Expect Respect

Equal Opportunity Office

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

The Equal Opportunity Office

EOO is responsible for ensuring that UGA complies with all applicable laws and policies regarding discrimination and harassment on the basis of race, sex (including sexual harassment and pregnancy), gender identity, sexual orientation, ethnicity or national origin, religion, age, genetic information, disability or veteran status.

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Equal Opportunity, Equity, and Civil Rights

- Title XI
- Title VII
  - The Pregnancy Discrimination Act
- Title VI
- The Americans with Disabilities Act
- Section 504 & 508 of the Rehabilitation Act
- Equal Pay Act
- Age Discrimination in Employment Act
- Age Discrimination Act
- Genetic Information Nondiscrimination Act
- Affirmative Action

Policies

- Non-Discrimination and Anti-Harassment (NDAH) Policy
  - Title IX
  - Title VII
  - Title VI
  - The Equal Pay Act
  - The Age Discrimination Act
  - The Age Discrimination in Employment Act
  - Genetic Information Nondiscrimination Act
  - Americans with Disabilities Act
  - Rehabilitation Act
  - Executive Order 11246
- USG Sexual Misconduct Policy
  - Title VII
  - Title IX
  - Violence Against Women Act
  - Clery Act

The NDAH 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
  - on campus
  - in connection with a University program or activity
  - in a manner that creates a hostile environment for any member of the University Community.
- Bias based on the protected categories will not be permitted to have an adverse influence upon decisions regarding students, employees, applicants for admission, applicants for employment, contractors, volunteers, or participants in or users of institutional programs, services, and activities.
- Every member of the University Community is expected to uphold this Policy as a matter of mutual respect and fundamental fairness in human relations.

The Sexual Misconduct Policy

- The University System of Georgia (USG) prohibits discrimination on the basis of sex in any of its education programs or activities or in employment. The USG is committed to ensuring the highest ethical conduct of the members of its community by promoting a safe learning and working environment.
- Prohibited conduct includes:
  - sexual harassment
  - sexual exploitation
  - Stalking
  - dating violence
  - domestic violence
  - nonconsensual sexual contact
  - nonconsensual sexual penetration

Responsible Employees

- Any administrator, supervisor, faculty member, or other person in a position of authority who is not a Privileged Resource Employee or Support Resource Employee (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 EOO.
- If a Complainant reports discrimination or harassment to a Responsible Employee 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 EOO.

Requests for Confidentiality

- The University strongly supports an individual's interest in confidentiality, particularly in instances involving sexual misconduct. When a Complainant requests their 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 complying with other laws, regulations, or policies and 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 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.

Confidential Resources

- **Privileged Resource Employee**: Employees working in one or more of the groups listed below are not required to report patient or client disclosures of harassment or discrimination to EOO:
  - 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
  - Veterans Legal Clinic
  - Wilbanks Child Endangerment and Sexual Exploitation Clinic
  - UGA First Amendment Clinic
- **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; provided, however, that these employees are required to fully disclose to EOO any report where there is a threat of danger to the community (including to the alleged victim):
  - University Health Center RSVP (Relationship and Sexual Violence Prevention)
  - University Ombudspersons
  - Student Care and Outreach

Consensual Relationships

- Faculty and staff, including graduate teaching assistants, cannot date or have a sexual relationship with ANY student they currently supervise, teach, or evaluate in any way.
- Employees cannot date or have a sexual relationship if either employee supervises, evaluates, or in any other way directly affects the terms or conditions of the other's employment.
- "Directly affects" => one employee is above the other employee in a vertical line of authority extending through one or more organizational levels of supervision or management.

Pregnant and Parenting Students

- Reasonable accommodations and/or adjustments are required under Title IX
- Students are allowed to continue classes or extracurricular activities
- Accommodations are typically reasonable unless they:
  - Alter or remove essential requirements of the course
  - Fundamentally alter the nature of the program
  - Impose undue financial or administrative burden
  - Pose a threat to others
- Reasonable adjustments for pregnant students may include:
  - a larger desk
  - breaks during class, as needed
  - permitting temporary access to elevators
  - rescheduling tests or exams
  - excusing absences due to pregnancy or related conditions
  - submitting work after a deadline missed due to pregnancy or childbirth
  - providing alternatives to make up missed work

Accommodations

- The University of Georgia is committed to providing equal educational and employment opportunities and access for qualified individuals with disabilities, including students, job applicants, employees, and users of UGA's public accommodations and services.
- EOO houses the ADA Coordinator and enforces policies/procedures, including oversight for complaints and appeals, for:
  - Applicants, Students, and Employees with Disabilities
  - Service Animals
  - Access to Electronic and Information Technology
  - Disability Discrimination and Harassment
- Student Disability Resources:
  - The Disability Resource Center's primary commitment is to assist the University of Georgia in educating and serving students with disabilities who qualify for admissions.
- Employee Disability Resources
  - Human Resources manages all requests for accommodations from supervisors and employees.

Equal Opportunity and Hiring

- To affirm the commitment of the University of Georgia to the principles of equal opportunity and diversity in its efforts to select the best qualified candidates in all its hiring and promotion decisions.
- To ensure compliance with equal employment opportunity laws and affirmative action guidelines the general rule is that all faculty and administrative appointments require a search.
- There are some exceptions that should be used on a limited basis.
- All search exceptions require EOO approval.

But Why is a Search Necessary?

- To attract a diverse array of highly qualified candidates
- To provide all candidates with an equal opportunity to apply and compete for faculty and administrative positions
- To ensure the search process is conducted without any prohibited consideration of race, color, ethnicity, religion, national origin, gender, gender identity, sexual orientation, age, disability or veteran status
- To avoid even the appearance of any prohibited bias or other impropriety in carrying out the charge
- To identify areas of underrepresentation of women, veterans, persons with disabilities, and minorities
- To select the candidate that is best qualified for the position considered

Teamwork Makes the

DREAM

WORK

Your Part of Our Partnership

- Know the policies
- Follow the policies
- Report alleged violations – you are a Responsible Employee
- DO NOT investigate
- DO NOT promise confidentiality
- Remember that almost everyone is a member of a protected category
- Remember all conduct is not protected under the First Amendment and/or Academic Freedom
- Attend (and have your faculty attend) Search Committee Training
- Know resources available on campus

Contact Us

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