a proud thing to see us having achieved so much: the Farmville Freedom Monument, the opening of Upchurch, the dedication of the magnificent new Joan of Arc statue, even a winning men's basketball team, all while inaugurating Civitae. The news about Amazon and the Commonwealth also promises powerful new possibilities.

These will all be important for discussion at next week's meeting, as will philanthropic opportunities ahead for Longwood. We'll also take time to reflect on the momentum philanthropy has been generating for the University, during lunch on Friday with students who have participated in Brock Experiences.

Friday night we'll get to enjoy the annual tradition of the Holiday Dinner and Concert. On the Saturday morning session of the meeting, we'll focus on opportunities with Hull Springs Farm (after Hurricane Florence kept us from doing this in September).

Against real progress for Longwood, the challenges of the national political climate and the growing challenges for higher education do also feel omnipresent. We are navigating those as adroitly as we can, and it is always good when we are together to reflect on the University amidst the major tectonics.

It will be wonderful to see you soon, and Kay will be distributing your briefing materials electronically later today and in hardcopy by overnight delivery.

Thanks, as always, Taylor

LONGWOOD UNIVERSITY BOARD OF VISITORS September 14, 2018 Minutes

* * * * * **DRAFT** * * * * *

Call to Order

The Longwood University Board of Visitors met on Friday, September 14, 2018 in the Stallard Boardroom. The meeting was called to order at 9:00 a.m. by Rector Marianne Radcliff.

Members present:

Mrs. Marianne Radcliff Mrs. Eileen Anderson Mr. Michael Evans Mr. Steven Gould Mr. David Hallock Mr. Eric Hansen Ms. Pia Trigiani Mrs. Ricshawn Adkins Roane Ms. Nadine Marsh-Carter Mr. Larry Palmer

Also present:

President W. Taylor Reveley IV Dr. Larissa Smith Fergeson, Provost and Vice President for Academic Affairs Ms. Louise Waller, Interim Vice President for Administration and Finance Ms. Victoria Kindon, Vice President for Strategic Operations Dr. Tim Pierson, Vice President for Student Affairs Mr. Troy Austin, Director of Athletics Mr. Justin Pope, Vice President and Chief of Staff Mrs. Kay Stokes, Executive Assistant Mr. Mike Lewandowski, Longwood University Foundation Dr. Jennifer Apperson, Faculty Representative Mr. Josh Darst, Student Representative Mr. Cameron O'Brion, University Counsel

Rector's Welcome and Approval of President's Contract, Minutes and Consent Agenda:

The rector welcomed those in attendance and thanked everyone for a successful Convocation. She welcomed new BOV member Mr. Larry Palmer and new representatives Dr. Jennifer Apperson and SGA President Josh Darst. She asked Mr. Palmer to provide a brief personal introduction. He gave an overview of his long career in higher education, as a professor and as vice-provost at Cornell University, as well as his long connection to Longwood as husband of former Dean of the Library Suzy Palmer. He said he was appreciative of the opportunity to be engaged in public service, and that while higher education is always facing challenges, the solutions lie with institutions like Longwood.

The rector asked for a motion to approve the Consent Agenda, including the minutes of the previous meeting. Mr. Evans so moved, Mr. Hallock seconded and the motion was approved unanimously.

President's Welcome

President Reveley welcomed everyone and said Longwood is in the midst of a consequential year in its history. The year will see the Upchurch University Center open, the implementation of the Civitae Core Curriculum, the largest-ever Honors College entering class, the new Farmville Freedom monument and a new Joan of Arc Statue, as well as new and successful chapters for the men's and women's basketball programs. He also noted the past year was the largest fundraising year in Longwood's history. Against a difficult climate for public sentiment around higher education, Longwood continues to make progress.

Dr. Pierson spoke of the student community's commitment to traditions like Convocation, and said the decision to ensure students were able to partake in the event safely in light of Hurricane Florence was deeply appreciated by student leadership. He said students are excited about the opening of Upchurch, and his staff is heavily involved with preparing for the move. He said the revised version of G.A.M.E this year was also a success, and gave a number of examples of the vitality of Longwood's citizen-leadership mission in Student Affairs, working in conjunction with the new Civitae curriculum.

Ms. Kindon gave updates on critical behind-the-scenes work to improve reliability and redundancy of critical IT systems, and marketing research and focus groups related to increasing applications and yield in key regions. One finding of research is that the vast majority of admitted students who choose not to attend Longwood are going to other Virginia public 4-year universities, not community colleges. She also provided an update on new cooperative efforts with Academic Affairs to conduct long-term planning. She also provided an update on the new coaching model for freshmen students to help them adjust to college, and answered a number of questions related to the program and metrics that will be monitored to evaluate results. There was also a discussion of initiatives related to improving student progress-toward-degree.

Dr. Fergeson thanked the rector on behalf of the faculty for her kind words about Dr. Bill Harbor, keynote speaker at Convocation. She provided an update on the progress of the Brock Experience pilot programs this past summer, exploring stewardship of the Chesapeake Bay and the Borderlines experience exploring the complexities of immigration in Virginia and Arizona, as well as the Yellowstone and Arctic Circle programs. Planning is now fully underway for the next round of Brock Experiences which will travel to Boston and the Colorado River.

Longwood has 34 new faculty joining this fall, including Brock "replacements," who are hired under the Brock endowment to cover the course releases for those faculty selected as Brock fellows. She gave an overview of the Honors Faculty Scholars program, which has helped expand capacity to teach more honors sections to accommodate the additional Honors College students this year. She gave an overview of faculty who are on sabbatical this fall and the projects they are pursuing. She also congratulated Dr. Jennifer Miskec on winning a Fulbright Fellowship to teach in Croatia in the spring. She said it was heartening to see the AACU report and employer survey that validates the skills baked into Civitae are indeed the skills employers are seeking. She thanked numerous people across campus for the hard work over the summer to successfully find the necessary Civitae seats for students. Overall, she said the transition to the new curriculum has been going well, though faculty have certainly been pushed by the demands of creating and retooling courses. She expressed her pride in the faculty and their enthusiasm in piloting new courses for the continuing rollout of the curriculum over the years ahead. She also noted Longwood is beginning to get the word out about Civitae to the national academic community, including upcoming journal publications and conference presentations. She gave an overview of grant efforts, including the application for a follow-up grant to provide scholarship funding building on a previous Noyce grant related to STEM education. Moton received a \$162,000 Institute of Museum and Library Services Museum Services grant to work on a Young Visitors Project. She also commended the Shared Legacy exhibit at the LCVA, the last stop on the exhibit's national tour, which has contributed substantially to elevating the LCVA's profile within the regional and national art community.

Mr. Hansen asked a question regarding efforts to help faculty commercialize research. Dr. Fergeson replied the university does hope to expand such efforts, and is in the midst of revising intellectual property guidelines to facilitate such R&D progress, working closely with Cameron O'Brion. In response to a question about the MBA program, Dr. Fergeson replied the university has an RFP out for assistance in scaling up the MBA program, and is considering two firms. She added Prof. Charles White is also working to develop a robust 4-plus-1 program for current students.

Ms. Waller thanked President Reveley and the board for placing their trust in her as interim vice president, and thanked the executive team and broader campus community for their support during the transition. She said she has been receiving assistance from Farenheit, a Richmond-based financial and management advisory firm, to assist with the transition and making sure all matters in the division are going well. She said the university budget is on track so far this year as normal. She also said she is appreciative of the "strong bench" in her division, especially including associate vice president Cat Mobley and Budget Director Susan Osborne.

She provided an update on campus construction, including the admissions building, which remains on track to open next fall. She noted the interest of the Department of Historic Resources in the site, and the planning underway on campus to honor the history of Longwood and Farmville within the building itself. She provided updates as well on the new academic building, the Curry and Frazer project, the final stages of Upchurch and the less visible but

extremely important steam tunnels repair project under Wheeler. She noted the importance of not only building attractive buildings but maintaining existing infrastructure.

Mr. Austin said he was extremely proud of student-athletes and teams for how they closed out the spring on the field and in the classroom, and again this season, with field hockey beating nationally ranked Liberty earlier in the week a highlight of the fall so far. He said he also was extremely pleased with the transition by the new men's and women's basketball coaches and the culture of discipline they are building, and he is excited to see those seasons underway starting in November. President Reveley noted that it is not uncommon for critics of higher education to feel that college athletics are part of the problem with higher education, but he believes precisely the opposite. Uniquely in the world, in the United States college athletics have historically provided an essential connection between the public and higher education. In many other countries, higher education is considered irredeemably elitist, but in America high-level athletics have developed an emotional bond that plays an essential role in its public support.

Reports from Representatives of the Board

Mike Lewandowski reported the Longwood University Foundation's total assets stand at approximately \$94 million, with the symbolically important mark of \$100 million within reach. The completion of the audit is a proud accomplishment considering the substantial amount of transition in the office, and he introduced executive director Patti Rosenberg, who will be aboard full-time starting October 1. He also noted the board members have through their own donations established a \$105,000 endowment that has now awarded its first scholarship. He said the Foundation's work is focused intensely on scholarships. He also praised Dr. Apperson and Dr. Pierson, who played an important part in his own daughter's extremely positive experience at Longwood.

Josh Darst thanked the administration for its responsiveness to student concerns about the Convocation schedule during recent days of concern over the hurricane. He said such responsiveness, in light of the genuine anxieties of students regarding the news coverage of the storm, showed Longwood at its best. This year's SGA projects include discussions regarding a parking proposal, continuing discussions regarding the ad-drop deadline and work toward a food pantry, among others.

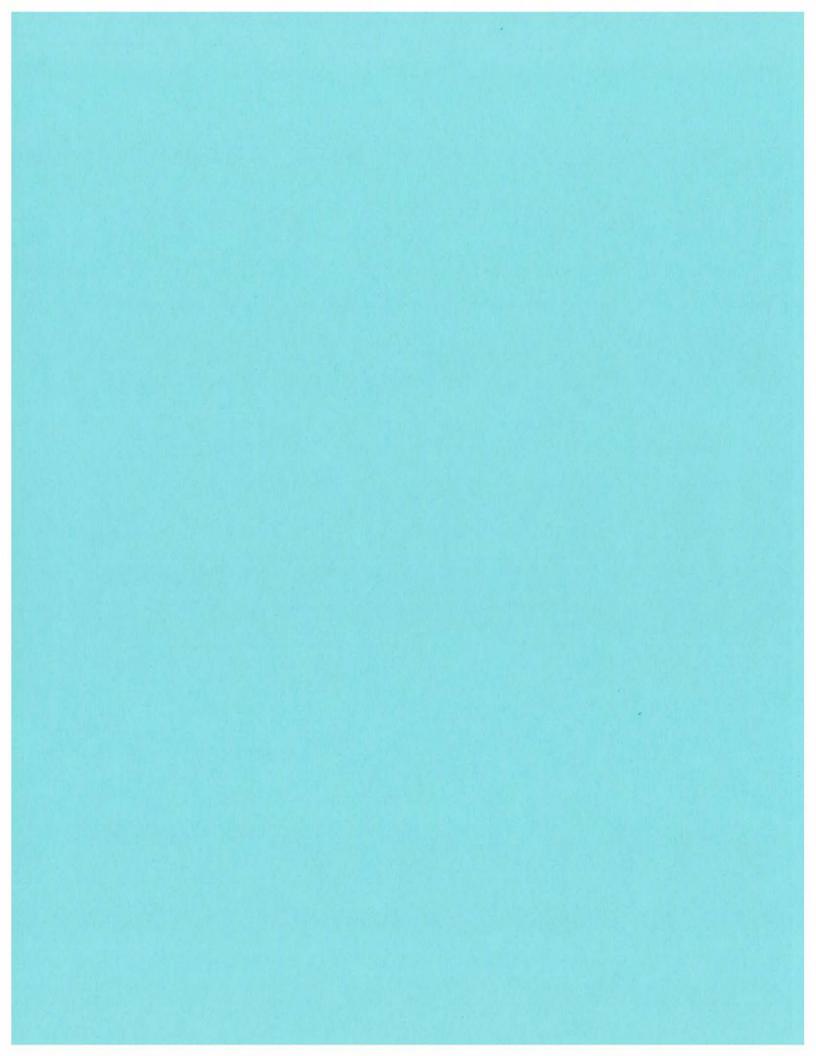
Dr. Apperson said she had received an overwhelming response to her request for updates on summer professional and academic activities by the faculty, among them the 15th annual Summer Literacy Institute on campus and faculty research with students, She told the Board about eight new books that have been published by faculty and summarized additional faculty projects on contributions to their fields and the campus community.

There being no further business, the meeting adjourned at 11:10 a.m. Board members attended the unveiling of the new Farmville Freedom Monument at noon and toured the Upchurch University Center. Pursuant to planning earlier in the week, the September BOV meeting adjourned Friday rather than Saturday, to allow for safe travel as Hurricane Florence developed.



Edits, Updates, and Amendments Regarding Policy, Procedure and Planning

This section includes standard edits, updates, and amendments to policies and procedures. The only changes to the Non-Discrimination Policy and Sexual Misconduct Policy are simply to update with the name and contact information of the current Title IX officer. The Pay Practices Policy simply replaces pay schedule information previously listed in the policy with a link to a website that can be updated without having to further update the policy. The Video Surveillance Policy and the Intellectual Property Policy represent comprehensive and wholesale revisions of existing policies.



Policy 5215

Non-Discrimination

I. Purpose

The purpose of this policy is to restate the Institution's commitment to diversity.

II. Policy

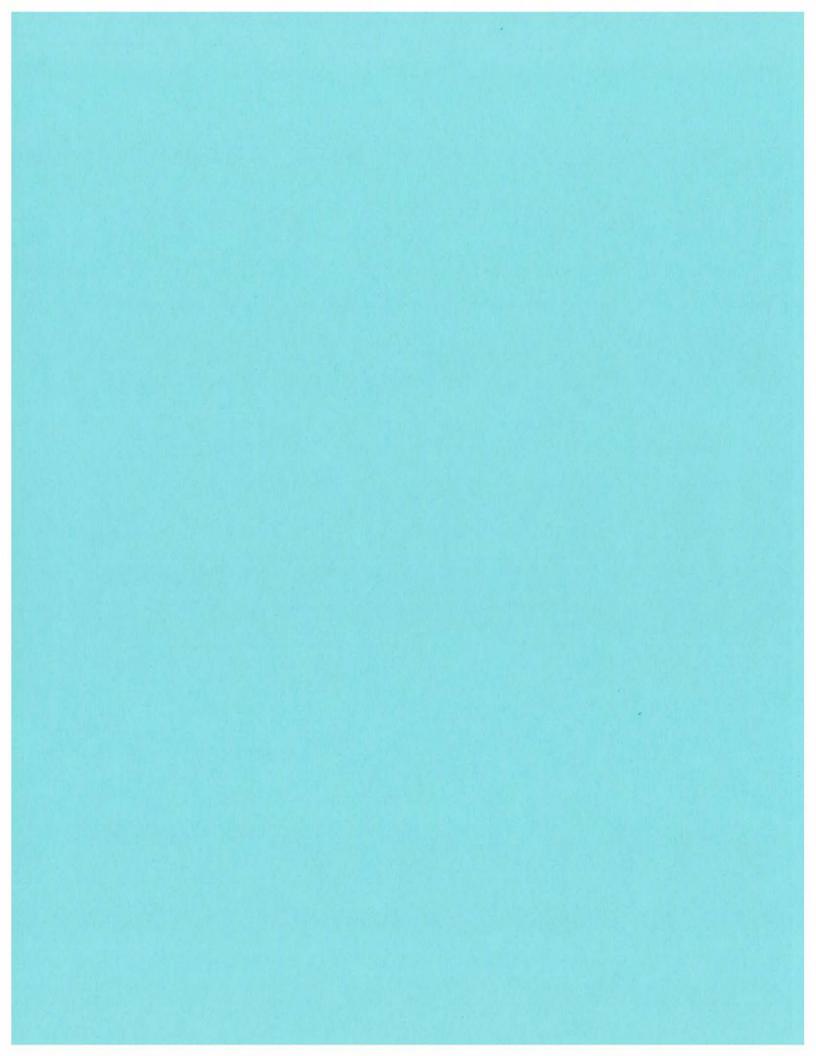
Longwood University, an agency of the Commonwealth of Virginia, is an equal opportunity institution of higher learning. Consistent with Federal and State law, the University promotes equal opportunity for all prospective and current students and employees. The University will not discriminate against any individual on the basis of race, sex, color, national origin, religion, sexual orientation, gender identity, age, political affiliation, veteran status, or disability status, except in relation to employment where a bona fide occupational qualification exists.

Anyone with questions concerning access or accommodations should contact Disability Resources at 434-395-2391 (V); 800-828-1120 (TT Relay). If you have any questions or concerns regarding employment please contact the Equal Opportunity officer, Lisa Mooney, at 434.395.2074. For more information or if you believe you have been subject to discrimination on the basis of sex or gender identity, please contact Longwood University's Title IX Coordinator:

Lindsey Moran, Esq., University Clery and Title IX Coordinator Office: Lancaster Hall, G-08H; Office Phone (434) 395-2751, Cell Phone (434) 808-9439 Email: moranlj@longwood.edu www.longwood.edu/titleix

This policy represents a commitment by Longwood University to support the practice, spirit and good-faith effort of equal opportunity beyond mere compliance with government regulations. Longwood administrators, management staff and supervisors are responsible for supporting and following this policy in their respective areas. Faculty, administrators, staff and students are expected to understand and support this important policy.

Revised and approved by the Board of Visitors, September 7, 2002. Revised and approved by the Board of Visitors, June 15, 2006. Revised and approved by the Board of Visitors, September 12, 2015. Revised and approved by the Board of Visitors, September 9, 2016. Revised and approved by the Board of Visitors, December 2, 2016



Longwood University Policy Template

Attachment 1

Policy Title: Longwood University Sexual Misconduct Policy

Policy Number: 5231

Policy Owner: Student Affairs

Purpose: Longwood University is committed to providing a healthy living, learning and working environment; an atmosphere that emphasizes the dignity and worth of the individual, which promotes personal integrity, civility and mutual respect, and creates an environment that is free from sexual misconduct and discrimination. Sexual misconduct, sexual discrimination and sexual harassment, are incompatible with Longwood's commitment to diversity and educational equity. Educational training and prevention programs will be provided along with appropriate resources and reporting options. This policy includes all forms of sexual misconduct, including sexual discrimination, sexual harassment, sexual assault, sexual violence, dating and relationship violence, and stalking by employees, students, or third parties. This policy addresses any sexual misconduct that involves members of the Longwood community regardless of whether the incident occurs on or off campus. The intent of this policy is to provide the campus community with information, common definitions, and strategies to report and manage incidents that occur.

Definitions and Eligibility:

This policy applies to all Longwood students, staff and faculty in all university programs and activities regardless of location of the incident(s). This policy also applies to individuals who join our community as an affiliate or part of an affiliated program. The University will conduct investigations to the best of their ability that may lead to appropriate criminal, personnel, and student conduct actions. Action will be taken to offer Longwood students, staff and faculty immediate resources which may include counseling, medical assistance and living, learning and/or appropriate working environment adjustments.

If the complainant is a Longwood student, staff or faculty member and the accused respondent has no affiliation to Longwood, the complainant shall be offered available resources as appropriate. To the extent possible, the University will address the behaviors defined below towards any member of the Longwood community by non-members, including contractors, alumni, visitors, and any others identified as non-employees or non-students of the University.

If the complainant is a Longwood student, staff or faculty member and the accused respondent is affiliated with Longwood, both the complainant and accused respondent shall be offered available resources as appropriate.

If the complainant is not a Longwood student, staff or faculty member but the accused respondent is affiliated with Longwood, the respondent shall be offered counseling, medical and other resources as appropriate.

Sexual Misconduct is a term that encompasses any sexual behaviors that violate Longwood University's Code of Conduct and University Policies. In general, any non-consensual contact of a sexual nature may constitute Sexual Misconduct. Sexual Misconduct may vary in its severity and consists of a range of behaviors or attempted behaviors that may be grounds for conduct action under University policy. The following policy definitions apply:

1. **Consent:** Effective consent is the basis of the analysis applied to unwelcome sexual contact. Lack of consent is the critical factor in any incident of sexual misconduct and sexual violence. Consent is informed, freely and actively given and requires clear communication between all persons involved in the sexual encounter. Consent is active, not passive. Consent can be communicated verbally or by actions. But in whatever way consent is communicated, it must be mutually understandable. Silence, in and of itself, cannot be interpreted as consent. It is the responsibility of the initiator of sexual contact to make sure they understand fully what the person with whom they are involved wants and does not want sexually. Consent to one form of sexual activity does not imply consent to other forms of sexual activity. Previous relationships or consent does not imply consent to future sexual acts. Consent may be withdrawn at any time, by any party to the sexual activity.

Consent cannot be procured by use of physical force, compelling threats, intimidating behavior, or coercion. Coercion is unreasonable pressure for sexual activity. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another. Effective consent cannot be given by minors, mentally disabled individuals or persons incapacitated as a result of drugs or alcohol. If a person is mentally or physically incapacitated or impaired so that such person cannot understand the fact, nature or extent of the sexual situation or activity, there is no consent; this includes impairment or incapacitation due to voluntary alcohol or drug consumption by the alleged victim, or being asleep or unconscious. Incapacitation is a state where one cannot make a rational, reasonable decision because they lack the ability to understand the: who, what, when, where, why or how of their sexual interaction. Use of alcohol or other drugs will never function to excuse behavior that violates this policy.

This policy also covers someone whose incapacity results from mental disability, sleep, involuntary physical restraint, or from the taking of a so-called "date-rape" drug. Possession, use and/or distribution of any of these substances, including Rohypnol, Ketamine, GHB, Burundanga, etc. is prohibited, and administering one of these drugs to another person for the purpose of inducing incapacity is a violation of this policy.

2. Sexual Activity: includes intentional contact with the breasts, buttock, groin, or genitals, or touching another with any of these body parts, or making another touch oneself or themselves with or on any of these body parts; any intentional bodily contact in a sexual manner, though not involving contact with/of/by breasts, buttocks, groin, genitals, mouth or other orifice. Intercourse however slight, meaning vaginal penetration by a penis, object, tongue or

finger; anal penetration by a penis, object, tongue; or finger, and oral copulation (mouth to genital contact or genital to mouth contact).

- 3. Sexual Discrimination: includes all forms of: sexual harassment, sexual assault, and sexual violence by employees, students, or third parties against employees, students, or third parties. Students, University employees, and third parties are prohibited from harassing other students and/or employees whether or not the incidents of harassment occur on the Longwood campus and whether or not the incidents occur during working hours.
- 4. **Unwelcome Sexual Contact**: includes fondling or touching, either of the complainant, or when the complainant is forced to touch another person's body, directly or through clothing. The definition of fondling is the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental incapacity.
- 5. Coerced Sexual Intercourse: includes rape, attempted rape, sodomy, or other sexual acts or misconduct; or when the complainant is incapable of consent by reason of age, mental incapacity (including unwitting consumption of drugs), or physical helplessness. The definition of rape is 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, without the consent of the victim. The definition of incest is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law. The definition of statutory rape is sexual intercourse with a person who is under the statutory age of consent.
- 6. Sexual Exploitation: Sexual exploitation occurs when an individual takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of the other sexual misconduct offenses. Examples of sexual exploitation include, but are not limited to:
- a. Prostituting another student;
- b. Non-consensual video or audio-taping of sexual activity;
- c. Going beyond the boundaries of consent (such as allowing friends to hide in a closet to watch you having consensual sex);
- d. Engaging in voyeuristic behavior;
- e. Knowingly transmitting an STD, STI or HIV to another.
- f. Disseminating or using video or photographic still images created by any means that depicts another person who is totally nude, or in a state of undress so as to expose the genitals, pubic area, buttocks, or female breast, without consent of the person(s) who are the subject of the video or still images.
- 7. Sexual Harassment: Sexual harassment is unwanted sexual advances, requests for sexual favors, or visual, verbal, or physical conduct of a sexual nature when: (1) submission to such conduct is made a term or condition of employment or the educational relationship; (2) submission to or rejection of such conduct is used as a basis for employment or education

decisions affecting the individual; or (3) such conduct has the effect of unreasonably interfering with a student's or employee's work performance or creating an intimidating, hostile, or offensive working, educational, or living environment. While sexual harassment encompasses a wide range of conduct, some examples of specifically prohibited conduct include:

- a. Promising, directly or indirectly, a student or employee a reward, if the student or employee complies with a sexually oriented request.
- b. Threatening, directly or indirectly, retaliation against a student or an employee, if the student or employee refuses to comply with a sexually oriented request.
- c. Denying, directly or indirectly, a student or employee an employment or education related opportunity, if the student or employee refuses to comply with a sexually oriented request. Engaging in sexually suggestive conversation or physical contact or touching another student or employee.
- d. Displaying pornographic or sexually oriented materials.
- e. Engaging in indecent exposure.
- f. Making sexual or romantic advances toward a student or employee and persisting despite the student or employee's rejection of the advances.
- g. Physical conduct such as assault, touching, or blocking normal movement.
- h. Retaliation for making harassment reports or threatening to report harassment.

Sexual harassment can involve a person or persons being harassed by members of any sex. Although sexual harassment sometimes involves a person in a greater position of authority as the harasser, individuals in positions of lesser or equal authority also can be found responsible for engaging in prohibited harassment.

Sexual harassment can be physical and/or psychological in nature. The accumulative effect of a series of incidents can constitute sexual harassment even if one of the incidents considered separately would not rise to the level of harassment.

- 8. **Dating and Relationship Violence:** Abuse or violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. This relationship involves physical or emotional intimacy. Physical intimacy is characterized by romantic or passionate attachment or sexual activity.
- a. The existence of such a relationship shall be determined based on the complainant's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- b. For the purposes of this definition, dating and relationship violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- c. Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.
- d. To better meet these requirements, if the complainant states that a relationship currently exists, formerly existed, and existed in the past 12 months, etc., it will be counted for Clery reporting purposes.

Dating and relationship violence is abuse or violence between partners or former partners, characterized by one or more of the following elements:

- a. Intentionally causing bodily injury;
- b. Purposely or knowingly causing reasonable apprehension of bodily injury;
- c. Emotional abuse creating apprehension of bodily injury or property damage;
- d. Repeated telephonic, electronic, or other forms of communication -- anonymously or directly -- made with the intent to intimidate, terrify, harass, or threaten;
- 9. Stalking: includes repeatedly following, harassing, threatening, or intimidating another by telephone, mail, electronic communication, social media, or any other action, device or method that purposely or knowingly causes emotional distress or apprehension of bodily injury or death. Stalking is a course of conduct directed at a specific person that would cause a reasonable person to fear for her, his, or others' safety or to suffer substantial emotional distress. For the purposes of this definition:
- a. Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, participates in surveillance of, threatens, or communicates to or about a person, or interferes with a person's property.
- b. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
- c. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
- d. Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.
- 10. **Retaliation**: is action taken by an accused individual or an action taken by a third party or a group of people against any person because that person has opposed any practices prohibited under this policy or because that person has filed a complaint, testified, assisted, or participated in any manner in an investigation or proceeding under this policy. This includes action taken against a bystander who intervened to stop or attempt to stop discrimination, harassment, or sexual misconduct.

Retaliation includes intimidating, threatening, coercing, discouraging or in any way discriminating against an individual because of the individual's complaint or participation in in the complaint process. Action is generally deemed retaliatory if it would deter a reasonable person in the same circumstances from opposing practices prohibited by this policy.

Procedures: Filing a Sexual Misconduct Complaint

All incidents of sexual misconduct and retaliation should be reported. Longwood University's complaint procedures provide for immediate, thorough, and objective investigation of all claims. The University will take appropriate remedial action that is commensurate with the severity of the offense. The University encourages those who have experienced these types of incidents to immediately report them to both the University Title IX Coordinator and Longwood University Police Department. All University employees, except those designated as Confidential

Reporting Options, are designated as "responsible employees." Responsible employees are required to promptly report all incidents and/or knowledge of sexual misconduct, including personally identifiable information of the parties involved, to the University Title IX Coordinator. All reports are treated with the maximum possible privacy.

An immediate report to the Longwood Police will enable the preservation of evidence necessary for a successful criminal prosecution. The Longwood University Police Department is trained in collecting and preserving evidence for criminal cases. When evidence exists that could help support a criminal charge or assist the complainant in obtaining protective orders, contacting the Longwood University Police Department immediately, so the evidence may be collected, may ensure that even if the complainant does not want to file a criminal report at this time, the complainant may change their mind at a later date. Evidence collected by the Longwood University Police Department will be retained indefinitely unless destruction is authorized by the Commonwealth of Virginia Attorney. Complainants have the right, however, to choose whether or not to provide a statement to Longwood Police and to choose whether or not to pursue criminal prosecution after such a statement has been made.

Title IX Coordinator and Role of Title IX Coordinator Lindsey Moran, Esq., University Clery and Title IX Coordinator Office: Lancaster Hall, G-08H; Office Phone (434) 395-2751, Cell Phone (434) 808-9439 Email: moranlj@longwood.edu

Students, staff or faculty who believe they have either witnessed or been subjected to sexual discrimination, sexual harassment, sexual misconduct, dating and relationship violence, stalking and retaliation should notify the Title IX Coordinator.

After the university receives notice of sexual misconduct or retaliation, it will conduct an impartial investigation. For specifics regarding investigations, see investigation procedures below. Student reporters of misconduct will not be charged with alcohol offenses or other minor violations of the Student Code of Conduct Standards and Regulations disclosed during the reporting process. Minor violations are defined as those that have a minimum sanction of letter of admonition. Please see the Code of Conduct Standards and Regulations within the Student Handbook for more information.

When the complainant and the respondent participate in the same educational opportunities, work in the same employment area and/or reside in the same University residence or in proximity to one another, the University will take immediate steps to separate the individuals and prevent contact, if appropriate. The applicable Vice President or designee will make the appropriate determination regarding alternative arrangements. Alternative arrangements may include, but are not limited to: temporary disciplinary suspension (depending on the severity of the allegations), adjustment of academic schedule or employment, no contact orders, and/or alternative living arrangements.

The Title IX Coordinator can assist with all aspects of the process and is responsible for:

- Convening a review committee consisting of the Title IX Coordinator, Longwood University
 Police Department Representative and Student Affairs Representative. This committee will meet
 within 72 hours, and continue to meet as necessary, when notice to the University of an alleged
 violation of this policy is received. This committee will review and determine if it is necessary
 to disclose to the appropriate law-enforcement agency, all information of the alleged violation,
 including personally identifiable information, to protect the health or safety of the individual or
 community. It is the responsibility of the Longwood University Police Department
 Representative or designee to notify the appropriate law-enforcement agency and/or
 Commonwealth of Virginia Attorney.
- Ensuring that both the individual filing the complaint and the individual responding are aware of the seriousness of the complaint.
- Explaining Longwood University's policy and investigation procedures.
- Exploring various means of resolving the complaint.
- Making referrals to Counseling and Psychological Services for counseling or other mental health resources, if appropriate.
- Discussing with the complainant the option of notifying the police if criminal activities are alleged.
- Conducting or arranging for an investigation of the alleged prohibited conduct.
- Arranging support services for the complainant, which could include changes in living arrangements, course schedules, assignments, or tests.
- Arranging interim services to prevent reoccurrence of the alleged prohibited conduct, which could include increased monitoring, supervision, or security at locations or activities where the misconduct occurred and no-contact directives, as necessary.
- Preparing or overseeing any reports, recommendations, or remedial action(s) that are needed or warranted to resolve any prohibited conduct and maintaining all information pertaining to an investigation or complaint in a secure file.
- The Title IX Coordinator is responsible for maintaining records relating to sexual misconduct reports, investigations and resolutions.
- The Title IX Coordinator and Deputy Title IX Coordinators will participate in ongoing sexual misconduct training and maintain a high level of knowledge of the policy and procedures.

Longwood University strictly prohibits retaliation against any person for using this reporting process, or for reporting, providing witness, assisting or participating in any manner in any investigation or proceeding involving allegations. Any person who violates this policy will be subject to discipline, up to and including termination if they are an employee, and/or expulsion if they are a student.

Employees who believe they have either witnessed or been subjected to sexual discrimination, sexual harassment, sexual misconduct, dating and relationship violence, stalking and retaliation notify the Chief Human Resources Officer (Deputy Title IX Coordinator for Employees).

Lisa Mooney, Chief Human Resources Officer Office: Lancaster Hall, 212 Phone: (434) 395-2074

Email: mooneylj@longwood.edu

Reporting Options

1. Title IX Coordinator: Students, staff or faculty who believe they have either witnessed or been subjected to sexual discrimination, sexual harassment, sexual misconduct, dating and relationship violence, stalking and retaliation should notify the University Title IX Coordinator:

Lindsey Moran, Esq., University Clery and Title IX Coordinator Office: Lancaster Hall, G-08H; Office Phone (434) 395-2751, Cell Phone (434) 808-9439 Email: <u>moranlj@longwood.edu</u> <u>www.longwood.edu/titleix</u>

- Making a report with Longwood Police: Persons who wish to file a police report may contact Longwood Police at (434) 395-2091. Office: Dorrill Dining Hall, Ground Floor. Online reporting: <u>http://www.longwood.edu/police/forms/report-a-crime</u>
- 3. Making a Limited Report: Persons who wish to report an incident and desire that the University take no action to investigate this incident, may speak to the Campus Advocate. This option produces a limited report, which includes no generally identifiable information about the complainant. A complainant may later choose to file a complaint with the University Title IX Coordinator and thus have the incident fully investigated to the best of the University's ability. The Campus Advocate may be contacted at Counseling and Psychological Services (CAPS): Health and Fitness Center, Upper Level; Phone: (434) 395-2409.
- 4. Making a Confidential Report: Persons who wish to report an incident or speak to someone about what happened and desire that the details of the incident be kept confidential, they should speak with staff members of Counseling and Psychological Services (CAPS), University Health Center, or off-campus crisis resources, who will maintain confidentiality. CAPS staff is available to assist students free of charge.
- Counseling and Psychological Services: Health and Fitness Center, Upper Level; Phone: (434) 395-2409
- University Health Center: Longwood Landings, 106 Midtown Ave, Farmville, VA; Phone: (434) 395-2102

In addition, you may go off campus to speak with clergy and chaplains, who will also keep reports made to them confidential. Longwood University has an established Cooperative Agreement with an off-campus crisis resource agency to provide services for those who wish to utilize off-campus confidential crisis resources.

• Madeline's House / Southside Center for Violence Prevention 24-Hour Hotline: (888) 819-2926

Confidentiality

If you would like to report an incident or speak to someone about what happened and you desire that details of the incident be kept confidential, you should speak with staff members of

Counseling and Psychological Services, University Health Center or off-campus crisis resources, who will maintain confidentiality. All inquiries, complaints, and investigations are treated with utmost discretion. Information can be released as law and policy permit. However, the identity of the complainant is usually revealed to the person(s) accused of such conduct and any witnesses. A complainant can decide after they talk to the University Title IX Coordinator, whether or not to pursue a Title IX Complaint. In addition to the choice of whether or not to pursue a Title IX complainants may also request confidentiality in terms of not revealing the complainant's name to a respondent. These requests are evaluated on a case by case basis by the University Title IX Coordinator to determine whether that request can be honored while still providing a safe and nondiscriminatory environment for all students, including the complainant.

Many factors are weighed when determining whether or not to honor a request to withhold the complainant's name from the respondent. These factors include, but are not limited to, when there is a clear and present danger of harm to the complainant or others, when there is knowledge or suspicion of abuse or neglect of minor children or elderly persons, reporting obligations under state law and as otherwise required by law. Additionally, these factors also include circumstances that suggest there is an increased risk of the respondent committing additional acts or there is an increased risk of future acts under similar circumstances, as well as whether the University possesses other means to obtain relevant evidence.

Although a complainant's request to have their name withheld from the respondent may limit the University's ability to respond fully to an individual allegation of sexual misconduct, other means may be available to address the sexual misconduct. There are steps the University can take to limit the effects of the alleged sexual misconduct and prevent its recurrence without initiating formal action against the alleged perpetrator or revealing the identity of the complainant.

Federal Statistical Reporting Obligations

Certain campus officials (campus security authorities) have a duty to report sexual misconduct for federal statistical reporting purposes. All personally identifiable information is kept private, but statistical information must be passed along to campus law enforcement regarding the type of incident and its general location (on or off-campus, in the surrounding area, but no addresses are given), for publication in the annual Campus Security Report. This report helps to provide the community with a clear picture of the extent and nature of campus crime, in order to ensure greater community safety.

Mandated federal reporters (campus security authorities) include student/conduct affairs, campus law enforcement, local police, coaches, athletic directors, residence life staff, student activities staff, human resources staff, advisors to student organizations and any other official with significant responsibility for student and campus activities.

Federal Timely Warning Reporting Obligations

Victims of sexual misconduct should also be aware that University administrators must issue timely warnings for incidents reported to them that pose a substantial threat of bodily harm or danger to members of the campus community. The University will make every effort to ensure that a victim's name and other identifying information is not disclosed, while still providing enough information for community members to make safe decisions in light of the danger.

Procedures

- 1. The Title IX Coordinator shall provide for the adequate, reliable, and impartial investigation of all complaints:
- Investigations of student versus student complaints shall be coordinated by the University Title IX Coordinator and/or designee.
- Investigations of student versus employee complaints shall be coordinated by the Chief Human Resources Officer (Deputy Title IX Coordinator for Employee Issues) with support from the University Title IX Coordinator and/or designee.
- Investigations of employee versus employee complaints shall be coordinated by the Chief Human Resources Officer (Deputy Title IX Coordinator for Employee Issues) and/or designee.
- 2. Procedure terms associated with the Longwood University Sexual Misconduct Policy are defined below:

Appeal: A proceeding held to determine whether there was a failure to follow policy procedures; determine if additional evidence has come to light that was not available at the time of the University Hearing Board's decision; determine if the sanctioning recommended is out of proportion with, or inappropriate for the offense. An appeal is processed by the University Appeals Board.

Complainant: Individual responsible for filing the initial complaint or Title IX Investigator on behalf of the University.

Hearing: A proceeding held to determine whether to uphold a Title IX Investigation report that has determined a respondent is responsible for a violation of the Sexual Misconduct Policy. A hearing may consist of one or more respondents and is processed by the University Hearing Board.

Outcome: The results of a Title IX investigation, hearing proceeding or appeal proceeding.

Respondent: The individual accused of an alleged violation.

- 3. Complainant and/or respondent may each select one support person or advisor, who may also be legal counsel, to accompany them during the investigation process, Informal Procedures and Formal Procedures. The support person or advisor may be present with their respective party for all meetings, hearings and appeals, but may not actively participate, address the hearing or appeals board, present arguments, question other parties or witnesses. Please note that a support person or advisor's schedule will not be considered when scheduling any meetings, hearings and/or appeals.
- 4. Only trained investigators will conduct an investigation; both parties will have the opportunity to review and provide comments to the investigator about their statements before the investigation report is finalized.

- 5. The University will conduct an investigation to the extent of the information available. If the University obtains independent corroborating information of the misconduct it may determine it necessary to move forward with the investigation procedures and/or remedial measures without the involvement of a complainant.
- 6. Criminal investigations, separate from the process outlined in this policy, shall be conducted by the Longwood University Police or appropriate law enforcement agency, in parallel with the University's investigation. In cases where students are the subject of a criminal investigation, the University's investigation will commence parallel to or at the conclusion of such investigation.
- 7. Barring extenuating circumstances the entire process shall be completed within 60 days. Complainants and respondents will be notified if the process cannot be completed within this timeframe.
- 8. Informal Procedures

Some complaints can be resolved through informal mediation between the parties. The University Title IX Coordinator and/or designee may arrange for, or facilitate mediation between the involved parties and coordinate other informal problem resolution measures.

- a. Once a report has been made, informal resolution procedures shall be pursued within five business days of the initial report.
- b. Informal Resolution Procedures are optional and may be used when deemed appropriate. Informal procedures are never applied in cases involving violence or non-consensual sexual intercourse.
- c. An investigation into the report shall be conducted by the University Title IX Coordinator or designee.
- d. Once the informal resolution procedure is complete, written notification of the agreed upon resolution shall be given to both parties by the University Title IX Coordinator or designee.
- e. The involved parties will sign a voluntary agreement specifying the behavioral expectations resulting from the mediation. If re-occurrence takes place, those responsible for such behavior will be subject to additional action, with greater penalties, under this policy.
- f. If either party is unsatisfied with the outcome of the informal resolution procedure, the formal resolution procedure may be pursued.
- 9. Formal Procedures
- a. Once the university has received notice of sexual discrimination, sexual harassment, sexual misconduct, sexual assault, sexual violence, dating and relationship violence, stalking and retaliation, an investigation shall commence within five business days.
- b. To ensure a prompt and thorough investigation, the complainant should provide as much of the following information as possible:
- The name, department, and position of the person or persons allegedly committing the misconduct.
- A description of the incident(s), including the date(s), location(s), and the presence of any witnesses.

- The alleged effect of the incident(s) on the complainant's educational opportunities, living situation, position, salary, benefits, promotional opportunities, or other terms or conditions of employment.
- The names of other students or employees who might have been subject to the same or similar misconduct.
- Any steps the complainant has taken to try to stop the misconduct, if appropriate.
- Any other information the complainant believes to be relevant to the misconduct.
- c. The investigator shall determine, by a preponderance of evidence, whether the respondent violated this policy. Preponderance of evidence means that it is more likely than not that a violation occurred. If the investigator determines that the respondent did not violate this policy, the matter will be closed.
- d. At the completion of the investigation, both the respondent and complainant will be informed within five working days, in writing, of the outcome of the investigation.
- e. Both the complainant and respondent are entitled to a copy of the investigators' report, redacted of any personally identifiable information. The redacted report shall be provided to the complainant or respondent within two working days after the University Title IX Coordinator or designee has received a written request. The non-redacted report may be viewed by the complainant and respondent at any time during normal business hours.
- f. If it is determined by a preponderance of the evidence that a violation did occur, the respondent may accept findings of the investigation and the sanctions / measures determined by the University Title IX Coordinator or designee to prevent the violation's recurrence; or challenge the findings and request a hearing. The respondent must, within five working days from the written notification of the outcome of the investigation, make a decision to, accept the findings or challenge the findings and sanctions / measures, and request a hearing. The University Title IX Coordinator or designee reserves the right to send the case to the University Hearing Board for sanction/measures recommendations only, in investigations that the respondent has been found responsible and accepts those findings.
- g. The complainant may decide, subsequent to the filing of formal charges against the respondent, to withdraw the complaint. The university will, however; still proceed based on the investigative findings.

Procedures for Hearings on Violations of the Sexual Misconduct Policy

- 1. The University Hearing Board will conduct hearings regarding alleged violation(s) of this policy.
- 2. A University Hearing Board hearing will proceed in the following manner:
- a. Hearings conducted by the University Hearing Board are closed to the public. The only individuals allowed to be present are active participants in the hearing process: the complainant, the respondent, an advisor for each, the investigator (s), the University Hearing Board, witnesses, and necessary university administrators. Either the complainant or the respondent may dispute the presence of individuals in the hearing room. The hearing board will make the final decision.
- b. The hearing will be non-adversarial and strict rules of evidence will not be applied.
- c. The hearing board members and all aforementioned participants are introduced.
- d. Participants state any questions they have concerning rights or procedures.
- e. The statement of charges is presented.
- f. The respondent enters a plea of responsible, not responsible or no plea.

- g. Testimony phase: During the testimony phase of the hearings, cross-examination will be conducted by the hearing board in the presence of the University and complainant, the respondent and their respective advisors. Witnesses may only be present when actively giving testimony. Advisors may be present with their respective parties for all testimony, but may not actively participate, address the hearing board, present arguments or question witnesses.
- h. The respondent, the complainant and/or University, may each present an opening statement and a closing statement before the Board. The respondent and complainant and/or University may view each other's statements on live video feed.
- The respondent and complainant and/or University may present evidence and witnesses. Witnesses may be cross-examined by the hearing board in opposing party's presence. The board will privately cross-examine the respondent, the complainant, and any witnesses they deem necessary. The respondent and complainant and/or University may view testimony on live video feed.
- j. The respondent and the complainant and/or University may each submit a list of questions to the board's chairperson for the board to consider. The past sexual history or sexual character of a party to the 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 University, judicial or student conduct proceeding will be admissible. The parties will be notified in advance of the hearing if any information addressed by this paragraph is deemed admissible.
- k. After all of the evidence has been introduced, the parties will be excused from the room so that the board may deliberate.
- 1. The University Hearing Board shall determine, by a preponderance of evidence, whether the respondent violated this policy. Preponderance of evidence means that it is more likely than not that a violation occurred. If the University Hearing Board determines that the respondent did violate this policy, the complainant will be allowed to submit a statement regarding the impact that the misconduct has had on the educational, living and/or working environment of the complainant.
- m. When the board has made a decision regarding responsibility, the parties will be invited back into the room for a reading of the decision and any recommended sanctions.
- 3. The outcome of the hearing and any recommended sanctions will be forwarded to the applicable Vice President or designee immediately following the hearing if no appeal is filed: The Associate Dean of Conduct & Integrity in the case of a student respondent, the Provost and Vice President of Academic Affairs in the case of a faculty respondent, and the Vice President of Administration and Finance in the case of a classified staff or administrative employee.
- 4. Both the respondent and complainant will be informed within five working days, in writing, of the outcome of the hearing and the appeal (if an appeal is filed) and of any sanctions being recommended to the applicable Vice President or designee. If the complainant is deceased as the result of the alleged violation, the next of kin of such complainant shall be treated as the complainant for purposes of this paragraph, upon written request.

Composition of the University Hearing Board

1. A five-member University Hearing Board will be appointed by the University Title IX Coordinator, on a per-case basis from a pool of trained members: no less than 6 faculty and 6 staff. The chair of the hearing board is a non-voting member, except in cases of a tie, who leads the hearings and facilitates discussion among board members. The University Title IX Coordinator will serve as a non-voting advisor to the chair. All Board members are appointed annually and serve from October 1 - September 30.

- 2. The pool of candidates for the University Hearing Board shall be nominated by:
- Faculty Senate, Executive Committee (faculty members).
- Vice President for Student Affairs and Vice President for Finance and Administration (staff).
- 3. In the case of a faculty respondent, at least three members of the University Hearing Board shall be faculty, in the case of a professional staff respondent; at least three members of the University Hearing Board shall be staff (except in cases where there is not sufficient availability in the pool of trained members).
- 4. The complainant and/or respondent can request board members to recuse themselves from the hearing for actual or perceived bias or other conflict of interest. The final decision regarding this request will be made by the University Title IX Coordinator based on the information provided by the requesting party. Board members may also recuse themselves if they feel they cannot or should not hear a particular case.
- 5. The University Hearing Board panel will be trained by the University Title IX Coordinator regarding hearing procedures, evaluation of evidence, Title IX requirements and other relevant subjects, as needed.
- 6. Individuals cannot serve on both the University Hearing Board panel and the University Appeals Board panel during the same academic year.

Appeals

- 1. Appeals will be heard by the University Appeals Board.
- 2. Respondents and complainants have the right to one appeal each of the University Hearing Board's decision.
- 3. Appeals must be filed within three working days of the University Hearing Board's written decision. To file an appeal, students and employees must fill out the appeal form provided with written notice of the University Hearing Board's decision.
- 4. Appeals may only proceed based on one of three reasons:
- a. Failure to follow policy procedures.
- b. Additional evidence has come to light that was not available at the time of the University Hearing Board's hearing.
- c. The sanction received is out of proportion with the offense.
 Eligibility for an appeal based on the above reasons will be determined by the Title IX
 Coordinator or designee.
- 5. The University Appeals Board will convene within five working days of the receipt of the appeal. All parties will receive notice of the time and place of the appeal.

- 6. The appeal will be non-adversarial and strict rules of evidence will not be applied.
- 7. The outcome of the appeal and any recommended sanctions will be forwarded to the applicable Vice President or designee immediately following the appeal: The Associate Dean of Conduct & Integrity in the case of a student respondent, the Provost and Vice President of Academic Affairs in the case of a faculty respondent, and the Vice President of Administration and Finance in the case of a classified staff or administrative employee.
- 8. Both the respondent and complainant will be informed within five working days, in writing, of the outcome of the appeal and of any sanctions being recommended to the applicable Vice President or designee. If the complainant is deceased as the result of the alleged violation, the next of kin of such complainant shall be treated as the complainant for purposes of this paragraph, upon written request.

Composition of the University Appeals Board

- 1. A three-member University Appeals Board will be appointed by the University Title IX Coordinator, on a per-case basis from a pool of trained members: no less than 6 faculty and 6 staff. All Board members are appointed annually and serve from October 1 - September 30.
- 2. The pool of candidates for the University Appeals Board shall be nominated by:
- The Faculty Senate, Executive Committee (faculty members).
- Vice President for Student Affairs and Vice President for Finance and Administration (staff).
- 3. In the case of a faculty respondent, at least two members of the University Appeals Board shall be faculty, in the case of a professional staff respondent; at least two members of the University Appeals Board shall be staff (except in cases where there is not sufficient availability in the pool of trained members).
- 4. The complainant and/or respondent can request board members to recuse themselves from the appeal board for actual or perceived bias or other conflict of interest. The final decision regarding this request will be made by the University Title IX Coordinator based on the information provided by the requesting party. Board members may also recuse themselves if they feel they cannot or should not hear a particular case.
- The University Appeals Board will be trained by the University Title IX Coordinator regarding hearing procedures, evaluation of evidence, Title IX requirements and other relevant subjects, as needed.
- 6. Individuals cannot serve on both the University Hearing Board and the University Appeals Board during the same academic year.

Postponement of Hearings and Appeals

A respondent or complainant may request one postponement of a hearing or appeal by contacting the University Title IX Coordinator at least two (2) business/working days prior to the scheduled hearing or appeal, unless extenuating circumstances exist. Postponement will be allowed only under the following conditions:

- a. The respondent/complainant has an academic conflict;
- b. The respondent/complainant is unable to produce necessary witnesses on the scheduled date of the hearing;
- c. The respondent/complainant has a family emergency;
- d. The respondent/complainant is too ill to attend the hearing;
- e. The respondent/complainant cannot attend because of a religious holiday.

The Title IX Coordinator may require written verification of the reason claimed.

Rights of the Complainant

- 1. The right to have a support person or advisor throughout the process, who may also be legal counsel.
- 2. The right to remain present, either in person or via live feed, throughout the entire hearing (not including the deliberative process).
- 3. The right to attend a pre-hearing meeting with the University Title IX Coordinator or designee.
- 4. The right to have access to existing campus counseling and support services.
- 5. The right to interim services to prevent reoccurrence of the behavior.
- 6. The right to freedom from retaliation by the respondent (or supporters of the respondent).
- 7. The right to be notified of the time, date and place of the scheduled hearing and appeal, if applicable, at least 72 hours prior to the hearing or appeal.
- 8. The right to submit a statement of how the misconduct has impacted the educational, living and/or working environment of the complainant.
- 9. The right to know the outcome of the investigation, the outcome of the hearing, appeal and the sanctions, remedies and corrective actions taken by the University.
- 10. The right to be informed of the ability to request changes in academic, employment and living situations.
- 11. The right to request a single appeal of the outcome of the University Hearing Board's decision and recommended sanctions (if necessary).

Rights of the Respondent

- 1. The right to a support person or advisor throughout the process, who may also be legal counsel.
- 2. The right to remain present during the entire hearing either in person or via live video feed (not including the deliberative process).
- 3. The right to attend a pre-hearing meeting with the University Title IX Coordinator or designee.
- 4. The right to have access to existing campus counseling and support services.
- 5. The right to freedom from retaliation by the complainant (or supporters of the complainant).
- 6. The right to notice of allegations and the opportunity to testify.

- 7. The right to be presumed not responsible unless shown responsible by a preponderance of the evidence.
- 8. The right to a timely hearing.
- 9. The right to notification of the charges, the specific rule or policy violated, and the time, date and place of the scheduled hearing and appeal, if applicable, at least 72 hours prior to the hearing or appeal.
- 10. The right to notification of any information that may be used in the hearing.
- 11. The right to request a single appeal of the outcome of the University Hearing Board's decision and recommended sanctions (if necessary).

Sanctions, Remedies and Corrective Actions

Violations of this policy will be addressed through the sanctions, remedies and corrective actions listed below. The severity of sanctions, remedies or corrective action depends on the facts and circumstances of the offense and/or any history of past conduct that violates this policy. Sanctions, remedies and corrective actions could include (but are not limited to):

- A requirement not to repeat or continue the conduct.
- Reprimand.
- Reassignment.
- Disciplinary Probation.
- Disciplinary Suspension.
- Termination of employment.
- Expulsion.

Student Records

Compliance with the provisions in this policy does not constitute a violation of the General Education Provisions Act (20 U.S.C. § 1232g; 34 CFR Part 99), commonly known as the Family Education Rights and Privacy Act of 1974 (FERPA). Longwood student records policies comply fully with the Family Educational Rights and Privacy Act (FERPA) of 1974, as amended, of the General Education Provisions Act. The accumulation, processing, and maintenance of student data by the University are limited to that information, which is necessary and relevant to the purposes of the University. Personal data of students will be used only for the purpose for which it is collected.

Academic Transcripts - Pursuant to Virginia Code § 23-9.2:15

A prominent notation shall be placed on the academic transcript of any student who has been found responsible and expelled or suspended for sexual violence, which includes the following as defined by this policy: sexual activity, unwelcome sexual contact, coerced sexual intercourse, and dating and relationship violence. The language will read as follows: Expelled – For a

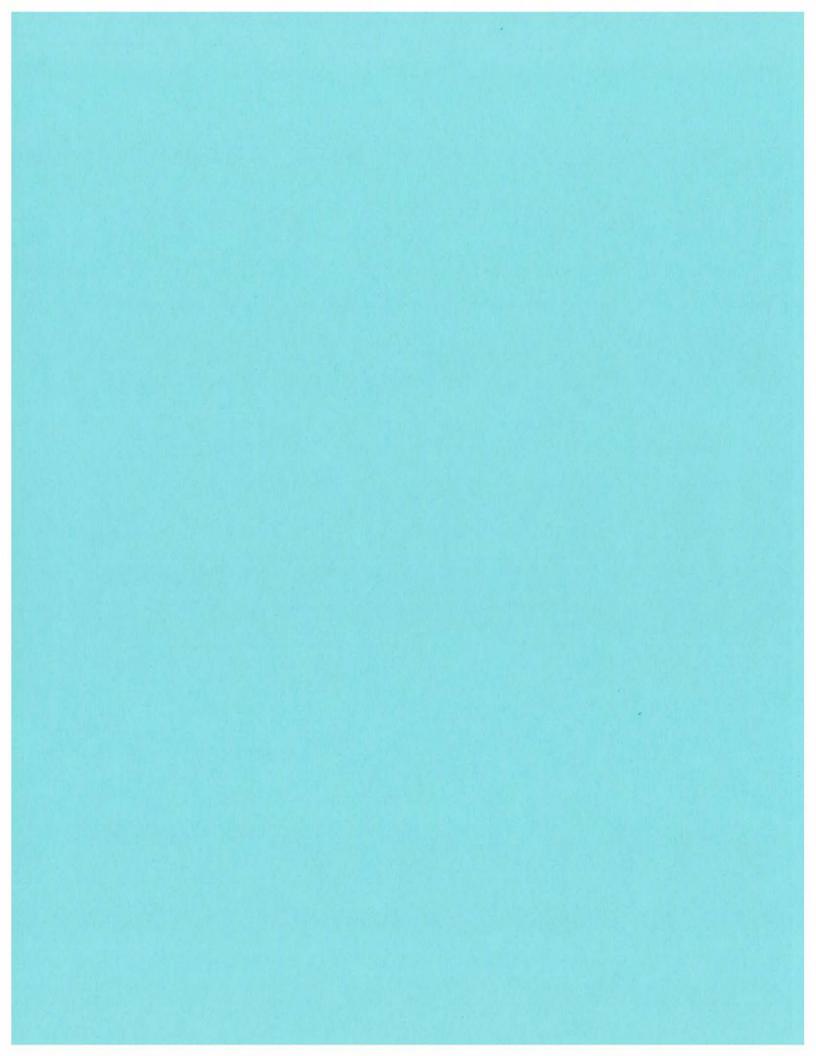
Violation of the University's Code of Conduct Standards and Regulations, or, Suspended – For a Violation of the University's Code of Conduct Standards and Regulations. The notation shall be removed from the transcript when the student has completed the term of the disciplinary suspension, completed any conditions of the disciplinary suspension, and has been determined by Longwood University to be in good disciplinary standing.

A prominent notation shall be placed on the academic transcript of any student who withdraws prior to the final outcome of an investigation, hearing and/or appeal that alleges sexual violence, which includes the following as defined by this policy: sexual activity, unwelcome sexual contact, coerced sexual intercourse, and dating and relationship violence. The language will read as follows: Withdrawal while under Investigation – For a Violation of the University's Code of Conduct Standards and Regulations. The notation shall be removed from the transcript when the student is subsequently found not responsible for a violation of this policy, or not suspended or expelled as a result of a violation of this policy.

Academic Freedom and Free Speech

This policy does not allow censorship of constitutionally-protected speech, which is valued in higher education and by Longwood University. In addressing all complaints and reports of alleged violations of this policy, Longwood University will take all permissible actions to ensure the safety of students and employees while ensuring free speech rights of students and employees. This policy does not in any way apply to curriculum and curriculum decisions or limit the use of particular textbooks or curricular materials.

Date: Approved by the Board of Visitors on September 12, 2015. Revised by the Board of Visitors on June 10, 2016. Revised by the Board of Visitors on September 9, 2016. Revised by the Board of Visitors on December 2, 2016.



Policy Title: Pay Practices

Policy Number: 4502

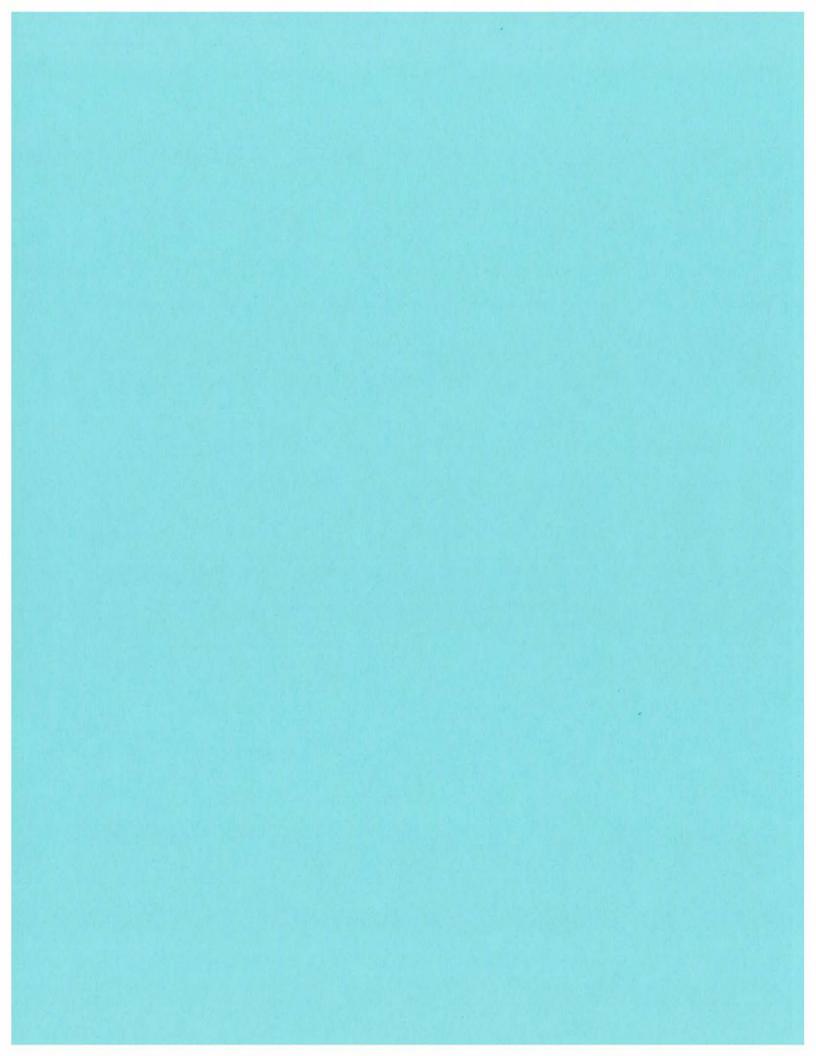
Policy Owner: Administration and Finance oversees this policy and the Longwood University Payroll Department is responsible for compliance.

Purpose: The purpose of this policy is to establish the basic pay processes and pay schedules for Longwood University.

Policy Statement: Longwood employees will be paid in accordance with State policies and authorization, and Longwood procedures. A pay history file will be maintained for each employee and retained in accordance with established regulations. All payroll statistical and tax reports required by the State and Federal governments will be prepared and filed in a timely manner. All employees will be paid by check or direct deposit issued by the Comptroller for the Commonwealth of Virginia. Direct deposit participation is required of all full-time and wage employees.

Procedures: Procedures and pay schedules are published on the Payroll Office website: http://solomon.longwood.edu/offices--departments/human-resources/payroll/

Date: Revised and approved by the Board of Visitors, September 7, 2002. Revised and approved by the Board of Visitors, December 03, 2010. Revised and approved by the Board of Visitors, June 15, 2012.



Longwood University Video Surveillance Policy

Policy Title: Video Surveillance

Policy Number: 1014

Policy Owner: The Vice President for Student Affairs oversees the policy and the Longwood Police Department (LUPD) monitors compliance, along with taking necessary corrective action.

Purpose: The purpose of this policy is to regulate the use of camera systems used to observe and record public areas for the purposes of safety and security.

Policy Statement: LUPD is committed to enhancing the quality of life of the campus community by integrating the best practices of safety and security with technology. A critical component of a comprehensive security plan is the utilization of a security and safety camera system. The surveillance of the public area is intended to deter crime and protecting the safety and property of the Longwood University Community. This policy applies to all University property locations and all personnel, in the use of video security recording and monitoring Retaliation against any employee who brings forth a good faith concern, asks a clarifying question, or participates in an investigation is prohibited.

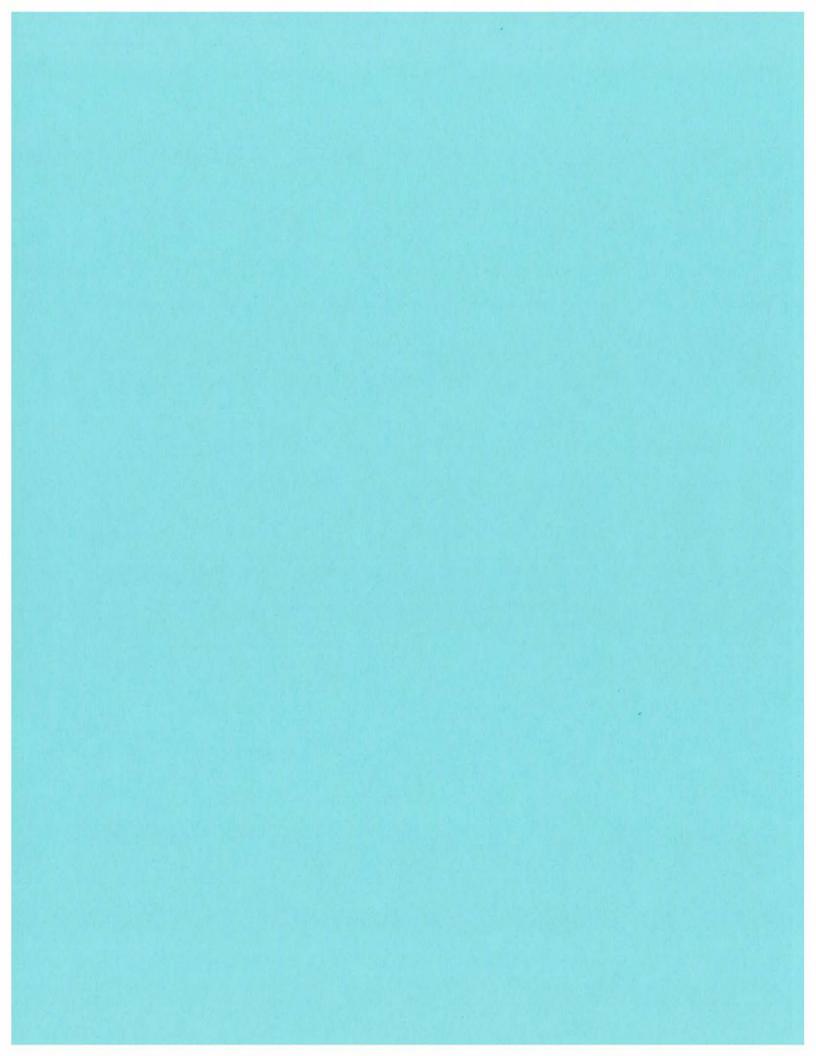
Procedures:

- a. The LUPD is responsible for selecting, coordinating, operating, managing and monitoring all campus security surveillance systems pursuant to this policy.
- b. LUPD shall monitor developments in the law and in security industry practices and technology to ensure that camera surveillance is consistent with the best practices and complies with all federal and state laws.
- c. LUPD and Information Technology (IT) will assess new camera locations.
- d. Maintenance and testing will be the responsibility of LUPD and IT or designated department when applicable.
- e. LUPD will review any complaints regarding the utilization of surveillance camera systems and determine whether the policy is being followed. Appeals of a decision made by the Chief of Police will be made to and reviewed by the Vice President for Student Affairs for a decision.
- f. All LUPD personnel have a duty to report any person who tampers with or destroys video security equipment.
- g. Anyone who tampers with or destroys video security equipment may be subject to criminal prosecution and/or campus judicial action.

Authorization & Installation: Individual departments, programs, campus organizations, or campus vendors will determine if the request is for a security of research camera.

(Code 1950, § 19.1-89.7; 1973, c. 442; 1975, c. 495; 1976, c. 231; 1979, c. 602; 1983, c. 536; 1988, c. 889.)

Date: Approved by the Board of Visitors, September 10, 2010. Revised and approved by the Board of Visitors, June 15, 2012.



Longwood University Policy Template

Policy Title: Intellectual Property Policy

Policy Number: 2110

Definitions:

A. Intellectual Property means:

- 1. A potentially patentable machine, article of manufacture, composition of matter, process, or improvement in any of those;
- 2. An issued patent;
- 3. A legal right that inheres in a patent; or
- 4. Anything that is copyrightable.

B. *Copyrightable work*: An original work of authorship (i.e., writing, work of art, work of music, computer program), which qualifies for protection under federal copyright law.

C. *Work Made for Hire*: A copyrightable work prepared by an employee within the scope of employment.

D. Additional Assignment: A task or undertaking resulting from a specific request, direction, or employment obligation to produce a particular thing or result. A general obligation for faculty to engage in research, scholarship, and teaching is <u>not</u> a specific additional assignment even if it results in a specific end product such as a vaccine, a published article, or a computer program. If an employee's written job description specifies duties that result in the creation of intellectual property, the intellectual property is considered University property.

E. *Significant Use of University Resources:* The substantial use of University equipment, facilities, or personnel. What constitutes significant use of University resources is a question that must be answered based on circumstances of each situation. A general statement defining a dollar amount is not appropriate because of differing needs among disciplines. Customary and usual use of University resources such as telecommunications and information technology, library resources, secretarial assistance, and other support services do not constitute significant use. The use of a computer in a faculty office, incidental supplies, and occasional use of University personnel or shared facilities would typically not be considered significant use. In contrast, utilization of University laboratories or special instrumentation, dedicated assistance by University employees, special financial assistance, or extensive use of shared facilities would constitute significant use.

Policy Owner: Responsibility for oversight of this policy resides with the Provost. As Contract Officer for the University, the Vice President for Administration and Finance is responsible for enforcement and compliance of all contracts and licenses.

Purpose: Longwood University encourages the production of intellectual property, including creative and scholarly works, discoveries, and inventions. The purposes of this policy are to support and reward research and scholarship; to balance the interests of researchers and the University; to define the rights and responsibilities of all involved; and to help faculty, students and staff identify, protect and administer intellectual property.

Policy Statement:

Ownership of Intellectual Property

- A. Except as outlined below, the University shall obtain the entire right, title, and interest in all intellectual property created, developed, invented or discovered by university employees. University employees must disclose and assign the title to inventions developed within the scope of their employment or with significant use of university resources.
 - 1. <u>Additional Assignment</u>. When a copyrightable or patentable work is created as a specific additional assignment, often involving additional compensation or release time, the University shall own the entire right, title, and interest in all materials subject to copyright or patent. Examples: Authoring catalog or promotional materials.
 - 2. <u>Significant Use of University Resources</u>. When a Researcher makes significant use of University resources, the University shall own rights to the intellectual property. The use of a computer in a faculty office, incidental supplies and occasional use of University personnel or shared facilities would typically not be considered significant use. In contrast, utilization of University laboratories or special instrumentation, dedicated assistance by University employees, special financial assistance or extensive use of shared facilities would constitute significant use.
- B. Faculty/Staff Researchers: Researchers retain full ownership of rights to intellectual property when the work is produced completely outside of and using no university resources, facilities or personnel. Example: Inventions or copyrightable works

resulting from pursuance of a hobby, not related to the employee's University activities, and conducted off-campus.

Rights for traditional works of academic scholarship will be retained by the Researcher, provided the work is prepared at the individual's own initiative and not a result of an Additional Assignment. Examples: Articles, monographs, textbooks, literary works, artistic creations, computer software.

To encourage pedagogical innovation, rights for works related to teaching will be retained by the Researcher. Examples: Course handouts, worksheets, lesson plans, and lecture materials in any format.

Student Researchers: In general, student researchers will retain ownership of rights to intellectual property. The University may claim ownership of a work when the student is employed by the University (work made for hire), or when significant use of University facilities, personnel, or resources is made in the development of the materials, especially when unrelated to coursework.

Procedures:

- A. <u>Intellectual Property Report (IPR)</u>: Before proceeding with public disclosure or development of a creative idea, and in consultation with the Department Chair and Dean, the researcher must submit the IPR to Provost for review.
- B. <u>Case Review</u>: The Provost shall review the Researcher's IPR. If a question arises regarding proprietary interests of the University or the Researcher, the Provost may consult the IPC. The Provost may also engage outside firms to evaluate patentability. Within 90 days, the Provost will inform the Researcher in writing whether:
 - 1. The University asserts ownership of the intellectual property and plans to file a patent application; or
 - 2. The University does not assert ownership of the intellectual property.
- C. <u>Dispute Resolution</u>: Any dispute arising over intellectual property must be presented to the President, who, in resolving the dispute, may consult with the Intellectual Property Committee.
- D. <u>Intellectual Property Development</u>. If, after two years, the University does not take action to file a patent application or develop the intellectual property, the Researcher may petition the Provost to waive the University interest in the intellectual property.
- E. Royalties
 - a. The researcher and the University will share the net revenue derived from inventions owned and licensed by the University as follows:
 - i. Creator: 50%
 - ii. Creator's Department: 10%
 - iii. Creator's College: 10%
 - iv. University: 30%

b. Ownership of copyrightable and patentable intellectual property developed pursuant to an agreement with any external sponsor shall be governed by the provisions of that agreement. The Director of the Office of Sponsored Programs & Research (OSPR) shall review rules and regulations of all potential sponsors of research with regard to ownership rights and licensing of inventions, discoveries, or patents either at the time that proposal is submitted or prior to accepting an award from the sponsor. Any change to the royalty percentages becomes effective only when approved by the Board of Visitors.

Transfers

The University has the right to license or transfer any intellectual property it owns.

Date:

Date Approved by Board of Visitors

Revisions to existing policies should clearly note all additions and deletions.



Academic Affairs

Larissa Smith Fergeson, Provost & Vice President

Highlights Civitae and Brock Experiences continue to unfurl Greenwood Library serves during hurricane, expands news and other resources LCVA and Library play key roles during Virginia Children's Book Festival

Civitae Core Curriculum

This year's focus is on crafting, piloting, and approving Perspectives-level courses that will be implemented in Fall 2019. To that end, the Civitae committee reviewed proposals in August for courses that will be piloted during spring and summer 2019. A total of 13 new or revised Perspectives courses will be offered in spring 2019. Additionally, three courses were approved for piloting in summer 2019. The faculty offering these pilot sections are participating in a minimum of three professional development sessions throughout the fall semester to assist them in the development and delivery of these newly-fashioned courses. Faculty have also been engaged in the creation of non-pilot Perspectives courses during the fall semester. The committee has received 29 course proposals and is in the process of reviewing them for inclusion in the 2019-2020 academic catalog. The proposed courses are from disciplines that span the university. Several are proposed as cross-listed, co-taught courses.

Civitae is drawing notice from higher education organizations. Longwood received mention in the *Chronicle of Higher Education*'s "Reforming General Education" article. Longwood faculty also have published an article in the American Association of Colleges and Universities (AAC&U)'s *Peer Review* magazine about the curriculum reform process. Faculty and staff will also be presenting at the SACSCOC Annual Conference in December about the development of the first-year learning outcomes and the coaching model, as well as at the AAC&U's General Education Conference in February about the process of creating the Civitae core curriculum.

Brock Experiences for Transformational Learning

Student recruitment has started strong for this cycle with over 30 applicants to participate. Four Brock Experiences will run this summer: Yellowstone led by Dr. Alix Fink (Biology/Honors) and Dr. Ed Kinman (Geology), Borderlines led by Dr. Reneé Gutierrez (Spanish) and Dr. Connie

Koski (Criminology), Colorado River led by Mr. Michael Mergen (Art), and Boston led by Dr. Shawn Smith (English). Dr. Melissa Rhoten (Chemistry) and Dr. Mark Fink (Biology) plan to run their Chesapeake Bay Brock Experience as a Civitae Perspectives course next academic year. This begins the important process of coordinating Brock Experiences with the Civitae program to enhance both curriculums. Finally, a new photography exhibition has been installed in Brock Hall featuring student art from the Borderlines Brock Experience. This exhibition, entitled "Good Fences, Good Neighbors?," will be in place through the conclusion of the fall semester.

Statewide Provosts' Initiative

Longwood University was one of five winners of a \$50,000 award to develop a prototype of workforce development called "Teachers and Technologists for Tomorrow" (T³). Longwood will be collaborating with Virginia Tech, Southside Virginia Community College, Danville Community College, Patrick Henry Community College, and a consortium of K-12 school divisions from across Southside Virginia. The main goal of the proposal is to implement a model for workforce development with the ability to transform Southside by increasing human capacity at all levels of the workforce. Plans are underway to begin the work of the T³ proposal in January 2019.

The awards grew out of a statewide Provosts' Initiative, sponsored by University of Virginia Executive Vice President and Provost Tom Katsouleas and Virginia Tech Interim Executive Vice President and Provost Cyril Clarke. In January 2018, they invited chief academic officers, as well as representatives from community colleges, four-year universities, research and land-grant institutions, SCHEV, Go Virginia, and other state agencies, to a retreat to explore the potential for developing an integrated and inclusive ecosystem in Virginia to advance a 21st-century workforce that concurrently supports economic development. In July, a request for proposals for prototype programs designed to strengthen the educational pipeline for workforce development in teacher production, information technology, and entrepreneurship went out to participants of the retreat.

Cook-Cole College of Arts and Sciences

As mentioned above, the main activity for departments and programs in Cook-Cole this semester has been the development of new Perspectives level courses to be approved for entry into the catalog, and many of these will be offered next year. A significant number of these more advanced courses are going to be team taught, allowing faculty from separate disciplinary backgrounds to teach innovative courses that integrate seemingly disparate areas of study. This cross-disciplinary approach is a fundamental aspect of Civitae, and it is exciting to see this unfold.

It almost seems boring to report that our Nursing program has, once again, achieved 100% passage rate on the NCLEX exam. We were waiting for one student to complete the exam since the last report to the Board of Visitors. The demand for places in our Nursing program continues to rise, and we are happy to be able to increase our initial cohort size by eight students, thanks to planned increases in faculty hires, including assistance in management of student clinical placements.

Though not technically in Cook-Cole, Dr. Larissa Smith Fergeson (History) was successful in being awarded a grant from the Institute for Museum and Library Services for \$162,000 to support the Young Visitors Project at the Moton Museum. This proposal was also supported by our consultants, McAllister and Quinn. In the Arts, Drs. Secoy and Burrs (Music) submitted a grant to the NEA to support development of a commissioned musical work and its performance to coincide with the 70th anniversary of the Moton student-led strike in 2021.

Thirteen years as a reluctant recipient of instruction in the Irish language finally bore fruit as the Dean of the College, Roger Byrne, received his first ever program credit for a theatrical production. He gave technical assistance in the correct pronunciation of Irish place names in the very successful Longwood University production of Brian Friel's "Translations" earlier this semester. The success of the play was certainly not due to his input, but rather to the excellent performances of the predominantly student cast, under the wonderful direction of Lacy Klinger (Theatre).

Professor Klinger and senior BFA Theatre Performance major Garrett D. Reese will be performing in the Virginia Theatre Association's staged reading of the musical "Bubble Boy." The musical is written by Cinco Paul and Ken Daurio ("Despicable Me," "The Lorax," "The Secret Life of Pets"), who also wrote the 2001 major motion picture of the same title. Klinger and Reese were chosen out of 100 video submissions from across the state of Virginia, which included a brief selection of a musical theatre song that showed off their vocal range and comedic acting technique.

The rendition by the American Shakespeare Center touring company of Shakespeare's "A Winter's Tale," organized for Longwood by Dr. Robin Smith (English & Modern Languages), in collaboration with Hampden-Sydney College, was well received, as was the annual performance of the Richmond Symphony.

Dr. Pamela McDermott (Music) and members of Longwood's Chamber Singers have been working as part of a women's choir commissioning consortium: a group of women's choirs gathered to commission a work by, for, and about women. The resulting work has had two performances thus far, first, in a world premiere in Raleigh on Saturday, Oct. 5, then in a Virginia premiere on Oct. 30 at Hollins University. The Longwood performance is on Nov. 19.

The College is offering departments undergoing program review the option of bringing in an outside peer consultant from another, similar university, to provide input on the strengths and challenges of the department's educational offerings. This is a common practice in programs with external accreditation, but one that has not been the norm in most programs in Arts and Sciences. Every program has taken up the offer, and we hope that this additional input into our assessment practices will have positive results for program improvement.

College of Business and Economics

Two of the three faculty searches in the College of Business and Economics have been successfully completed. Ms. Rebecca Wetmiller will be an Assistant Professor of Accounting. Ms. Wetmiller expects to complete her Ph.D. in Accounting and Information Systems from Virginia Tech in May 2019. Rebecca has a strong academic background that includes excellent teaching experience and evaluations. Dr. Bob Barnwell will be an Assistant Professor of