

Policy Name: Nondiscrimination and Anti-Harassment Policy

Policy Owner: Equal Opportunity, Compliance, and Conflict Management

Policy Contact: Jarmon DeSadier, Vice President, Equal Opportunity, Compliance, and Conflict Management – Staff, jdesadier3@gatech.edu

Reviewed By: Vice President, Equal Opportunity, Compliance, and Conflict Management; Interim Deputy General Counsel, Academic Affairs, Employment & Litigation; Interim Chief Counsel Employment & Litigation

Policy Steering Committee Review: September 2025

Policy Purpose: Georgia Tech is committed to equal opportunity, a culture of belonging, and an environment free from discrimination, harassment, and retaliation in its educational programs and activities, including employment.

Summary of Substantive Policy Changes:

This Policy has been updated to be more concise, to align with industry standards (including updated federal standards and requirements, as noted below), and to incorporate USG required policy provisions. Specific updates include,

- Updated policy title. The Equal Opportunity Policy is a USG policy; therefore “Equal Opportunity” was removed from the policy title so that the title more closely aligns with the Policy’s purpose.¹ The Equal Opportunity portion will remain as its own standalone policy.
- Updated protected characteristic list aligns with the protected characteristic list contained in USG Policy which has already been changed in conformance with the updated USG Policy.²
- Updated Scope to include a jurisdiction statement so that readers know in which circumstances the NDAH Policy governs alleged misconduct. The jurisdiction statement aligns with the jurisdiction statement that appears in the [Code of Conduct](#).³ This section also provides information related to how alleged online harassment/misconduct will be addressed.
- Updated definitions section to incorporate USG required definitions and update definitions of prohibited conduct to align with industry standards/federal guidelines.⁴ The updated/added definitions include:
 - A definition for “Complaint.”
 - A definition for “Complainant.”
 - Updated definition for “Discrimination.”

¹ Policy Title, p. 1.

² Policy Statement, p. 1; see also [BOR Policy 8.2.1](#)

³ Scope and Policy Jurisdiction, p. 3.

⁴ Definitions, pp. 4-6.

- A definition for “Disparate Treatment Discrimination.”
 - A definition for “Employee.”
 - A definition for “Failure to Comply/Process Interference.”
 - Updated definition for “Harassment.”
 - A definition for “Respondent.”
 - A definition for “Retaliation.”
 - Please note that this definition is different from the definition that appears in the Human Resources Retaliation Policy; this definition is used to be consistent with the retaliation definition used in the Sexual Misconduct Policy and to align with the requirements of Title VI.
 - A definition for “Student.”
- Addition of a section (Procedures) to incorporate all policy procedures.⁵
- Updated reporting information to align with how Georgia Tech processes complaints of Prohibited Conduct under the NDAH Policy.⁶
- Addition of a section (Duty to Report) to align with USG’s requirement that responsible employees must report information they have related to Prohibited Conduct under the NDAH Policy to the appropriate Georgia Tech officials.⁷
- Updated Filing a Report or Complaint section to direct the reader to the written procedures used to adjudicate complaints filed under the NDAH Policy.⁸
- Addition of a section (Standard of Proof) to let the reader know the standard of proof used to adjudicate complaints filed under the NDAH Policy.⁹
- Addition of a section (Interim Measures/Support Services) to align with USG policy requirements.¹⁰
- Addition of a section (Confidentiality) to align with industry standards/federal requirements and to let the reader know how the information gathered during a grievance process will be used/shared by the Institute.¹¹

⁵ Procedures, p. 6.

⁶ Reporting by Complainant, p. 7.

⁷ Duty to Report, p. 8.

⁸ Complaint Resolution Options, p. 8.

⁹ Standard of Proof, p. 9.

¹⁰ Interim Measures/Support Services, p. 9.

¹¹ Confidentiality, p. 9.

- Addition of a section (Independence and Conflicts of Interest) to align with industry standards/federal requirements and to direct the reader to the process for requesting the removal of an investigator/administrator because of a conflict or because of bias.¹²
- Addition of a section (Amnesty) to align with USG requirements for student policies.¹³
- Addition of a section (Required Employee Training) to align with Georgia Tech's bi-annual compliance training requirements.¹⁴
- Addition of a section (External Reporting Options) to align with federal requirements.¹⁵
- Addition of a section (Enforcement) to indicated to the reader what sanctions may be imposed when the NDAH Policy is violated.¹⁶
- Addition of a section (Policy Revision) as an industry standard to indicate to the reader how and why policy updates may be made.¹⁷
- Updated Related Information section to align with current Georgia Tech policies.¹⁸

¹² Independence and Conflicts of Interest, p. 9.

¹³ Amnesty, p. 10.

¹⁴ Required Employee Training, p. 10.

¹⁵ External Reporting Options, p. 10-11.

¹⁶ Enforcement, p. 11.

¹⁷ Policy Revision, p. 11.

¹⁸ Related Information, p. 12.



Georgia Institute of Technology

Nondiscrimination and Anti-Harassment Policy (NDAH Policy)

Policy No.

Type of Policy: Administrative

Effective Date: May 2019

Last Revised: January 2021, September 2025

Policy Owner: Office of Equal Opportunity, Compliance, and Conflict Management

Policy Contact: Jarmon DeSadier, Vice President, Office of Equal Opportunity, Compliance, and Conflict Management – Staff, jdesadier3@gatech.edu

1. Reason for Policy

The Georgia Institute of Technology (“Georgia Tech” or “the Institute”) is committed to equal opportunity, hiring decisions based on merit, and an environment free from discrimination, harassment, and retaliation in its educational programs and activities, including employment.

2. Policy Statement

The Board of Regents of the University System of Georgia (“BOR”) and Georgia Tech prohibit discrimination on the basis of an individual’s age, color, disability, genetic information, national origin, race, religion, sex, or veteran status (“protected status”) to the full extent of federal and state law. No individual shall be excluded from participation in, denied the benefits of, or otherwise subjected to unlawful discrimination, harassment, or retaliation under, any Institute program or activity because of the individual’s protected status; nor shall any individual be given preferential treatment because of the individual’s protected status, except that preferential treatment may be given on the basis of veteran status when appropriate under federal or state law.

Further, Georgia Tech prohibits citizenship status and immigration status discrimination in hiring, firing, and recruitment except where such restrictions are required in order to comply with law, regulation, executive order, or Attorney General directive, or where they are required by federal, state, or local government contract.

Georgia Tech takes active measures to prevent such conduct and investigates and takes remedial action when appropriate.

If the Institute determines that an incident of harassment created a hostile environment in its programs or activities, the Institute will take steps reasonably calculated to (a) end the harassment, (b) eliminate any hostile environment and its effects, and (c) prevent the harassment from recurring, including by extending interim measures and/or by extending opportunities for, as appropriate, informal resolution and/or a formal resolution (investigation and adjudication).

Georgia Tech holds the First Amendment guarantees of freedom of speech, freedom of expression, and the right to assemble peaceably as an essential cornerstone to the advancement of knowledge and the right of a free people. Additionally, Georgia Tech protects freedom in academic instruction, research, publication, and individual expression. This Policy does not conflict with those guarantees.

3. Scope and Jurisdiction

This Policy applies to any reported Prohibited Conduct committed by students, employees (faculty, staff, or other paid employees), volunteers, visitors, contractors/vendors, or others, that occurs:

- on Georgia Tech premises;
- at Georgia Tech sponsored programs or activities;
- in any building owned or controlled by a student organization and
- off-campus as determined by the following factors (including, but not limited to):
 - Any action that constitutes a criminal offense as defined by law. This includes, but is not limited to, single or repeat violations of any local, state, or federal law.
 - Any situation in which it is determined that the Respondent poses an immediate threat to the physical health or safety of any student, employee, or other individual affiliated with Georgia Tech.
 - Any situation that significantly impinges upon the rights, property, or achievements of Georgia Tech community members, significantly breaches the peace, and/or causes social disorder.
 - Any situation that substantially interferes with Georgia Tech's educational interests or mission.
- **Online Harassment and Misconduct:** Georgia Tech's policies are written and interpreted broadly to include online manifestations of any of the behaviors prohibited by this Policy, when those behaviors occur in, or have an effect on, Georgia Tech's education program and activities or when they involve the use of Georgia Tech's networks, technology, or equipment.

Although Georgia Tech may not control websites, social media, and other venues through which harassing communications are made, when such

communications are reported to Georgia Tech, it will engage in a variety of means to address and mitigate the effects.

Members of the community are encouraged to be good digital citizens and to refrain from online misconduct, such as posting to anonymous gossip sites; sharing inappropriate content via social media; misuse of artificial intelligence; breaches of privacy; or otherwise using the ease of transmission and/or anonymity of the Internet or other technology to harm another member of the Georgia Tech community.

Nothing in this Policy is intended to infringe upon or limit a person's rights to free speech. Any online posting or other electronic communication by students occurring completely outside of Georgia Tech's control (e.g., not on Institute networks, websites, or between Institute email accounts) will only be subject to this Policy when such online conduct can be shown to cause (or will likely cause) a substantial in-program disruption or infringement on/harm to the rights of others. Otherwise, such communications are considered speech protected by the First Amendment. Interim measures/support services for Complainants will be provided.

Off-campus harassing speech by employees, whether online or in person, may be regulated by Georgia Tech only when such speech is made in an employee's official or work-related capacity.

For concerns of sexual misconduct, the applicable policy is found here: [Sexual Misconduct Policy](#). Additionally, please see the [Equal Opportunity, Compliance, and Conflict Management \(EOCCM\) Website](#) for more information.

4. Definitions¹

Complaint	A document submitted or signed by a Complainant or signed by EOCCM alleging a Respondent engaged in Prohibited Conduct under the NDAH Policy and requesting that the Institute investigate the allegation(s).
Complainant	An individual who is alleged to have experienced conduct that violates this Policy.
Discrimination	Discrimination is subjecting an individual or group to adverse action – including differential treatment – on the basis of actual or perceived membership in a Protected Class under this Policy.

¹ Additional definitions can be found at: <https://eoc.gatech.edu/civil-rights-ndah/definitions>

	Adverse actions can include (but are not limited to) termination, denial of a promotion, or denial of access to the educational environment.
Disparate Treatment Discrimination	Any intentional differential treatment of an individual or group of individuals that is based on the individual's actual or perceived protected status and that (1) excludes an individual from participation in; (2) denies an individual the benefits of; or (3) otherwise adversely affects a term or condition of an individual's participation in an Institute program or activity.
Employee	An individual who is employed part-time, full-time, or in a temporary capacity as faculty or staff.
Failure to Comply/Process Interference	<ul style="list-style-type: none"> • Intentional failure to comply with the reasonable directives of the Equal Opportunity and Compliance (EOC) Director or other Institute Official in the performance of their official duties, including with the terms of a no contact order. • Intentional failure to comply with interim measures. • Intentional failure to comply with sanctions. • Intentional failure to adhere to the terms of an informal resolution agreement. • Intentional failure to comply with Responsible Employee duties as defined in this Policy. • Intentional interference with the resolution process, including, but not limited to: <ul style="list-style-type: none"> ○ Destroying or concealing evidence. ○ Seeking or encouraging false testimony. ○ Intimidating or bribing a witness or party. ○ Distributing or otherwise publicizing materials created or produced during an investigation or resolution process except as required by law or as expressly permitted by Georgia Tech; or ○ Publicly disclosing Institute work product that contains personally identifiable information without authorization or consent.
Harassment	Unwelcome conduct on the basis of actual or perceived protected status, that, based on the totality of the circumstances, is subjectively and objectively offensive, and is so severe or pervasive that it limits or denies an individual's ability to

	participate in or benefit from the Institute's education, employment, or other programs or activities.
Institute Community	Students, faculty, and staff as well as contractors, vendors, visitors, and guests.
Prohibited Conduct	Complaints alleging discrimination, harassment, or retaliation.
Respondent	An individual or individuals who are alleged to have engaged in conduct that violates this Policy.
Retaliation	The Institute or any member of the Institute's community taking or attempting to take materially adverse action by intimidating, threatening, coercing, harassing, or discriminating against any individual to interfere with any right or privilege secured by law or Policy or because the individual has made a report or complaint, provided information, assisted, participated, or refused to participate in any manner in an investigation or proceeding under this Policy.
Student	Any person who is taking or auditing classes of the Institute, either full-time or part-time; is participating in academic programs; or is pursuing undergraduate, graduate, or professional studies. A Student is also any person who matriculates in any Institute program, has been accepted for enrollment, or is eligible to re-enroll without applying for readmission.

5. Procedures

A. Reporting Prohibited Conduct

Individuals are encouraged to make reports or complaints to EOCCM. EOCCM shall evaluate Complaints to determine if this Policy applies. If it does, Georgia Tech maintains procedures for resolving complaints of Prohibited Conduct here: [Resolution Process for Alleged Violations of the Georgia Institute of Technology Equal Opportunity, Nondiscrimination, and Anti-Harassment Policy](#). Georgia Tech will process complaints under this Policy according to these procedures.

Individuals who believe that they have been subjected to Prohibited Conduct in violation of this Policy and wish to report that conduct may use either the Informal Resolution Procedure or the Formal Resolution Procedure, or both. The informal and formal processes are not mutually exclusive, and neither is required as a prerequisite for choosing the other; however, they cannot be used simultaneously. Georgia Tech will provide notice of allegations and outcomes in accordance with its procedures.

If EOCCM determines a complaint does not fall within the scope of this Policy, EOCCM will dismiss the complaint and/or refer Complainant to the appropriate office and/or resources.

In the event of a conflict between this Policy and the accompanying procedures, this Policy controls.

Georgia Tech encourages the reporting of discrimination, harassment, or retaliation as soon as possible. While there is no statute of limitations on Georgia Tech's ability to respond to a report, the ability to respond diminishes with time, as information and evidence may be more difficult to secure.²

Filing a Report or Complaint. A Complaint informs Georgia Tech that the Complainant would like to initiate an investigation or other appropriate resolution procedures. A Complainant or individual may initially make a report and may decide at a later time to make a Complaint. Reports or Complaints of Prohibited Conduct may be made using any of the following options:

1. File a report or Complaint with or give verbal notice to EOCCM. Such a report or Complaint may be made at any time (including during non-business hours) by using the telephone number or email address, or by mail, to EOCCM. Contact information for EOCCM is located at:
<https://eoc.gatech.edu/about/meet-the-team>.
2. Report online at the following link: [EOCCM Reporting Form](#). Anonymous reports are accepted, but the report may give rise to a need to try to determine the parties' identities. Anonymous reports typically limit Georgia Tech's ability to investigate, respond, and provide remedies, depending upon what information is shared. Measures intended to protect the community or redress or mitigate harm may be enacted. It also may not be possible to provide interim measures to Complainants who are the subject of anonymous reports.
3. Report via email to eoc@gatech.edu.

B. Duty to Report

Responsible Employees who become aware of specific and credible allegations of Prohibited Conduct are required to report the suspected violations to EOCCM immediately by using the online reporting form at: [EOCCM Reporting](#). Responsible Employees who fail to report incidents of Prohibited Conduct to the EOCCM may be subject to disciplinary action.

² Acting on reports of discrimination, harassment, or retaliation is significantly impacted by the passage of time and is at EOCCM's discretion.

This obligation complements the obligation of responsible employees, as defined by the Institute's Sexual Misconduct Policy, to report conduct prohibited under that policy to the University's Title IX Coordinator.

C. Standard of Proof

All resolution processes conducted under this Policy apply the preponderance of the evidence standard of proof (*i.e.*, whether it is more likely than not that the Respondent violated the Policy as alleged).

D. Interim Measures/Support Services

Interim measures or support services may be implemented by Georgia Tech at any point after the Institute becomes aware of alleged misconduct and shall be designed to mitigate potential Prohibited Conduct.

Interim measures for students will be implemented pursuant to BOR Policy 4.7.2 Process for Investigating and Resolving Disputed Reports.

E. Confidentiality

Information related to an investigation of Prohibited Conduct can be sensitive, and the Institute will take appropriate steps to maintain the greatest degree of confidentiality possible and as allowed by law. In all situations, confidentiality is maintained on a strict need-to-know basis; however, confidentiality can only be preserved insofar as it does not interfere with the Institute's obligation to investigate Prohibited Conduct that requires the Institute to take corrective action. While EOCCM does not impose mandates barring individuals from disclosing matters related to its investigations, participants in an investigation will be advised that maintaining confidentiality is essential to protect the integrity of the investigation.

F. Amnesty

Individuals should be encouraged to come forward and to report prohibited discriminatory or harassing conduct notwithstanding their consumption of alcohol or drugs. Information reported by a student during an investigation concerning their own consumption of drugs or alcohol will not be used against the particular student in a disciplinary proceeding or voluntarily reported to law enforcement; however, students may be provided with resources on drug and alcohol counseling and/or education, as appropriate. These students may be required to meet with staff members in regards to the incident and may be required to participate in appropriate

educational program(s). The required participation in an educational program under this amnesty procedure will not be considered a sanction.

Nothing in this amnesty provision shall be interpreted to prevent an individual who is otherwise obligated by law (including under the Clery Act) from reporting information or statistical data as required.

G. Independence and Conflicts of Interest

EOCCM employees, and all other Georgia Tech officials designated to assist in the resolution of alleged Policy violations, act with independence and authority free from bias and conflicts of interest. These individuals are vetted and trained to ensure they are not biased for or against any party in a specific complaint, or for or against Complainants and/or Respondents, generally.

To raise any concern involving bias, conflict of interest, misconduct, or discrimination by the Sr. Director - EOC, contact the Vice President for Equal Opportunity, Compliance, and Conflict Management or designee. Concerns of bias, misconduct, discrimination, or a potential conflict of interest by any EOCCM employee or other Georgia Tech official designated to assist in the resolution of alleged Policy violations should be raised with the Sr. Director - EOC.

H. Required Employee Training

Employees shall receive training on preventing Prohibited Conduct that complies with federal and state laws and regulations.

Each Institute employee is required to participate in the training program provided by this section no later than the 30th day after the date the employee is hired and is required to attend training every year thereafter.

I. External Reporting Options

Concerns about the Institute's application of this Policy and compliance with certain civil rights laws may be addressed to:

Office for Civil Rights (OCR)
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-1100
Customer Service Hotline: (800) 421-3481
Facsimile: (202) 453-6012

TDD: (877) 521-2172
Email: OCR@ed.gov
Web: <http://www.ed.gov/ocr>
Equal Employment Opportunity
Commission
Atlanta District Office
Sam Nunn Atlanta Federal Center

100 Alabama Street, SW, Suite 4R30
Atlanta, GA 30303
Phone: (800) 669-4000

Facsimile: 404-562-6909
Web: <https://www.eeoc.gov/field-office/atlanta/location>

6. Enforcement

Violations of this Policy may result in discipline up to and including termination for employees, expulsion for students, and/or exclusion from campus programs and/or activities.

7. Policy Revision

The Policy and associated procedures supersede all previous policies addressing discrimination, harassment, and retaliation. EOCCM regularly reviews and updates the Policy and associated procedures. Incidents occurring before the Policy's effective date will be addressed using the policy that was in place at the time of the incident, but the procedures used will be those in place at the time of the Complaint.

The Institute reserves the right to make changes to this document as necessary, and those changes are effective once they are posted online. If laws or regulations change or court decisions alter policy or procedural requirements in a way that impacts this document, this document will be construed to comply with the most recent laws, regulations, or court holdings. This document does not create legally enforceable protections beyond the protections of the background federal and state laws that frame such policies and codes, generally.

A change required by a court or government order could occur during an active investigation or resolution process. If that happens, the Institute reserves the right to adjust the Policy and associated procedures accordingly and notify the Parties of any necessary mid-process changes. This could include entirely replacing the Policy or associated procedures, which could necessitate restarting an investigation or resolution process. The Institute will make every effort to minimize the impact on the Parties as much as possible if changes are unavoidable.

8. Related Information

[Title IV of the Civil Rights Act of 1964, as amended by the Civil Rights Act of 1991](#)
[Title VI of the Civil Rights Act of 1964](#)
[Title VII of the Civil Rights Act of 1964](#)
[Age Discrimination in Employment Act of 1967 \(ADEA\)](#)
[Equal Pay Act of 1963 \(EPA\)](#)
[Genetic Information Nondiscrimination Act of 2008 \(GINA\)](#)

[Title I and II of the Americans with Disabilities Act of 1990 Amended \(ADAA\)](#)
[Pregnancy Discrimination Act of 1978](#)
[Section 504 of the Rehabilitation Act of 1973](#)
[Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq](#)
[Vietnam Era Veterans Readjustment Act of 1974](#)
[Pregnant Workers Fairness Act](#)
[University System of Georgia Human Resources Administrative Practice Manual](#)
[BOR Policy 4.6 Discipline of Students](#)
[BOR Policy 6.7 Sexual Misconduct](#)
[BOR Policy 8.2.1 Equal Employment Opportunity](#)
[Georgia Tech Sexual Misconduct Policy](#)
[Georgia Tech Non-Retaliation Policy](#)
[Georgia Tech Impartial Board of Review Policy](#)
[Resolution Process for Alleged Violations of the Nondiscrimination and Anti-Harassment Policy](#)