UGA Equal Opportunity Office

Bill of Rights and Acknowledgments for Complainants and Respondents

Please Initial:

___ The Equal Opportunity Office (“EOO”) is conducting an administrative, not a criminal or civil law, investigation into possible harassment, discrimination, retaliation, or sexual misconduct under the University’s Non Discrimination and Anti-Harassment (“NDAH”) Policy or the University System of Georgia Board of Regents’ Student Sexual Misconduct Policy (SSMP).

___ The EOO is not advocating for or representing any party in this process. The EOO cannot provide legal advice to any party in this process.

___ The EOO is not prosecuting the Respondent(s) in this process. The EOO is gathering information to determine whether there is a preponderance of the evidence that conduct has occurred which violates the NDAH Policy and/or SSMP. In cases under the SSMP, a hearing panel may determine whether a Respondent violated the SSMP.

___ The information obtained during the investigative process will be evaluated using a preponderance of the evidence standard. This means that in order to find a Respondent in violation of either the NDAH or SSMP Policy, more than 50% of the evidence must support that the Respondent engaged in conduct prohibited by the applicable policy.

___ As a Complainant or Respondent, you have a right to have a support person of your choice present for all meetings. Students may also have up to two family members present. A support person may be an advocate, friend, parent, lawyer or any other person, provided that the support person is not also a witness in the investigation. Neither the support person nor accompanying family members may actively participate in the process, but they may be consulted at any point in the process.

___ If you are a Respondent, you have the right to know the allegations against you and any information obtained during an investigation so that you may have an opportunity to respond.

___ As a Complainant or Respondent, you have the right to identify witnesses, documents, or other materials you believe to be relevant to the issue of whether a violation of the NDAH Policy or SSMP has occurred. You also have the right to review the EOO investigative file at any point during or after the investigation. Additionally, you have the right to pose questions to parties or witnesses through the investigator.

___ If a policy violation is found, the level of discipline and type of sanction(s) will depend, without limitation, on the severity and nature of the violation, the weight of the evidence, and the need to maintain a safe and respectful environment. Examples of possible sanctions are listed in the NDAH Policy and the University Code of Conduct. If a policy violation is not found, the University may still take or require remedial/corrective action to prevent a future violation.

___ No person connected to an EOO investigation may be subjected to retaliation. Retaliation is a separate violation of the NDAH Policy and SSMP and if found by a preponderance of the evidence to have occurred provides an independent basis for disciplinary action.
As a Complainant or Respondent, you have the right to appeal the outcome of an EOO investigation (or hearing under the SSMP) under the criteria listed in the NDAH Policy or the SSMP.

If you are a student Complainant or Respondent, the EOO cannot disclose any information about the EOO investigation to your family members or other third parties who are not involved in the investigation without a written release. This is pursuant to the federal Family Educational Rights and Privacy Act (FERPA).

If you are a student Complainant or Respondent, information reported by you during an EOO investigation concerning use of drugs or alcohol will not be used against any student in a University disciplinary proceeding or voluntarily reported to law enforcement.

I have been provided with a copy of, or an electronic link to, the NDAH Policy and/or SSMP, Code of Student Conduct, and Board of Regents’ Policy Manual, Section 4.6.5, Standards for Institutional Student Conduct Investigation and Disciplinary Proceedings. I have also been notified about support resources on campus and in the community that are available to both Complainants and Respondents.

By signing I affirm that this Bill of Rights and Acknowledgments has been explained to me and that I have had the opportunity to discuss each item.

______________________________________________
Signature: ____________________________
Date: __________________________________

______________________________________________
Print Name: ____________________________

______________________________________________
EOO Staff Signature: ____________________________
Date: ____________________________________