

Preamble

Statement of Student Rights & Responsibilities - Preamble

Academic institutions exist for the transmission of knowledge, the pursuit of truth, the development of students, and the general well being of society. Free inquiry and free expression are indispensable to the attainment of these goals. As members of the academic community, students should be encouraged to develop the capacity for critical judgment and to engage in a sustained and independent search for truth.

Freedom to teach and freedom to learn are inseparable facets of academic freedom. The freedom to learn depends upon appropriate opportunities and conditions in the classroom, on campus, and in the larger community. Students should exercise their freedom with responsibility.

The responsibility to secure and to respect general conditions conducive to the freedom to learn is shared by all members of the academic community. The university has a duty to develop policies and procedures that provide and safeguard this freedom.

The George Washington University believes that the procedures, rights, and safeguards outlined below are indispensable to achieving the goals desired -- the freedom to teach, to learn, and to search for truth.

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I. Basic Assumptions

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A. Freedom of Expression

Student organizations and individual students shall be free to examine and to discuss all questions of interest to them and to express opinions publicly and privately. They shall be free to support causes by orderly means that do not disrupt the regular and essential operation of the institution. At the same time, it shall be made clear to the academic and the larger community that in their public expressions or demonstrations the students or student organizations speak only for themselves.

The students have the rights and responsibilities of a free academic community. They shall respect not only their fellow students' rights but also the rights of other members of the academic community to free expression of views based on their own pursuit of the truth and their right to function as citizens independent of the University.

B. Freedom from Discrimination

The University will not permit discrimination on the grounds of sex, race, color, religion, national origin, disability, sexual orientation or gender identity or expression, or any other illegal basis in any University-recognized area of student life. Additionally, all areas of student life are subject to the provisions of the [District of Columbia Human Rights Act](#). However, those campus organizations that are essentially and avowedly social fraternal groups may limit membership on the basis of sex; those campus organizations that are essentially and avowedly sectarian may limit membership on the basis of religion.

C. Student Rights in the Governing of the University

The University is a community of scholars engaged in the search for knowledge. Students, faculty, and administrators participate in this search. In light of this, the student body shall have clearly defined means, including membership on appropriate committees and administrative bodies, to participate in the formulation and application of the institutional policy affecting student affairs. The concern of students, however, legitimately extends beyond what has normally been considered student affairs. Their interest in academic policies, for example, is a development to be encouraged bearing in mind the teaching-learning the context of the University community.

D. Professional Rights of the Faculty

In order to safeguard the professional rights of the faculty, no provision for the rights of students can be considered valid if it suspends professional rights or in any measure invades them.

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II. Students in the Classroom

The professor in the classroom and in the conference should encourage free discussion, inquiry, and expression. Student performance should be evaluated solely on an academic basis, not on opinions or conduct in matters unrelated to academic standards.

A. Protection of Freedom of Expression

Students should be free to take reasoned exception to the data or views offered in any course of study and to reserve judgment about matters of opinion, but they are responsible for learning the content of any course of study for which they are enrolled.

B. Protection Against Improper Academic Evaluation

Students should have protection through orderly procedures against prejudiced or capricious academic evaluation. At the same time, they are responsible for maintaining standards of academic performance established for each course in which they are enrolled. Except in instances that involve a student grievance based on allegation of illegal discrimination for which another remedy is provided under "Student Grievance Procedures," a student who alleges an instance of arbitrary or capricious academic evaluation shall be heard and the allegation reviewed through faculty peer review procedures established by the dean and faculty of the school in which the contested academic evaluation took place. Should the peer review processes find in favor of and uphold the complaint of the student, yet the faculty member were to persist in refusing to alter the academic evaluation at issue, the Dean's Council and the dean shall afford the student an appropriate remedy after consultation with the peer review body.

C. Protection Against Disclosure

Information about student views, beliefs, and political associations, which professors acquire in the course of their work as instructors, advisers, and counselors, should be considered confidential. Protection against disclosure is a serious professional obligation. Judgments of ability and character may be provided under appropriate circumstances, normally with the knowledge or consent of the student.

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III. Student Participation in Academic Policy-Making

In light of the basic assumption of student involvement in academic affairs, each department or academic unit administering a degree program should encourage formation of an organization of its majors to reflect student views on matters of academic policy; and each department or other academic unit administering a degree program shall establish an advisory council representing faculty, students, and others as deemed advisable so as to provide a meaningful exchange of views on departmental policies among the parties so represented; provided, however, that the application to specific individuals of department policies on salary, promotions, and tenure is a matter of faculty responsibility.

In addition, clearly defined means for student participation in academic policy-making at the college or school level of the respective schools and college, where college- or school-wide advisory councils have not been established in accordance with the provisions above, shall be developed by faculty-student committees.

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IV. The Student as a Campus Citizen

A. Student Government

The University recognizes the right of the students to form and democratically elect their governing bodies as a means to participate in discussion of issues and problems facing the academic community. The governing bodies shall function as representatives of the student to the administration and faculty of the University, as well as to the entire community.

The electorate of a University-wide student government shall consist of the entire student body. Any elected members of a governing body representing less than the entire student body shall be elected in such manner as to create or preserve essential representational equality.

B. Student Organizations

1. Freedom of Student Association

The students of The George Washington University are free to organize and join organizations to promote their common and lawful interests, subject to University regulations. All members of a student organization must be currently registered students of the University. The fact of affiliation with any extramural association or national organization or political party, so long as it is an openly declared affiliation, should not of itself bar a student organization from registration or recognition. However, action may be taken to insure that the University does not, through the activities of campus student organizations, stand in violation of laws that place limits on campus political activities. The administration and faculty shall not discriminate against a student because of membership in any student organization meeting the conditions of this section.

2. Registration, Recognition, and Disclosures

All student organizations shall be registered and recognized in accordance with the University regulations. Registration or recognition may be withheld or withdrawn from organizations that violate University regulations. Registration and recognition procedures shall require identification of responsible officers. On a case-by-case basis, upon request of the [Center for Student Engagement](#), organizations may be asked to provide a list of all members of their group.

Once recognition of a student group or like organization has been withdrawn, no actions may be taken at or within the University in the name of that group or organization. Students who do so may be subject to disciplinary action.

3. Use of Campus Facilities

Meeting rooms, other campus facilities and funding should be made available, on an equitable basis, only to all registered student organizations, as far as the primary use of

these facilities and funding for other University purposes permits and in keeping with the best interests of the University.

Under the Bylaws of the University, only designated officers of the University may sign contracts binding on the University. Students may not sign contracts or agreements in the name of the University or a student organization or otherwise commit University or organization funds. Students who do so shall be held personally and financially liable for all costs and commitments made. Students should refer to the [Student Organization Manual or Center for Student Engagement website](#) for information on contracting procedures.

C. Student-Sponsored Forums

Students shall have the right to assemble, to select speakers, and to discuss issues of their choice, provided that the assembly is lawful in nature, does not interfere with the processes of the University, and does not infringe upon the rights of others; the University reserves the right to prohibit assemblies having in its judgment the clear likelihood of failing to meet one or more of these conditions.

Students shall be allowed to invite and hear any person of their own choosing, subject to the conditions listed here. Those routine procedures required by the University before a guest speaker is invited to appear on campus shall be designed only to ensure that there is orderly scheduling of facilities, adequate preparation for the event and that the occasion is conducted in a manner appropriate to an academic community. The control of campus facilities shall not be used as a device to restrict a guest speaker's expression solely on the basis of disapproval or apprehension of his ideas or motives. However, it shall be made clear to the academic and larger community by sponsoring organizations that sponsorship of guest speakers does not necessarily imply University approval or endorsement of views expressed.

Students must recognize their responsibility to uphold the right of free speech and to permit invited speakers to appear and speak without inappropriate interruption or demonstration. The members of the University community are urged to hear all sides of controversial issues represented.

D. Pamphlets, Petitions, and Demonstrations

The George Washington University is committed to the protection of free speech, the freedom of assembly, and the safeguarding of the right of lawful protest on campus. Therefore, student organizations and individual students shall have the right to distribute pamphlets, collect names for petitions, and conduct orderly demonstrations provided these actions are not disruptive of normal University functions and do not encompass the physical takeover or occupation of buildings, offices, classrooms, hallways, or other parts of buildings without authorization of the University, whether or not University functions are performed in them at that time.

While all students have the right to dissent and to protest, the limitation exists that these rights shall not be exercised in such a manner as to infringe on the rights of other students, or of faculty

members, to conduct class, hold their own meetings or hear another speaker, or in such a manner as to be disruptive of normal University functions. No one group or organization holds a monopoly on dissent or on freedom to hear all sides. Further, the fact that students may pursue their interests through speech and assembly on campus does not abrogate their accountability as citizens to the laws of the larger society, and the University is entitled to reflect these constraints in its own regulations.

E. Student Publications and Media

The student press and media shall be free of censorship and advance approval of copy, while being governed by the canons of responsible journalism.

Editors and managers of student publications or broadcast stations shall be free from arbitrary suspension and removal because of student, faculty, administrative, or public disapproval of editorial policy or content. Only for proper and stated causes shall editors and managers be subject to removal and then by orderly and prescribed procedures. Such removal shall be deemed a form of disciplinary action and therefore subject to prescribed due process in disciplinary cases. The agency responsible for the appointment of editors and managers shall be the agency responsible for their removal.

Even though certain publications may be financially dependent on the University, in the delegation of editorial responsibility to students, the University shall provide sufficient editorial freedom and financial autonomy for the student publications to maintain their integrity of purpose as vehicles for free inquiry and free expression in an academic community.

All student publications that are published and financed by the University shall explicitly state on the editorial page that the opinions expressed are those of the publication and are not necessarily those of the University or the student body.

Any committees for the supervision of such publications or media shall have student members.

[NEXT: V. Regulations Concerning Student Life on Campus](#)

V. Regulations Concerning Student Life on Campus

A. The Enactment of Regulations

University-wide regulations intended to formalize general standards of student conduct may be recommended to the Board of Trustees by appropriate committees composed entirely of students or jointly of students, faculty, and administrative representatives. University-wide regulations do not contemplate specialized regulations or rules governing academic, business, administrative, or contractual matters, nor rules or regulations published by administrators, students, or faculty for the control of facilities or programs, such as those not normally submitted to the Board of Trustees for approval. Generally understood standards of conduct, such as respect for the persons or property of others, continue to apply and may form the basis of disciplinary action though nowhere specified in particular detail.

It is the intent of this section to bring students into active participation in the formulation of University-wide regulations not excepted above, and to encourage the inclusion of students as active participants in the formulation of those regulations excepted above to the extent that such involvement can be accomplished reasonably and practicably.

B. Standards of Fairness and Student Rights in Disciplinary Cases

The George Washington University respects and is determined to protect the individual dignity, integrity, and reputations of its students. At the same time it requires that students comply with those conventions and regulations of University life that are necessary to maintain order, to protect individuals and property, and to fulfill its purposes and responsibilities as a University. To this end, the University realizes that the prevailing rule in matters of student discipline must continue to be that of common sense, and an excessive legalism can only disserve the University and its community of students, faculty, and staff. The model for disciplinary procedures that the University adopts is that of the administrative process not that of the criminal or civil courts.

Certain procedural rights shall be guaranteed to a student in any University disciplinary proceeding in which he or she stands to bear significant injury, such as expulsion, suspension, permanent reprimand, or other stigmatizing action. A student subject to such disciplinary action is in danger of injury to his or her reputation, opportunity to learn, and earning power. He or she therefore should enjoy full protection of his or her rights:

1. The right to notice of charges whenever formal action upon such charges is initiated, such notice to be given within a reasonably prompt period and with sufficient particularity as to the facts that the student may reasonably investigate the charge and prepare his or her defense, with reasonable and appropriate recesses and continuances being provided to all parties.
2. The right to question witnesses appearing against him or her (although in certain cases including, without limitation, when sexual violence is charged, the University may require that such questioning be conducted indirectly and/or from a separate location); to produce

witnesses on his or her own behalf; to present evidence; to know prior to the hearing the contents of and the names of the authors of any written statements that may be introduced against him or her, and to rebut unfavorable inferences that might be drawn from such statements; and not to be compelled to be a witness against himself or herself or to have his or her silence taken as evidence of the violation charged.

3. The right to a decision based upon evidence of a kind upon which responsible persons are accustomed to rely in serious affairs. However, rules of evidence in courts of law shall not, as such, be applied. The reliance upon evidence shall be determined by fundamental principles of fair play.
4. The right not to be sanctioned unless the decision maker is persuaded by a preponderance of the evidence that the student is in violation.
5. The right to be accompanied in all proceedings by an adviser (student, faculty, or other) of his or her own choosing and at his or her own expense.
6. The right to have the option of a public hearing in the discretion of the presiding officer, upon the student respondent's request, and if permitted by law.
7. The right to appeal decisions to a higher authority or hearing body within the administrative processes provided.
8. The right to have his or her case processed without prejudicial delay.

Hearings shall be recorded or transcribed.

Following an alleged act of student misconduct, and until final disposition of the charges, the status of a student shall not be altered or his or her right to be present on campus and to attend classes suspended, except for reasons relating to his or her physical or emotional safety and well-being or for reasons relating to the safety and well-being of other students, faculty, or University property, or for reasons relating to the protection of the normal functions of the University.

Changes in the status of a student that are not disciplinary in character intended neither as punishment nor as censure, but required by administrative, academic, or security interests of the University and its community are not governed by these disciplinary procedures.

The University disciplinary hearing system should not become excessively legalistic or adversarial. The hearing bodies may find it necessary frequently and firmly to remind parties, counsel, or advisers that the proceedings are not criminal or civil trials, that criminal or civil standards of due process and rules of evidence are not controlling, and that the hearing bodies shall enjoy considerable discretion to interpret, vary, and waive procedural requirements to the end that a just and fair decision may be obtained.

[NEXT: VI. Students as Off-Campus Citizens](#)

VI. Students as Off-Campus Citizens

In their off-campus lives, in matters not related to University functions, students shall not be considered under the control of the University, nor shall the University or its student governments be held responsible for the off-campus activities or personal conduct of its individual students.

A. Off-Campus Political Activities of Students

No disciplinary action shall be taken by the University against a student for engaging in such off-campus activities as political campaigning, picketing, or participating in public demonstrations, subject to the provisions of paragraph B.

B. Other Off-Campus Activities of Students

Students who violate a local ordinance or any law risk the legal penalties prescribed by civil authorities. An educational institution need not concern itself with every violation. Nevertheless, the University may take disciplinary action against those students whose behavior off University premises indicates that they pose a serious and substantial danger to self or others.

C. Student Records

Policies concerning the retention, release, and confidentiality of student records shall be recommended by the registrar, the schools, departments, and other record-keeping agencies, with appropriate student representation in the formulating of these policies, and shall be published upon adoption by the Board of Trustees.

[NEXT: VII. Amendment, Interim and Emergency Powers, and Implementation](#)

VII. Amendment, Interim and Emergency Powers, and Implementation

A. Amendment, Interim and Emergency Powers

In conformity with the University Charter, the By-Laws of the Board of Trustees, this statement may be amended by the Board of Trustees; the faculty retains interim power to discipline students prior to action of the Board of Trustees under regulations adopted by the Board of Trustees.

Nothing in this statement can infringe or intends to infringe upon the authority of the Trustees to amend the statement. Further, this statement shall not prevent the Administration of the University from taking such action as it deems necessary to the functioning or welfare of the University in any matter prior to action of the Board of Trustees.

B. Implementation

After adoption by the Board of Trustees, the provisions of this statement shall be put into effect in a manner that provides for both speedy implementation and orderly transition.

Adopted by the Executive Committee of the Board of Trustees, August 7, 1970.

[NEXT: University Policy on Equal Opportunity](#)