

Any UGA administrator, supervisor, faculty, instructor, graduate TA, resident advisor or other person in a position of authority who knows of, or receives a complaint of, sexual harassment must report this to the EOO and relay any request for confidentiality by the complainant. **Failure to so report may result in discipline.**

The EOO will investigate the complaint or report and take appropriate action. While confidentiality cannot be guaranteed, care will be taken to protect the complainant's identity, when requested. Complaints can also be made anonymously, but this may limit the extent to which the complaint can be investigated or addressed.

A description of the EOO's investigation, resolution, and appeal procedures is available at:

Where sexual harassment perpetrated against a student: http://www.usg.edu/policymanual/section4/C327/#p4.1.7_sexual_misconduct_policy

Where perpetrated against non-student members of the UGA community: <https://eoo.uga.edu/policies/non-discrimination-anti-harassment-policy>

Note: Reporting sexual harassment to the EOO does not replace the right to pursue other options or remedies under the law, nor satisfy any timeliness requirements for asserting a legal claim. Impacted individuals also have the right not to report matters of sexual harassment.

Reporting sexual crimes:

Off-campus sexual assault and other sexual harassment that may constitute a crime should immediately be reported to local law enforcement at 911.

On-campus sexual assaults and crimes should immediately be reported to the University police at 911 or (706) 542-2200.

Additionally, regardless of the place of occurrence, sexual assault and other sexual harassment that may constitute a crime should be reported to the EOO.

For more information, see:

<http://safeandsecure.uga.edu/preventing.html>

Is retaliation prohibited?

Yes. The NDAH and Sexual Misconduct Policies prohibit retaliation for making a good faith complaint about sexual harassment, including sexual violence, or for participating in or otherwise being associated with an investigation of alleged sexual harassment/violence.

Anyone who believes, or receives a complaint, that prohibited retaliation has or is occurring should immediately contact the EOO. Retaliation is also unlawful under Title IX and Title VII.

Confidential support resources:

UGA Relationship and Sexual Violence Prevention (RSVP) – (706) 542-7233 (24 hour)

UGA Counseling and Psychological Services (CAPS) - (706) 542-2273

UGA Family Violence Clinic - (706) 369-6272

The Cottage: Sexual Assault Center – (877) 363-1912

Project Safe – (706) 543-3331

January 2017

University of Georgia

Sexual Harassment:

What It Is and What You Can Do About It



Equal Opportunity Office
Holmes-Hunter Academic Building
Suite 119
University of Georgia
Athens, GA 30602
Phone: (706) 542-7912
Fax: (706) 542-2822
<http://eoo.uga.edu>
ugaeoo@uga.edu

Committed to a Fair and Respectful
Environment for Living, Work & Study

What is sexual harassment?

Sexual harassment is unwelcome verbal, non-verbal or physical conduct based on sex or gender stereotypes that is:

- Implicitly or explicitly, a term or condition of employment or status in a course, program or activity; OR
- A basis for employment/educational decisions; OR
- Has the purpose or effect of:
 - interfering with one's work or educational performance; or
 - creating an intimidating, hostile or offensive work or learning environment; or
 - interfering with/limiting one's ability to participate in or benefit from an institutional program or activity.

Examples of sexual harassment:

Unwelcome conduct that may constitute sexual harassment when sufficiently severe, persistent or pervasive includes, without limitation:

- Forced or coerced sex acts or relationships, including where a person is incapable of giving consent due to use of drugs or alcohol, sleep, due to a disability, or due to being under the age of 16
- Non-consensual touching on another's body, including unwanted hugging or shoulder rubbing
- Sexual remarks, jokes, anecdotes or physical gestures
- Requests or propositions of a sexual nature

- Comments of a sexual nature (either complimentary or insulting) about a person's physique, clothing, gender, or sexual/romantic activity or preferences
- Inappropriate or non-consensual creation, use, display, or sharing of sexual images, video, text or objects
- Dating/domestic violence and stalking

Laws and policies that prohibit sexual harassment:

Consistent with Title IX, Title VII, and other federal and state laws, UGA's Non-Discrimination and Anti-Harassment (NDAH) Policy and the University System of Georgia's Sexual Misconduct Policy prohibit sexual harassment, including sexual violence, by any UGA student or employee, or by any UGA contractor, volunteer or campus visitor, against any other member of the University community. Domestic violence, dating violence, and stalking are also prohibited under these policies.

The NDAH Policy is available at: <https://eoo.uga.edu/policies/non-discrimination-anti-harassment-policy>

The Sexual Misconduct Policy is available at: http://www.usg.edu/policymanual/section4/C327/#p4.1.7_sexual_misconduct_policy

Sexual harassment/violence may also, in some instances, constitute a crime.

How is "consent" defined?

For purposes of administering the NDAH and SM Policies, "consent" is words or

actions that show a knowing and voluntary willingness to engage in mutually agreed-upon sexual activity. Consent cannot be gained by force, intimidation or coercion, by ignoring or acting over the objections of another, or by taking advantage of the incapacitation of another where such incapacitation is known or reasonably should be known to the responding party. Silence or the absence of resistance does not imply consent. Past consent does not imply present or future consent. The sexual activity cannot exceed the scope of the consent that is given. Minors under 16 cannot consent.

Who is protected?

Persons of all genders are protected, regardless of their sex, sexual orientation or gender identity.

Third parties are protected where harassment directed at others, or sexual conduct between consenting participants, adversely affects the third party's work or learning environment.

Persons in positions of authority are protected against sexual harassment by their subordinates, as well as vice versa.

When and how to report sexual harassment?

Any UGA student, employee or other University community member who believes, or receives a complaint, that sexual harassment has or is occurring should contact the EOO at the office number and address listed on this brochure's cover.