



OLD DOMINION UNIVERSITY

Witness Resources – Title IX and Sexual Misconduct

The Parties:

A **Complainant** is a university community member or visitor who files a formal complaint under the Title IX and Sexual Misconduct Policy (1008). For more information, please visit: www.odu.edu/equity

A **Respondent** is reported to be the perpetrator of conduct that may constitute sexual misconduct. A respondent may be a student, employee, affiliate of the university, or visitor.

A **Witness** has firsthand knowledge of an event or circumstance. Investigators do not interview character witnesses.

People to Know:

Advisor: Complainants and Respondents have the right to an Advisor who may be, but is not required to be, an attorney. An advisor attends the hearing and assists their party. Their role and limitations are outlined in the Policy.

Case Manager: The Case Manager provides parties with information about support and advocacy services, and schedules appointments with Investigators and the Title IX Coordinator.

Investigators are neutral: Investigators are committed to providing a prompt, fair, and unbiased review. Investigations are focused on the information available.

The Title IX Coordinator: The Title IX Coordinator provides oversight of the intake and investigation process and meets with parties to provide supportive measures and prepare them for hearings.

Decision-Makers: The Decision-Makers are trained faculty/staff members who serve as unbiased Hearing officers at the conclusion of a formal investigation.

The Process:

The allegation: Our first step is to understand the nature of any third-party report or formal complaint we receive. We gather information to help us determine if the allegation falls within the scope of our policy or should be referred to another office.

Meeting with the Complainant: The Case Manager and/or Title IX Coordinator meet with the Complainant to review their options, including formal investigation.

Interviewing the Complainant and Respondent: After the Complainant has chosen to proceed, they are interviewed. Then the Respondent is notified of the allegations and given a full and fair opportunity to respond and be interviewed. Both parties are asked to provide any evidence and identify Witnesses to be interviewed.

Interviewing the Witness: The Investigators reach out to request interviews with Witnesses. They are not required to participate, but doing so helps the university respond effectively to the complaint. The Investigators ask Witnesses to provide any relevant evidence. The interview is not recorded.

Investigative Report: The Investigators will include their notes from interviews in an investigative report, along with relevant evidence that was provided. Investigators include what is relevant to the allegations. The Complainant and Respondent will see this report.

Confidentiality: Parties frequently want to know if the Complainant or Respondent will know they participated in the investigation. Parties must be provided enough information about the allegations to allow them a fair opportunity to respond in a meaningful way. In most cases, they will know the identity of Witnesses.

Hearing: The Investigators will invite all parties, including Witnesses, to the Hearing. Witnesses are not required to attend but are strongly encouraged to do so. They may be asked to clarify details from their interview. They do not stay for the entire Hearing. Hearings are recorded.

Privacy: To the extent provided under applicable law, ODU will make reasonable efforts to ensure preservation of privacy, restricting the sharing of information to those with a legitimate need to know. Information collected in this process may be subpoenaed in criminal or civil proceedings.

Retaliation: ODU prohibits retaliation. Complainants, Respondents, and Witnesses are



OLD DOMINION UNIVERSITY

Witness Resources – Title IX and Sexual Misconduct

protected from any form of retaliation for engaging and/or participating in the complaint process.

Supportive Measures: Supportive measures are non-disciplinary, non-punitive, individualized services offered as appropriate, as reasonably available, and without fee or charge. Supportive measures for a Witness might include referrals to counseling or academic support services, a No Contact Directive between a Witness and another party, or a note to excuse the Witness from class during the Hearing.

Responsibility of Witnesses: Witnesses are asked to keep information they learn during the investigation confidential. They are not permitted to share the information with third parties. This will protect the integrity of the investigation and the privacy of the parties.

Time Commitment: Witnesses are asked to attend an interview with Investigators, who may reach out for a follow-up if they have any questions. Witnesses are asked to attend only the portion of the Hearing pertaining to their interview.

Decision to Participate: Information gathered by Investigators forms the foundation upon which allegations are substantiated and outcomes are decided. Witness testimony and evidence are critical to the outcome of investigations. We recognize that participation in an investigation can be difficult and impact our Witnesses. Please discuss any concerns with our staff so we can find ways to reduce any negative impacts and provide support.

Contact Information:

Office of Institutional Equity and Diversity:
4111 Monarch Way, Suite 106, 757-683-3141
equityanddiversity@odu.edu

Title IX Contacts:
Title IX Coordinator: Kate Couch
titleixcoordinator@odu.edu

Deputy Title IX Coordinator: Kimberly Cain
kcain@odu.edu

Title IX Contact for Academic Affairs: Dr. Shanda Jenkins,
sjenkins@odu.edu

Title IX Contact for Student-Athletes: Carolyn Cooper Crutchfield, cacooper@odu.edu

Employee Assistance Program:
A counseling and referral service for employees and their families who are enrolled in a Commonwealth of Virginia health care plan. Contact Human Resources, 757-683-3042.

Counseling Services:
1526 Webb University Center, 757-683-4401
<https://ww1.odu.edu/counselingservices>

Women & Gender Equity Center:
1101 Monarch Hall, 757-683-4109, wgec@odu.edu

Housing and Residence Life:
1208 Virginia House, 757-683-4283, housing@odu.edu

ODU Police Emergency: 911, then 757-683-4000
Non-Emergency: 757-683-4003
Safe Ride: 757-683-3477

Student Conduct and Academic Integrity:
2124 Monarch Hall, 757-683-3431

Student Health Services:
1007 Webb University Center, 757-683-3132

Student Outreach and Support:
767-683-3442, ODUCares@odu.edu

COVA Care and COVA HDHP
Anthem Blue Cross and Blue Shield
Members: 1-855-223-9277, www.anthemapeap.com

COVA HealthAware
Aetna 1-888-238-6232, www.covahealthaware.com

If you are in immediate danger, call **911**.

LGBT Life Center: 757-200-9198
National Sexual Assault Hotline: 1-800-656-HOPE
National Suicide Prevention Lifeline: Dial or text 988
Norfolk Crisis Link, a 24/7 Crisis Hotline: 757-622-1126
Norfolk Family Justice Center: 757-330-0376
The Center for Sexual Assault Survivors: (Peninsula)
757-236-5260
Virginia Beach Psychiatric Center: 757-627-5433
Virginia Family Violence and Sexual Assault Hotline: 1-800-838-8238
United Way 211: Dial 211
YWCA Crisis Hotline: 757-251-0144

For safety planning for yourself or a friend, visit
www.myplanapp.org/home