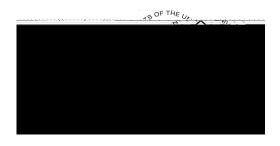
ACTING CHANCELLOR TERESA MACCARTNEY 270 WASHINGTON STREET, S.W. ATLANTA, GEORGIA 30334



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September 13, 2021

Presidents University System of Georgia sent via email

Dear Presidents:

The Board of Regents of the University System of Georgia (USG) met on September 9, 2021, in Atlanta, Georgia. During this meeting, revisions were made to the following Board of Regents (BOR) policies:

## **Student Affairs**

Sandra Neuse, Vice Chancellor for Real Estate and Facilities

Dr. Joyce Jones, Vice Chancellor for Student Affairs

Edward Tate, Vice Chancellor of Legal Affairs and Secretary to the Board

Dr. Martha Venn, Vice Chancellor for Academic Affairs

Mike Coverson, Director of Safety and Security

Josiah Heidt, Legal Counsel

Sarah Wenham, Director of Student Enrolment Services

Brandi Williams, Interim System Director for Equity and Investigations

Wesley Horne, Director of Ethics and Compliance

**Institutional Provosts** 

Institutional Vice Presidents of Student Affairs

Institutional Title IX Leads

**Institutional Legal Officers** 

Institutional Effectiveness Leads

**Institutional Audit Directors** 

# Exhibit BOARD OF REGENTS POLICY MANUAL

Revised Policies with Markup Meeting of September 9 2021

Revision to BOR Policy Manual: Section 4.6.5 Standards for Institutional Student Conduct Investigation and Disciplinary Proceedings

#### REVISED POLICY LANGUAGE

- 4.6.5 Standards for Institutional Student Conduct Investigation and Disciplinary Proceedings
- 4.6.5.4 Process for Investigating and Resolving Sexual Misconduct Reports

#### A. Title IX Hearings

- 1. Where a party or a witness is unavailable, unable, or otherwise unwilling to participate in the hearing, including being subject to crossamination, the hearing panel shall not rely on statements fathat party or witness in reaching its determination regarding responsibility. The hearing panel hall not draw an adverse inference against the party or witness based solely on their absence from the hearing or refusal to subject to crosssination.
- 2. The parties shall have the right to present witnesses and evidence at the hearing.
  - raised questions and must document the reason for not permitting any particular questions to be raised.
- 4. Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior, shall be deemed irrelevant, unless such questions and evidence are offered trapscoredone other than the Respondent committed the alleged conduct or consent between the parties during the alleged incident.
- 5. The hearing panel shall not access, consider, disclose, or otherwise use a party's records made or maintained by a physician, yeshiatrist, psychologist, or other recognized professional made in connection with the party's treatment unless the party has provided voluntary written consent. This also applies to information protected by recognized legal privilege.
- 6. Formal judicial ruls of evidence do not apply to the resolution process and the standard of evidence shall be a preponderance of the evidence.
- 7. Following a hearing, the parties shall be simultaneously provided a written decision via institution email of the hearing outcomedany resulting sanctions or administrative actions. The decision must include the allegations, procedural steps taken through the investigation and resolution process, findings of facts supporting the determination(s), determination(s) regarding responsibity, and the evidence relied upon and rationale for any sanction or other administrative action. The institution shall also notify the parties of their right to appeal as outlined below.

### 4.6.5.6 Appeals

Appeals may be madellowed in any cases where sanctions are issued, even when such sanctions are held "in abeyance," such as probationary or expulsion. Where the sanction imposed includes a suspension or expulsion (even for one held in abeyance), the following appellate procedures must the operate of the control of the operate of the o

The Respondent (and in cases involving sexual misconduct or other forms of discrimination and/or horsesment, the Complainant) shall have the right to appeal the outcome on any of the following grounds: t in

the original hearing (or appeal), because such information was not known or knowable to the person appealing during the time of the hearing (or appeal); (2) to alleusel sea 0(e)0.9 (a8))5 (c0.9 (g)2 ((; (2)-2))