



# UNIVERSITY OF GEORGIA

## NON-DISCRIMINATION AND ANTI-HARASSMENT POLICY

The University of Georgia (“the University”) is committed to maintaining a fair and respectful environment for living, work and study. To that end, and in accordance with federal and state law, University System of Georgia policy, and University policy, the University prohibits harassment of or discrimination against any person because of race, color, sex (including sexual harassment and pregnancy), sexual orientation, gender identity, ethnicity or national origin, religion, age, genetic information, disability, or veteran status by any member of the University Community (as defined below) on campus, in connection with a University program or activity, or in a manner that creates a hostile environment for any member of the University Community. Incidents of harassment and discrimination will be met with appropriate disciplinary action, up to and including dismissal or expulsion from the University.

Bias based on the protected categories of race, color, sex (including sexual harassment and pregnancy), sexual orientation, gender identity, ethnicity or national origin, religion, age, genetic information, disability, or veteran status will not hinder employment, study or institutional services, programs or activities. Bias factors will not be permitted to have an adverse influence upon decisions regarding students, employees, applicants for admission, applicants for employment, contractors, or volunteers or participants in or users of institutional programs, services, and activities. The University of Georgia will continue in its efforts to maintain an institutional environment free of such bias and restates its policy prohibiting the interference of such bias.

The University will follow the Board of Regents Sexual Misconduct Policy 4.1.7 found at [http://www.usg.edu/policymanual/section4/C327/#p4.1.7\\_sexual\\_misconduct\\_policy](http://www.usg.edu/policymanual/section4/C327/#p4.1.7_sexual_misconduct_policy). All allegations of discrimination and harassment not covered by the Board of Regents Sexual Misconduct Policy based on the protected categories will be handled pursuant to this Policy.

Every member of the University Community is expected to uphold this Policy as a matter of mutual respect and fundamental fairness in human relations. Every student of this institution has a responsibility to conduct himself/herself in accordance with this Policy as a condition of enrollment, and every University employee has an obligation to observe University policies as a term of employment.

In addition, one aspect of performance appraisal for University personnel at all levels of supervision and administration will include the qualitative evaluation of their leadership in implementing this Policy. Merit and productivity, free from prohibited bias, will continue to guide decisions relating to employment and enrollment.

Nothing in this Policy prevents a University Community member from filing a complaint with a state or federal agency or court.

## **I. DEFINITIONS**

### **A. *Members of the University Community***

Members of the University Community are any persons employed by or affiliated with the University in any way and persons participating in any University program or activity, including, but not limited to:

- (1) University faculty, staff, administrators, employees, and independent contractors;
- (2) University students;
- (3) Volunteers and participants in any University program or activity; and
- (4) Guests and visitors to campus, to any property owned or leased by the University, or to any property owned or leased by any University-affiliated organization or group.

### **B. *Sexual Harassment***

Sexual Harassment is defined as:

Unwelcome verbal, nonverbal, or physical conduct, based on sex or gender stereotypes, that:

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

Sexual harassment includes forced or coerced sex or relationships, including where a person is incapable of giving consent due to use of drugs or alcohol, or due to disability or being under the age of 16. Other examples that may constitute sexual harassment when sufficiently severe, persistent, or pervasive include, without limitation:

1. Non-consensual touching of another's body, including unwanted hugging or shoulder rubbing.
2. Sexual remarks, jokes, anecdotes, inquiries, or physical gestures.
3. Requests or propositions of a sexual nature.

4. Gender or sex-based comments or comments of a sexual nature (either complimentary or insulting) about a person's physique, clothing, or sexual/romantic activity or preferences.
5. Inappropriate use or display, or non-consensual sharing, of sexual images, text, or objects.

This Policy includes domestic violence, dating violence and stalking as forms of sexual harassment. Sexual harassment can occur regardless of the relationship, position or respective sex, sexual orientation, or gender identity of the parties. Same sex harassment violates this Policy, as does harassment by a student of a faculty member or a subordinate employee of his/her supervisor.

Definitions of sexual harassment terms that the University applies when administering and enforcing this Policy, including the definition of "consent", can be found on the Equal Opportunity Office's (EOO) website at: <http://eoo.uga.edu/eoo-definitions>

### ***C. Discriminatory Harassment and Discrimination***

At the University of Georgia, discriminatory harassment is defined as:

Unwelcome verbal or physical conduct based on race, color, sex (including sexual harassment and pregnancy), sexual orientation, gender identity, ethnicity or national origin, religion, age, genetic information, disability, or veteran status when it is sufficiently severe, persistent or pervasive to:

1. Unreasonably interfere with the individual's work or educational performance;
2. Create an intimidating, hostile, or offensive working or learning environment; or
3. Unreasonably interfere with or limits one's ability to participate in or benefit from an institutional program or activity.

Discrimination is defined as:

Decision-making based on race, color, sex (including pregnancy), sexual orientation, gender identity, ethnicity or national origin, religion, age, genetic information, disability, or veteran status.

Definitions of discrimination and harassment terms that the University applies when administering and enforcing this Policy can be found on the Equal Opportunity Office's website at: <http://eoo.uga.edu/eoo-definitions>.

### ***D. Non-Discrimination/Anti-Harassment Officer, Title VI Coordinator, Title IX Coordinator and ADA/Section504 Coordinator***

The Director of the Equal Opportunity Office ("EOO Director") serves as the Non-Discrimination/Anti-Harassment Officer ("NDAH Officer"), the University's Title VI

Coordinator<sup>1</sup>, the University's Title IX Coordinator<sup>2</sup>, and the University's Disability Coordinator under the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973. The EOO Director is the individual designated by the President with responsibility for providing education and training about prohibited discrimination and harassment to the University community and for receiving and investigating reports and complaints of discrimination and harassment in accordance with this Policy. The EOO Director can be reached at the Equal Opportunity Office, located at 119 Holmes-Hunter Academic Building, by phone at (706) 542- 7912, or via email at [ugaeeo@uga.edu](mailto:ugaeeo@uga.edu) .

The EOO does not serve as an advocate or representative for any party. Advocacy, counseling and support resources available on campus and in the greater community are identified at the end of this Policy.

## **II. RIGHTS & RESPONSIBILITIES**

### ***A. Prohibition Against Retaliation***

Anyone who, in good faith, reports what he or she believes to be discrimination or harassment under this Policy, or who participates or cooperates in, or is otherwise associated with any investigation may not be subjected to retaliation. Anyone who believes she or he has been the target of retaliation for reporting discrimination or harassment, for participating or cooperating in, or otherwise being associated with, an investigation should immediately contact the EOO. Any person found to have engaged in retaliation in violation of this Policy will be subject to disciplinary action under this Policy.

### ***B. Prohibited Consensual Relationships***

When one party has a professional relationship toward the other, or stands in a position of authority over the other, even an apparently consensual sexual relationship may lead to sexual harassment or other breaches of professional obligations. The University prohibits all faculty and staff, including graduate assistants, from pursuing or engaging in dating or sexual relationships with any student whom they currently supervise, teach, or evaluate in any way.

Employees are prohibited from pursuing or engaging in a dating or sexual relationship where one employee supervises, evaluates, or in any other way directly affects the terms and conditions of the other employee's employment. This provision applies to both student and non-student employees. Any employee who supervises, evaluates or in any other way directly affects the terms and conditions of another employee must immediately disclose the existence of a dating or sexual relationship to his/her immediate supervisor.

Individuals who violate the consensual relationship prohibition are subject to disciplinary action under this Policy, up to and including termination.

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<sup>1</sup> Title VI of the Civil Rights Act of 1964 protects people from discrimination based on race, color or national origin in programs or activities that receive Federal financial assistance.

<sup>2</sup> Title IX states that: No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.

### ***C. Confidentiality***

The University strongly supports an individual's interest in confidentiality, particularly in instances involving sexual misconduct. When a complainant or alleged victim requests that his or her identity be withheld or the allegation(s) not be investigated, the University will consider, through the EOO Director/Title IX Coordinator, whether this request can be honored while still providing a safe and nondiscriminatory environment for the University. Honoring the request may limit the University's ability to respond fully to the incident and may limit the University's ability to discipline the respondent. The complainant or alleged victim will be informed of any decision to act contrary to the request for confidentiality or no investigation before any disclosures are made and before an investigation begins.

In support of an individual's request for confidentiality and the University's interest in learning about incidents of discrimination and harassment, the University designates two levels of confidential resources:

**1. Privileged Resource Employee** – Employees working in one or more of the groups listed below are not required to report disclosures of harassment or discrimination to the NDAH Officer/Title IX Coordinator. However, they still must comply with anonymous reporting requirements for Clery Act purposes and mandatory reporting under Georgia State law. Note that the anonymous reporting requirement under the Clery Act does not apply to individuals who are pastoral or professional counselors (as defined in the Clery Act) when such individuals are acting as counselors:

- University Health Center CAPS (Counseling and Psychiatric Services)
- University Health Center Medical Clinicians
- UGA Psychology Clinic
- UGA Center for Counseling and Personal Evaluation
- Aspire Clinic
- UGA Family Violence Clinic

Questions regarding reporting requirements under the Clery Act can be directed to the University's Clery Compliance Coordinator at (706) 542-0006.

**2. Support Resource Employee** – These employees may talk to an alleged victim in confidence and generally report to the University only that the incident occurred (date, time, location and perpetrator, if known) without revealing information that will personally identify the alleged victim. Disclosures to these employees will not automatically trigger an investigation against the alleged victim's wishes as discussed above:

- University Health Center RSVP (Relationship and Sexual Violence Prevention)
- University Ombudspersons
- Student Care and Outreach

#### ***D. Reporting***

Any administrator, supervisor, faculty member, responsible employee or other person in a position of authority who is not a confidential resource as defined above (a “Responsible Employee”) who knows of, or receives a complaint of, potential discrimination or harassment or potential violation of the Prohibited Consensual Relationship provision **must** fully report the information or complaint to the EOO promptly. Student employees who serve in a supervisory, advisory, or managerial role are Responsible Employees and in positions of authority for purposes of this Policy (e.g., teaching assistants, residential assistants, student managers, orientation leaders, etc.) and must also promptly report discrimination or harassment to the EOO. A complaint or report of discrimination or harassment made to any administrator, supervisor, faculty member or other Responsible Employee or person in a position of authority generally obligates the University to investigate the incident and take appropriate steps to address the situation. The responsibility to investigate rests with the EOO and not with the Responsible Employee who receives the complaint or report. Failure to promptly report may constitute a separate violation of the NDAH Policy and may provide a basis for discipline under this Policy. This provision does not apply to student disclosures of sexual misconduct to privileged or confidential resources as identified by the Sexual Misconduct Policy or this Policy.

The University encourages any person who feels he or she has been discriminated against or harassed to promptly report the incident to the EOO or discuss the incident with the confidential resources identified above. Any member of the University Community who observes discrimination or harassment of another person on campus, in connection with a University program or activity, or in a manner that creates a hostile environment for members of the University Community should report the conduct to the EOO. No member of the University Community should assume that an official of the University already knows about a particular discriminatory or harassing situation.

If a complainant or alleged victim reports discrimination or harassment to a Responsible Employee or person in a position of authority who is not a confidential resource, but wants to maintain confidentiality, the Responsible Employee or person in a position of authority must relay the request for confidentiality when reporting the alleged discrimination or harassment to the EOO. The request for confidentiality will be considered but cannot be guaranteed, as referenced above.

All reports and complaints of discrimination or harassment that may fall under the jurisdiction of this Policy will be promptly evaluated and appropriate action will be taken as expeditiously as possible. The EOO Director is authorized to designate other appropriately trained individuals to investigate discrimination and harassment complaints and reports as deemed appropriate.

Complaints and reports of discrimination and harassment should be reported as soon as possible after the incident(s) in order to be most effectively investigated. [Complaints may be made in person, in writing \(via complaint form, email or otherwise\) or over the phone.](#) Complaints can also be made anonymously, but this may limit the extent to which the complaint can be investigated. Information on filing complaints can be found at: <https://eoo.uga.edu/eoo-report>.

Where the discrimination or harassment alleged is potentially of a criminal nature, University Community members are encouraged to also contact the University Police Department (for conduct that occurred on campus) or local law enforcement in the relevant jurisdiction (for conduct that occurred off campus). Except as required by the Clery Act for purposes of crime statistics reporting, police will not be notified of a sexual assault without the complainant/victim's consent unless there is an imminent threat of harm or the incident involves someone under the age of 16. University Community members have the right to simultaneously make a complaint under this Policy and to law enforcement.

#### ***E. False Accusations***

To make deliberate false accusations of discrimination or harassment violates this Policy. In such instances, the complainant or witness will be subject to disciplinary action by EOO under this Policy. However, a no-violation finding by the EOO does not constitute proof of a false and/or malicious accusation.

#### ***F. Conflicts of Interest***

If the complainant, respondent, or EOO representative asserts that a complaint presents an actual or apparent conflict of interest for the EOO, the complaint should be submitted or referred to the Office of Legal Affairs to resolve the conflict of interest. An actual or apparent conflict of interest is a financial interest, relationship, or other circumstance that would lead a reasonable person to doubt the objectivity of the EOO representative. If the Office of Legal Affairs determines there is no actual or apparent conflict of interest for the EOO, the EOO shall conduct the inquiry into the complaint. If the Office of Legal Affairs determines that an actual or apparent conflict of interest exists for the EOO, then the Office of Legal Affairs, in consultation with the President, shall appoint an independent individual with appropriate experience and training to conduct the inquiry into the complaint.

#### ***G. Academic Freedom and Freedom of Expression***

The University is committed to protecting, maintaining and encouraging both freedom of expression and full academic freedom of inquiry, teaching, service, and research. Academic freedom and freedom of expression shall be strongly considered in investigating complaints and reports of discrimination or harassment, but academic freedom and freedom of expression will not excuse behavior that constitutes a violation of the law or this Policy.

#### ***H. Records***

Records generated under this Policy are subject to the Open Records Act but are maintained in accordance with, and subject to, privacy requirements under state and federal law, including the Family Educational Rights and Privacy Act of 1974 (FERPA), and under University System of Georgia's policy. Additionally, the University will take reasonable steps to maintain privacy in relation to any accommodations or protective measures afforded to an alleged victim or complainant, except to the extent necessary to provide the accommodations or protective measures.

Information pursuant to this Policy shared internally between University administrators is provided on a need-to-know basis. Complainant(s) and respondent(s) may review the investigative file concerning the allegations by or against them as permitted by law.

Any public release of information to comply with the open crime logs or timely warning provisions of the Clery Act will not release the names of victims or information that could easily lead to a victim's identification.

***I. Right to be Accompanied by an Advisor or Support Person***

Any party to a complaint shall have the opportunity to use an advisor (including an attorney) of his/her choosing for the express purpose of providing advice and counsel at his/her expense. The selected advisor shall not otherwise be a party or witness involved in the investigation. The advisor may be present during any meetings and proceedings involved in the investigatory or resolution process in which the advisee is also eligible to be present. The advisor may advise the advisee, including providing questions, suggestions, advice on the proceedings, and guidance on responses to any questions of the participant, but shall not participate directly. The University shall not prohibit family members of any student party from attending if the party requests such attendance, but may limit the number to two family members.

***J. Amnesty for Students***

The University encourages members of the University Community to come forward and to report violations of the NDAH Policy notwithstanding a student's choice to consume alcohol or to use other drugs. Information reported during an investigation concerning student use of drugs or alcohol will not be used against any student in a University disciplinary proceeding or voluntarily reported to law enforcement. Students may be referred by the EOO to the University Health Center for drug or alcohol counseling and/or education as appropriate.

**III. PROCESSING, INVESTIGATION, AND RESOLUTION OF  
DISCRIMINATION AND HARASSMENT REPORTS AND COMPLAINTS**

The University's complaint process, outlined herein, is the procedure used to investigate complaints or reports of discrimination and harassment covered by this Policy, to end any discrimination and harassment found, to remedy the effects of discrimination and harassment, and to prevent any recurrence. If appropriate, the EOO may recommend that the complainant and respondent attempt to resolve their differences through mediation or through the grievance process as stated in the University of Georgia's Dispute Resolution Policy.

Proceedings under this Policy may be carried out prior to, simultaneously with or following civil or criminal proceedings. Decisions about the timing of specific actions will be made by the EOO based on the status of the evidence and other relevant case factors. These procedures do not replace the right of the complainant or respondent to file complaints or seek remedies available under state or federal law.



Any member of the University Community who feels he or she has experienced discrimination or harassment is encouraged, but not required, to clearly explain to the alleged offender that the behavior is objectionable and request that it cease. The University encourages any Community member to report any unresolved incidents of discrimination or harassment as outlined in this Policy.

University employees identified as witnesses are required to fully cooperate with an investigation. Any member of the University Community who willfully disregards, delays or thwarts an investigation or makes false statements during an investigation may be found in violation of this Policy and subject to disciplinary action under this Policy; provided, however, that this provision does not require persons accused under this Policy to make a statement or respond to the allegations against her/him during the investigation. If the accused chooses not to provide a statement or response to the allegations, that silence will be considered a general denial of the allegations. However, the investigation may ultimately proceed and result in a policy violation if the evidence collected proves a violation by a preponderance of the evidence.

The NDAH Officer/Title IX Coordinator or his/her designees will explain to all parties that he/she is not an advocate or representative for either the complainant or the respondent. Advocacy, counseling and support resources available on campus and in the greater community are identified at the end of this Policy.

Information obtained during the course of the complaint process will be shared with other participants or witnesses in the investigation only to the extent necessary to conduct a thorough, fair and impartial investigation.

#### ***A. Standard of Review***

Investigative findings under this Policy will be made using the preponderance of the evidence standard (i.e., “more likely than not”). This standard requires that the information supporting an alleged violation be more convincing than the information in opposition to it. Any decision to suspend or to expel a student, or to suspend or terminate an employee, must also be supported by substantial evidence.

#### ***B. Interim Protective Measures***

The EOO Director/NDAH Officer/Title IX Coordinator or his/her designee may impose interim protective measures before the final resolution of an investigation if failure to take the interim measures would constitute an immediate threat to the safety and well-being of the complainant/victim or other members of the University Community or to ensure equal access to the University’s education programs and activities. Before any such measures are instituted, however, the NDAH Officer/Title IX Coordinator should, where practicable, provide the respondent with an initial opportunity to respond to the allegations and to the imposition of any interim protective measures.

Imposing interim protective measures does not indicate that a violation of this Policy has occurred, and is designed to protect the alleged victim and community, and not to harm the respondent. To the extent interim measures are imposed, they should minimize the burden on both the alleged victim and the respondent, where feasible.

These interim measures may include but are not limited to:

- Change of University housing assignment;
- Issuance of a “no contact” directive;
- Restrictions or bars to entering certain University property;
- Changes to academic or employment arrangements, schedules or supervision;
- Interim suspension; and
- Other measures designed to promote the safety and well-being of the parties and the University Community.

If an interim suspension is issued, the terms of the suspension take effect immediately. When requested by the respondent, a hearing with the EOO Director/NDAH Officer/Title IX Coordinator to determine whether the intermediate suspension should continue will be held within three (3) business days of the request.

### ***C. Initiating an Investigation***

As part of any investigative process, the investigator will:

- Provide a copy of this Policy to the complainant;
- Determine whether the complaint is one that falls under the Policy; if not, refer to the appropriate University or off-campus resource;
- Notify the respondent of the complaint brought against him/her in writing and provide a copy of this Policy; and
- Inform all parties of this Policy’s non-retaliation provision.

### ***D. Informal Process***

The informal process is an opportunity to bring resolution to a complaint through awareness, education, and/or a facilitated discussion. Informal resolution may be appropriate if the complainant or alleged victim when not the complainant, respondent and EOO Director/NDAH Officer/Title IX Coordinator or his or her designee all agree. The informal process cannot be used to resolve complaints of sexual assault.

During an informal process, fact-finding occurs to the extent necessary to resolve the conflict and protect the interest of the parties and the University Community, but the EOO Director/NDAH Officer/Title IX Coordinator or his or her designee does not make a determination of whether the Policy has been violated. The complainant or respondent always has the option to end the informal process and request a formal process.

Informal resolutions may include, but are not limited to:

- Training;
- Changes to work or academic arrangements;
- Housing reassignment;
- Informal discussion with person whose conduct, if not stopped, could rise to the level of discrimination or harassment;
- Advisory discussion with the respondent's supervisor, professor or advisor; and
- "No contact" directive to one or more of the parties.

### ***E. Formal Process***

All complaints that are not resolved through the informal process or to which the informal process does not apply (*e.g.*, sexual assault complaints) are resolved through a formal process involving a full investigation conducted by the EOO Director/NDAH Officer/Title IX Coordinator designees.

As part of the formal process, the investigator will:

- Inform complainant, alleged victim, and respondent of their right to be interviewed and provide evidence;
- Obtain information and evidence, including the identity of any witnesses, from the complainant, alleged victim, and the respondent;
- Attempt to obtain information from the identified witnesses;
- Ask relevant questions, submitted by the parties, to any witness or party;
- Ask additional questions deemed relevant by the investigator;
- Collect and maintain appropriate documentation of the investigation;
- Disclose appropriate information to others only on a need-to-know basis consistent with state and federal law;
- Keep the appropriate supervisors/administrators/faculty informed of the status of the complaint and investigation, and seek input from them as appropriate when implementing any resolution or discipline; and
- Provide the complainant, alleged victim, and the respondent the opportunity to review the evidence collected and respond to that evidence.

The respondent may choose to remain silent during the investigation. If the respondent chooses to remain silent without providing a verbal or written response to the allegations, the investigator will consider the absence of a response as a general denial of the alleged misconduct. The investigation will proceed and a Policy violation may be found against the respondent if supported by a preponderance of the evidence.

The interviews and exchange of information, including the opportunity to respond to evidence, through the investigator constitute the hearing process.

At the completion of the investigation process, the investigator will prepare a report of findings, which will be shared with the parties. The parties will have at least three (3) business days to submit a written response to the report. The investigator will respond to any additional

information provided in the responses by continuing the investigation, make any modifications to the investigation report as appropriate, or finalize the report of findings without further action.

## **1. Resolution**

The amount of time needed to conduct an investigation will depend in part on the nature of the allegation(s) and the evidence to be investigated (e.g., the scope of the allegations, the time period and number of events implicated by or relevant to the complaint, the number or availability of witnesses involved and the volume of documents). Within 60 calendar days of receipt of the complaint, the EOO Director/NDAH Officer/Title IX Coordinator or his/her designee will provide notice of the outcome of the investigation or will advise the parties of the additional estimated amount of time needed for the investigation. Upon conclusion, the EOO Director/NDAH Officer/Title IX Coordinator or his/her designee will notify the complainant and respondent, in writing, of the results of the investigation. The written decision will be disclosed only to the complainant, respondent, and University officials as appropriate to determine and enforce any remedial actions, discipline or sanctions, and to prepare for any appeals. The EOO will follow up as appropriate to ensure that remedial action is effective. Complainants are encouraged to report any reoccurrences of conduct that were found to violate this Policy, as well as to report any retaliation for the complaint or related investigation. Remedial and preventative measures may be imposed by the EOO even in the absence of a violation of this Policy if conduct is found to occur that may, if not addressed, rise to the level of a violation. Any unprofessional conduct or inappropriate behavior found during the course of the investigation that is not covered by the Policy will be referred to the respective department or Human Resources for review.

## **2. Remedies**

Where discrimination or harassment in violation of this Policy is determined to have occurred, the University will take timely action to remedy the effects. Potential remedies for the complainant or victim include, but are not limited to:

- Extensions of time to re-do or complete academic work without an academic or financial penalty;
- Changes to academic or employment arrangements, schedules or supervision that minimize burden on the complainant or victim;
- Provision of or referral to medical, counseling, and academic support services;
- Change of University housing assignment;
- Training/re-training on this Policy and other relevant topics for individuals or groups implicated in the discrimination or harassment;
- “No contact” directive; and
- Other measures designed to repair negative impact of discrimination or harassment.

### **3. Sanctions**

If a violation of this Policy is found, the level of discipline and type or scope of sanctions will depend on the severity and nature of the discrimination or harassment, the weight of the evidence, and the need to maintain a safe and respectful environment. EOO will also consider any history of past discriminatory, harassing, or retaliatory conduct, the respondent's willingness to accept responsibility, and previous institutional response to similar conduct. Available sanctions include, but are not limited to:

- Mandatory training or counseling;
- "No Contact" directive;
- Restriction or bar to entering certain University property or attending University events;
- Housing reassignment;
- Community service;
- Written warning;
- Transcript notation;
- Probation;
- Suspension; and
- Expulsion or termination.

### **4. Right to Appeal**

All parties shall have the right to appeal the outcome of the formal process and decision to the University President pursuant to this Policy. The President must receive a written appeal within ten (10) business days after the receipt of the written notification of the decision being appealed. The appeal must be based on one of the following factors:

- Material failure to comply with applicable procedures in the NDAH Policy or to conduct a reasonably thorough investigation;
- Partiality, bias, or conflict of interest by the EOO Director/NDAH Officer/Title IX Coordinator or his/her designee;
- Findings, if not overturned or modified, would result in a substantial injustice to a party or parties, including a substantially inadequate or excessive sanction; or
- New evidence that was not reasonably available to be presented by the parties during the course of the investigation.

The President's office will notify the non-appealing party of the appeal and provide that party an opportunity to respond in writing. The President or his/her designee may receive additional information if he/she believes such information would aid in the appeal.

The President may:

- Affirm the original finding and sanction;
- Affirm the original finding but issue a new sanction of greater or lesser severity;
- Remand the case back to the Equal Opportunity Office to correct a procedural or factual defect; or
- Reverse or dismiss the case if there was a procedural or factual defect that cannot be remedied by remand.

A decision by the President or his/her designee will be made within a reasonable time and the NDAH Officer/Title IX Coordinator, the complainant, and the respondent will be notified in writing of the decision on the appeal. During the time of appeal and review, disciplinary action or sanction or remedial/preventative measures, if any, taken as a result of the original complaint may be implemented and enforced. Upon the request of the appealing party, the President may, in his or her discretion, temporarily suspend the imposition of the disciplinary action, sanction, or remedial/preventative measures while the appeal is pending.

If an appeal is not filed within the appeal period, the findings become final and are not subject to any review.

#### **IV. UNIVERSITY AND COMMUNITY SUPPORT SERVICES**

*UGA Title IX Coordinator:*

- UGA Equal Opportunity Office & Title IX Coordinator - (706) 542-7912 or [ugaeoo@uga.edu](mailto:ugaeoo@uga.edu)  
<http://eoo.uga.edu>

*Individual support, consultation and referral services:*

- UHC Counseling and Psychiatric Services (CAPS) – (706) 542-2273  
<http://www.uhs.uga.edu/caps/>
- UHC Office of Relationship and Sexual Violence Prevention (RSVP) (provides crisis support, information, advocacy, education and outreach) – (706) 542- 7233 or (706) 542-8690  
<https://www.uhs.uga.edu/rsvp/>
- UGA Center for Counseling and Personal Evaluation – (706) 542-8508  
<http://www.coe.uga.edu/chds/research-centers-projects/the-center-for-counseling-and-personal-evaluation/>
- UGA Psychology Clinic – (706) 542-1173  
<http://psychology.uga.edu/clinic/index.php>
- Aspire Clinic (offers individual, couple, and family therapy) – (706) 542-4486  
<http://www.aspireclinic.org/>

- UGA Family Violence Clinic – (706) 542-6272 <http://www.law.uga.edu/family-violence-clinic>
- The Cottage Sexual Assault Center (provides interventions, referrals, support and resources for survivors of sexual assault) – (706) 546-1133; 24-hour Crisis Line:(877) 363-1912  
<http://www.northgeorgiacottage.org/>
- Project Safe (24-hour confidential information and domestic violence services) – (706) 543-3331  
<http://www.project-safe.org/>

*Health & medical services:*

- **University of Georgia’s Health Center** - (706) 542-1162  
<http://www.uhs.uga.edu/index.html>
  - Women’s Clinic - (706) 542-8691  
[http://www.uhs.uga.edu/services/womens\\_clinic.html](http://www.uhs.uga.edu/services/womens_clinic.html)
  - Primary Care Clinics and Urgent Care - (706) 542-1162  
<http://www.uhs.uga.edu/index.html>
  - John Fontaine, Jr. Center for Alcohol Awareness and Education – (706) 542-1162  
<http://www.uhs.uga.edu/aod/>
  - Health Promotion Department – (706) 542-8690  
<http://www.uhs.uga.edu/healthpromotion/>
- Collegiate Recovery Community – (706) 542-0285  
<https://www.uhs.uga.edu/crc/>
- **St. Mary’s Hospital** - (706) 389-3000  
<http://www.stmarysathens.org/>
- **Athens Regional Medical Center** - (706) 475-7000  
<http://www.athenshealth.org/healthservices>
- **Athens-Clarke County Health Department** - (706) 389-6921  
<http://publichealthathens.com/wp/clinics/health-departments/clarke-county/>

*Law enforcement and student conduct services:*

- University of Georgia Police Department – 911 or (706) 542-2200  
<http://www.police.uga.edu/>
- Athens-Clarke County Police Department – 911 or (706) 613-3330  
<http://www.athensclarkecounty.com/200/Police>
- UGA Office of Student Conduct – (706) 542-1131  
<http://www.conduct.uga.edu/>

*Academic support or problem solving:*

- Office of the Vice President for Student Affairs - (706) 542-3564  
<http://studentaffairs.uga.edu/>
- Office of Dean of Students, including Student Care and Outreach– (706) 542-7774  
<http://dos.uga.edu/>
- Division of Academic Enhancement – (706) 542-5436  
<http://tutor.uga.edu/>
- UGA Regents’ Center for Learning Disorders – (706) 542-4589  
<http://www.rclld.uga.edu/>
- UGA Disability Resource Center – (706) 542-8719/(706) 542-8778 (tty)  
or [dsinfo@uga.edu](mailto:dsinfo@uga.edu)  
<http://drc.uga.edu/>
- UGA Human Resources – (706) 542-2222 or [hrweb@uga.edu](mailto:hrweb@uga.edu)  
<http://www.hr.uga.edu/>
- Office of Legal Affairs – (706) 542-0006  
<http://legal.uga.edu/>
- Ombudsperson Program (<http://www.uga.edu/ombudsperson/>):
  - For Students – Karen Saunders at (706) 542-7774 or [ksaunders@uga.edu](mailto:ksaunders@uga.edu)
  - For Faculty – Cathy Jones at (706) 542-3159 or [cmjones@uga.edu](mailto:cmjones@uga.edu)
  - For Staff – Steven P. Gibson at (706) 542-1147 or [sgibson@uga.edu](mailto:sgibson@uga.edu)

*Housing services:*

- University Housing Department – (706) 542-1421  
<https://housing.uga.edu/>



- Residential Programs & Services – (706) 542-6533 or [rps@uga.edu](mailto:rps@uga.edu)  
<https://housing.uga.edu/housing-staff/residential-programs-services>
- Family & Graduate Housing – (706) 542-1473 or [fg@uga.edu](mailto:fg@uga.edu)  
<https://housing.uga.edu/family-graduate>

*Cultural support:*

- UGA Office of Multicultural Services and Programs – (706) 542-5773  
<http://msp.uga.edu/>
- UGA Disability Resource Center – (706) 542-8719/(706) 542-8778 (tty)  
or [dsinfo@uga.edu](mailto:dsinfo@uga.edu)  
<http://drc.uga.edu/>
- Lesbian, Gay, Bisexual and Transgender (LGBT) Resource Center – (706) 542-4077  
<http://lgbtcenter.uga.edu/>
- Student Veterans Resource Center – (706) 542-9629  
<http://dos.uga.edu/svrc/>
- UGA International Student Life – (706) 542-5867  
<http://isl.uga.edu/>
- International Student, Scholar and Immigration Services – (706) 542-2900  
or [issis@uga.edu](mailto:issis@uga.edu)  
<http://international.uga.edu/issis/>
- UGA Office of Institutional Diversity – (706) 583-8195 or [diverse@uga.edu](mailto:diverse@uga.edu)  
<http://diversity.uga.edu/>
- Women’s Resources Initiative  
<http://women.uga.edu/>

Adopted: 9/15/2011

Amended: 11/28/2012; 5/6/2014; 9/24/2014; 11/9/2015; 8/25/2016; 10/4/2016; 2/20/2017;  
3/15/2017