



## Statement of Rights – Complainants and Respondents

Sex-based discrimination, including sexual harassment, violence, gender-based harassment, or sexual misconduct of students, faculty, and staff, is illegal under Title IX of the Education Amendments of 1972 and prohibited by the University of North Georgia. The University's Sexual Misconduct Policy governs how the University responds to allegations of misconduct and discrimination. The following outlines your rights through the process. Visit <https://ung.edu/title-ix/> for additional information.

### **Supporting measures to stop the behavior.**

UNG recognizes that Sexual Misconduct impacts mental health and prevents people from feeling safe and participating in campus-related activities and events. Supportive measures are implemented to ensure access and meaningful participation for undergraduate students, graduate students, staff, and faculty in their education, housing, and employment.

Supportive measures are available to any individual who has experienced sexual misconduct, even when those individuals do not wish to file a formal complaint or participate in an investigation. Individuals accused of sexual misconduct may also access supportive measures.

Please let the Title IX representative know if you have any specific concerns or suggested measures that should be implemented. For students, it may include changes to housing, course schedules, or on-campus dining arrangements. These changes should be made to minimize the burden on the educational experience. For employees, these steps could include changes to an office location and work schedule and may consist of administrative leave.

### **Resources.**

There is a list of on- and off-campus resources available at <https://ung.edu/title-ix/>. For students, the University offers Student Counseling Services on each of its campuses. In addition, Student Health Services are currently available on the Dahlonega and Gainesville campuses. The University provides the Employee Assistance Program (EAP) to support employees. You can learn more about the EAP program by contacting Human Resources at (706) 864-1440.

### **Privacy and Confidentiality.**

The University of North Georgia is committed to protecting the privacy of all individuals involved in a report of sexual misconduct. Privacy generally means that information related to a misconduct report will only be shared with a limited circle of individuals who have a legitimate need to know the information to assist in response to, investigation, and the resolution of the complaint. While not bound by confidentiality, these individuals will be discreet and respect the privacy of all individuals involved in the process.

Confidentiality is not the same as privacy. Confidentiality means that the information shared with a specific employee or outside professional cannot be disclosed to others without the express permission of the individual who shares the information.

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### **Title IX Coordinator's Contact Information**

The University will respect wishes to pursue or not pursue a complaint where legally possible formally; however, in the interest of the community, the University may choose to investigate where there is a safety concern. If a Complainant wishes to remain anonymous or desires to take no further steps, it may hinder the response by the University.

### **Options for proceeding.**

The Complainant has the following options of action: (1) take no action at this time, but the report will remain on file for future consideration; (2) attempt an alternative action or informal resolution; (3) proceed with a formal process with the University, which may include an investigation; (4) pursue a criminal complaint with the appropriate law enforcement agency, where applicable; and (5) pursue both the University and criminal process. Note, if the Complainant pursues both the University's process and a criminal process simultaneously, the University's Sexual Misconduct (Title IX) process will generally proceed during the pendency of a criminal action. If the process is deferred, notification of the deferment will be given.

### **Prompt, thorough, and impartial investigation.**

The University investigates all claims of discrimination, including sex-based discrimination and misconduct. You are entitled to a prompt, thorough, and impartial investigation into any claim of discrimination and misconduct. If extraordinary circumstances or other factors result in a delay in the process, we will contact you and provide you with an anticipated completion date. If you believe anyone involved in the Sexual Misconduct investigation has a conflict of interest, please advise the Title IX Coordinator immediately.

### **Right to an Advisor.**

Both the Complainant and Respondent have the right to an advisor who may accompany them to all meetings throughout the process. An advisor may be anyone, including an attorney. Advisor participation is limited to terms outlined in the Sexual Misconduct Policy and any hearing rules. Under some circumstances, you have the right to a University-trained advisor upon request.

### **Witnesses and evidence.**

Should a formal process occur, both parties will have the opportunity to present witnesses and other evidence.

### **Notification of the result of the investigation.**

You will be notified in writing of the outcome of the complaint and any appeal. In other words, you will be notified of the determination of whether a violation of the UNG Sexual Misconduct Policy occurred.

### **Appeal process.**

You will be entitled to an appeal of any final decision based upon specific appeal criteria outlined in the Sexual Misconduct Policy.

### **No retaliation.**

Sexual Misconduct (Title IX) and University policies prohibit retaliation against any individual who files a complaint or is involved in the process. You should not contact (directly or indirectly) any party or engage in any other behavior construed as retaliatory conduct.

### **Additional Information.**

If you want to learn more about your rights or believe that the University is violating Federal law, you may contact the U.S. Department of Education, Office for Civil Rights, at 800.421.3481 or [ocr@ed.gov](mailto:ocr@ed.gov). If you wish to file a complaint with the U.S. Department of Education, you may do so at <https://www2.ed.gov/about/offices/list/ocr/complaintintro.html>.

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