



## B. Freedom from Unlawful Discrimination

The university will not permit unlawful discrimination on grounds of age, color, disability, gender, gender identity or expression, genetic information, marital or familial status, national origin, pregnancy, race, religion, sex, sexual orientation, veteran status, and/or other characteristics protected by applicable law in any university-recognized area of student life. However, those organizations that are social fraternity and sorority groups may limit membership on the basis of sex.

## C. Professional Rights of the Faculty

Nothing in this Statement shall be deemed to revoke or alter any right ag (ere)6(gna)7(n)2Tf1 0 . righ

academic evaluation took place. An allegation of improper academic evaluation may proceed either through the faculty peer review procedures established by the dean or the Student Discrimination Report Procedures (not both). Should the faculty member persist in refusing to alter the academic evaluation at issue, notwithstanding a finding by the peer review processes in favor of and upholding the complaint of the student, the Council, and the dean shall afford the student an appropriate remedy after consultation with the peer review body.

## A. Student Government

The university recognizes the right of students to form and democratically elect their governing bodies as a means to participate in the 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 should not itself bar a student organization from registration or recognition. However, action may be taken to ensure that the university does not, through the activities of student organizations, stand in violation of laws that place limits on the use of university resources related to political campaigns. 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 university regulations in order to receive the benefits of the use of university facilities and other university benefits. Registration or recognition may be withheld or withdrawn from organizations that violate university regulations. Registration and recognition procedures shall require the identification of responsible officers. On a case-by-case basis, upon request of the university, organizations may be asked to provide a list of all members of their group to the Office for Student Life.

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 student conduct action.

### 3. Use of University Facilities

Meeting rooms, technological resources, other university facilities, and funding should be made available, on an equitable basis, only to registered student organizations. Access to facilities shall be consistent with the primary use of these facilities and access to funding shall be provided to the extent funding for other

university purposes permits. Use of facilities shall be in keeping with the best interests of the university.

#### **4. Signing Contracts**

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 resources provided to student organizations, including policies and guidelines, found on the Office for Student Life 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 make an appearance 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 university facilities shall not be used as a means to restrict a guest speaker's

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 disruption. The members of the university community are urged to hear all sides of controversial issues represented.

#### **D. Assembly, 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 at the university, including in virtual, online, and digital settings. Therefore, student organizations and individual students shall have the right to engage in behaviors such as distributing pamphlets, collecting names for petitions, and conducting orderly demonstrations provided these actions are not disruptive of normal university functions and do not encompass the physical takeover or occupation of university facilities and spaces, whether or not they are in use at that time.

While all students have the right to dissent and to protest, these rights shall not be exercised in such a manner as to obstruct or disrupt teaching, research, administration,

conduct procedures, or other university activities. 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 at the university 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.

Notwithstanding the foregoing, the university recognizes that protecting impromptu and spontaneous assembly for the purpose of expression, protest, and dissent is essential to fulfilling this commitment. Thus, the lack of a reservation to use space or other university resources is not by itself a basis for terminating any expressive activity, including impromptu activities, unless the protest or assembly conflicts with a previously scheduled event in the same location or is identified as engaging in behavior prohibited under university policy.

#### 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 student conduct action and therefore subject to fundamental fairness in student conduct 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

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 student conduct action though nowhere specified in particular detail.

It is the intent of this section to bring students into active participation in the formulation of certain university-wide regulations and to encourage the inclusion of students as active participants in the formulation of those regulations to the extent that such involvement can be accomplished reasonably and practicably.

#### **B. Standards of Fairness and Student Rights in Student Conduct Cases**

The George Washington University respects and is determined to protect the individual dignity and educational access 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





## **Code of Student Conduct**

### **I. Purpose and Fairness in the Student Conduct Process**

- A. The purpose of a student conduct process is to review reported violations of the Code of Student Conduct (the Code or this Code) and assess whether or not the evidence indicates it is more likely than not that those reported violations occurred. When Code processes determine that it is more likely than not that violations have occurred, the Code will also guide the process to determine outcomes for those violations.
- B. Ultimate authority for student conduct is vested in the Board of Trustees by the University Charter. Student conduct authority may be delegated to university administrators, faculty members, student committees, and organizations, as set forth in the Code, or in other appropriate policies, rules, or regulations adopted by the Board. Students are asked to assume positions of responsibility in the university student conduct system so that they may contribute their skills and insights to the resolution of student conduct cases.
- C. The conduct process is not a court of law and does not attempt to imitate a court of law. The purpose of publishing student conduct regulations is to inform the University community of prohibited behavior and the U addressing reports of prohibited behavior.
- D. This Code is not written with the specificity of a criminal statute and it does not attempt to imitate criminal or civil codes, cases, or statutes. Any similarity to the language of any criminal statute does not mean that such language or statute applies or is relevant to the U
- E. This Code and any changes to it will be interpreted to comply with applicable legal requirements.
- F. Procedures shall reflect standards of fundamental fairness. Minor deviations from procedural guidelines suggested in this Code, shall not invalidate a decision or process. The Vice Provost for Student Affairs and Dean of Students or designee may invalidate a decision or process when they determine deviations significantly impacted the rights of the involved students and/or the University.

### **II. Definitions**

When used in this Code,

- A.                    means any form of sale, exchange, or transfer.
- B.                    means a number of persons who are associated with each other, but who have not complied with university requirements for registration as a student organization.
- C.                    means any entity tasked with resolving matters under this Code. This can include but is not limited to presiding officers, Student Conduct Panel, and the Appeals Panel.



Directing the efforts of students and staff members in matters involving student conduct.

Supporting the university responsible citizens.

Determining the student conduct charges to be filed according to this Code.

Developing procedures for informal and/or restorative conflict resolution.

Collecting and sharing research and analysis concerning student conduct.

Conducting student conduct proceedings.

Gathering facts and relevant information in order to make an effective determination about case referrals and outcomes. This may include gathering relevant and available university records and interviewing parties and witnesses involved in reported incident,

Providing information to community members, particularly student conduct process participants, regarding the student conduct process.

Maintaining all records of matters that are handled through conduct processes.

Resolving cases of student misconduct, including the assignment of sanctions.

Training and advising the hearing bodies.

Conduct Policy is not addressed under this Code. Where conduct involves potential violations of both this Code of Student Conduct and the Title IX Sexual Harassment and Related Conduct Policy, the university may investigate that conduct under the Title IX Sexual Harassment and Related Conduct Policy.

B. The Code of Academic Integrity is a separate set of procedures for a separate category of cases. The Code, and any statements of procedure included in the Statement of Student Rights and Responsibilities, do not necessarily apply in Academic Integrity proceedings. In academic integrity cases, the Code of Academic Integrity determines the procedures. Procedures in the Code of Academic Integrity supersede this Code, as well as the Statement of Student Rights and Responsibilities, for those matters.

C. Further, nothing in this Code limits academic freedom, which is a leading value of the university. This Code shall not be interpreted to restrict academic freedom. Accordingly, in an academic setting, expression that is reasonably designed or reasonably intended to contribute to academic inquiry, education, or debate on issues of public concern does not violate this Code

D. This Code shall apply to behavior that occurs in any of the following settings:  
on university premises.  
at or as part of a university academic program or university-sponsored activities or events (virtual or in-person).

E.

policy, including this Code, may be subject to the same or similar charges as a directly accused party.

The following are general categories of misconduct subject to student conduct action.

A. Access without Authorization: Entering or remaining on or in any part of any university premises without valid permission.

B. Alcohol/Other Drug Violations:

Alcohol Violations

- Possession or use of alcohol by persons under 21;
  1. Possession or use of alcohol in a housing unit (including common areas) is strictly prohibited when all residents of a housing unit are under 21;
  2. When someone 21 or older is living with someone under 21 in a university housing unit, only persons 21 or older may possess and consume alcoholic beverages within the shared space. If alcohol is found in a shared space, the university assumes that the alcohol is shared by all residents unless the residents provide evidence that the alcohol was not shared with all residents;
- Regardless of age, possession or use of alcohol that is prohibited by other university policies or includes open containers, alcohol-free locations, kegs or open-source containers, and drinking games;
- Offering, providing, or otherwise making available any alcoholic beverage

- Use or possession of alcohol or other drugs with the intent of causing harm to another.

With respect to alcohol and other drug violations, the university considers circumstances related to the Alcohol and Other Drug Medical Amnesty Program and the Good Samaritan







The report must be made before or during the reported act of hazing.  
The reported incident of hazing must have caused injury or be likely to cause injury.

The university may still assign educational and restorative outcomes to those receiving immunity.

Regardless of whether students are eligible for immunity as described above, the following will typically be considered a mitigating factor for individual student conduct cases, as stated in Section XI(E) (Student Groups and Orgs) of this Code:  
reporting to the university or any university official,  
cooperating with any related student conduct processes, and/or  
seeking assistance to remedy situations of student group hazing or other prohibited conduct.

H. Misconduct Related to Property: Destroying, defacing, damaging, or tampering with the property of others. This includes but is not limited to university property, such as

Animals: Keeping or hosting an animal in residential facilities that has not been registered through Disability Support Services. This includes animals brought for brief visits by a non-resident visitor. This does not include service animals.

Quiet Hours: Violation of established quiet hours in residential facilities. This includes failure to respond to requests from other residents or university personnel

Q. Violation of Law: Violation of federal, state, and/or local law.

R. Violation of Privacy:

When a person has a reasonable expectation of privacy and has not given their permission to be observed, recorded, or photographed, students are prohibited from doing any of the following:

- Surreptitiously or secretly observing, photographing, or recording another person;
- Surreptitiously or secretly receiving photographs or recordings of another person; or
- distributing photographs or recordings of another person

These actions are also prohibited in a learning environment (e.g., classroom or online learning) where the instructor has communicated that these actions are prohibited. In addition, individuals may not photograph or make recordings of other individuals in restrooms, locker rooms, residence hall rooms, or suites without permission. In all instances, permission must be granted by all persons being photographed or recorded.

In a situation in which it is prohibited to observe or take a photograph or make a recording, it is also prohibited to publicly disclose that observation or publish a photograph or recording. Transmission, in print, by phone, via email, via social media, or any other means of technology is considered publication. Publication of any photograph or recording is also subject to all applicable policies and laws, including copyright, in the same manner as any other image or document.

Documentation for the sole purpose of reporting possible violations of law or university policy to the relevant officials may mean the recording does not violate this policy or it may be treated as a mitigating factor. Note that this policy does not necessarily alter obligations to follow state, local, or federal laws regarding recordings and privacy.

S. Weapon Violation: Unauthorized use, possession, or storage of any object prohibited by the university firearms and weapons policy as outlined in [https://compliance.gwu.edu/fir\(s\)-6\(m\)7\(a\)4ssk.edu/fir\(s\)-6\(m\)7\(a\)4ssk.edu/fir\(s\)-6\(m\)7\(a\)46JETQ](https://compliance.gwu.edu/fir(s)-6(m)7(a)4ssk.edu/fir(s)-6(m)7(a)4ssk.edu/fir(s)-6(m)7(a)46JETQ)

management and resolution.

- C. In cases where the Director of SRR or designee determines that outcomes are not likely to include removal from housing, suspension, or expulsion, the matter will be referred to a Student Conduct Conference for resolution. A Student Conduct Conference will normally consist of an informal, non-adversarial meeting between the respondent, and a university administrator or an experienced member of the University Integrity and Conduct Council as designated by the Director of SRR or designee. This person shall
  
- D. In cases where the Director of SRR or designee determines that outcomes could reasonably include removal from housing, suspension, or expulsion, the matter will be referred to a Student Conduct Panel for resolution.
  
- E. A Student Conduct Panel is composed of between three and five students to be selected from the pool. The pool shall consist of at least 10 students selected according to the Selection and Removal of University Integrity and Conduct Council Members section of this Code. If the alleged misconduct may result in suspension or expulsion from the university, a faculty member or administrator will be included on the Panel whenever possible. The absence of a faculty member or administrator will not prevent the Student Conduct Panel from hearing a case. Minimally, the Panel will consist of at least three students.
  
- F. The Director of SRR or designee may use their discretion to appoint an Ad Hoc Panel. For example, this may occur because of the nature of the case or because a Student Conduct Panel cannot be convened to resolve the case in an appropriate timeframe. Ad Hoc Panels shall be composed of between one and five people including any combination of administrators, faculty members, students.
  
- G. Any respondent scheduled for a hearing before a Student Conduct Panel may choose to have a Student Conduct Conference instead. In such a case, the conference will be  

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full range of sanctions may be assigned as appropriate, including removal from housing, suspension, and expulsion.
  
- H. In cases where the respondent wishes to accept responsibility, the case may be resolved via a Student Conduct Agreement at the discretion of the Director of SRR or designee. The agreement will include a statement that the respondent accepts a finding of in violation for all alleged violations. The agreement will also include sanctions appropriate to the totality of information known about the case. Student Conduct Agreements can include any status sanction (see sanction section), up to and including suspension and expulsion. If a Student Conduct Agreement is reached, the respondent waives all rights to appeal. Student Conduct Agreements take effect when signed by the respondent and the Director of SRR or designee. If a respondent declines to accept a Student Conduct Agreement, the case will proceed as originally referred (i.e., to a Student Conduct Conference or a Student Conduct Panel; if the case was originally referred to a Student Conduct Panel, the respondent may still choose a Panel-Level Conference).
  
- I. When the Director of SRR or designee determines (a) that the initial facts of a case

indicate a low-level educational sanction and (b) a warning status sanction against similar future behavior is the maximum appropriate outcome, then a warning may be issued following the initial review of the case. (See status sanctions section on

reported as such to third parties. The respondent may request a fact-finding process to refute the warning status and any attending educational sanction. In that event, the respondent will be offered a Student Conduct Conference.

- J. Any case that occurs or is reported before or during a summer, academic, or holiday break period may be heard during that same break period if a relevant hearing body is available. Otherwise, the case will be resolved during the following academic semester.
- K. In cases that could have resulted in removal from housing, suspension, or expulsion (i.e., those ~~resulted~~ resulted

receiving

or other) of their choosing and at their own expense. This does not include a right to have the support person participate in the student conduct proceedings or have the proceedings scheduled around the availability of the support person.

The right to the appeal and review processes, as described in this Code.

The right to have cases processed in a time frame that balances timeliness with thoroughness. This includes the right to be kept informed of any delays and their cause to the extent allowed by law.

The right to reasonable access to the case file will be provided at least three days prior to and during the proceeding. Case files contain student educational records so access will be provided consistent with the Family Educational Rights and

view or listen to the entirety of documents relevant to their individual case, with the identifying information of other students removed. The personal notes of university staff members will not be included in the case file. The case file will be retained with SRR.

- I. The Director of SRR or designee or the presiding officer may limit the presentation or number of witnesses to prevent (a) repetition, (b) delay, or (c) the presentation of irrelevant or immaterial information.
- J. If a respondent or authorized complainant does not appear after written notice, the case will proceed without their participation, and a decision will be made based on the available information.
- K. The university will not compel any student to participate. The university will not require student participants to answer questions.
- L. Instead of in-person statements, written statements whose author is confirmed or other forms of participation may be accepted at the discretion of the Director of SRR or designee.
- M. The presiding officer will maintain order

to establish the factual record. On disputed points, a preponderance of the evidence

P. All respondents and authorized complainants may question witnesses who participate (whether in person or remotely) in the proceeding. In certain cases, the university may require that questions be asked indirectly and/or from a separate location.

Q. Reports of the proceeding shall include findings of fact and a determination of whether

Panel/presiding officer finds the respondent to be in violation, the report will also include a recommendation of sanction and a rationale for that recommendation.

R. The outcome of the proceeding and the sanction (as relevant) shall be provided to the respondent in writing within a reasonable amount of time after the

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any expression of remorse or acceptance of responsibility by a respondent;  
maintenance of a safe and respectful environment supportive of learning;  
protection of the university community;  
Evidence indicating that prohibited behavior was motivated by bias or  
prejudice against actual or perceived protected characteristic(s);the necessity of  
any specific action in order to eliminate the prohibited conduct, prevent its  
recurrence, and remedy its effects on members of the university community;  
and,  
any mitigating, aggravating, or compelling circumstances in order to reach a  
just and appropriate resolution in each case.

Possible sanctions include, but are not limited to, the following. Most cases will be assigned a status sanction and an active sanction.

A. Status Sanctions -  
the student conduct system.

Warning - An initial directive against similar behavior in the future. For purposes of external reporting, cases resulting in a warning do not create a student conduct record that is subject to release unless a subsequent violation occurs.

Censure - An official written reprimand for violation of specified regulations, including a warning that continued or repetitive violations will be cause for additional student conduct action.

Disciplinary Probation - Period of probation where additional restrictions or violations of this Code or other university policy during the period of probation may result in removal from housing, suspension, or expulsion from the university if the student is found in violation of new charges.

Limitation of Privileges -



Community engagement - Attendance at or development of an event within the community. The event should be focused on repairing the harm caused to the community.

Community restitution project - A project or activity to be designed primarily by the respondent with a focus on repairing the harm caused by the incident.

Fine - A monetary or other quantifiable, material payment the respondent will make, typically to the university.

outcome letter is provided to the respondent. Failure to appeal within the time limit will make the original decision final and conclusive.

- B. An appeal submitted within five business days will be reviewed by an employee designated by the Vice Provost for Student Affairs to determine if the appeal provides grounds as described above. This

take adjudicatory or sanctioning action for violation of university policies with the written approval of the Director of SRR or designee. Groups affiliated with national organizations that have established guidance and procedures over disciplinary matters may follow the directive of those national organizations with regard to member conduct but must do so in consultation with the university.

- C. A student group or organization may be held collectively responsible and its officers may be held individually responsible when violations of the Code by those associated with the group or organization have occurred.
- D. A position of leadership in a student group, organization, or athletic team entails responsibility. Student officers cannot permit, condone, or acquiesce in any violation of this Code by the group or organization.
- E. This section of the Code is also designed to hold a group, including athletic teams, student organizations, and their officers, accountable for any act of hazing or other prohibited conduct. Reporting to the university or any university official, cooperating with any related student conduct processes, and seeking assistance to remedy such situations will typically be considered a mitigating factor regarding sanctioning in such cases.
- F. The officers or leaders or any identifiable spokesperson for a student group or organization may be directed by the Director of SRR or designee to take appropriate action designed to prevent or end violations of this Code by the group or organization. Failure to make reasonable efforts to comply with the Director of SRR by the officers, leaders, or spokesperson for the group or organization and by the group or organization itself.
- G. Sanctions for group or organization misconduct may include revocation and denial of registration, as well as other appropriate sanctions.

## **XII. Transcript Notations**

- A. SRR may place a hold under the following circumstances: (a) while student conduct proceedings are in progress; (b) if sanctions are not completed by the assigned date, or (c) in accordance with assigned sanctions or other university policies. The hold will typically prevent the student from

D. After three years from the outcome of a case, students may petition for removal of a suspension transcript notation. Such petitions may be granted at the discretion of the Director of SRR or designee. Factors to be considered in reviewing petitions for suspension notation removal include the following: (a) the current demeanor of the student, (b) the nature of the violation, and (c) the nature of the violation, including the damage, injury, or harm.

### **XIII. Student Conduct Files and Records**

- A. Case referrals may result in the development of a conduct file in the name of the student. The file shall be maintained and subject to release to third parties consistent with the law (for example, with student authorization) if the student is found in violation and the sanction is more than a warning. If the respondent is found not in violation, the record is retained for administrative archive purposes, as noted below.
- B.

law.

## **Alcohol & Other Drug Medical Amnesty Program**

<https://studentconduct.gwu.edu/alcohol-medical-amnesty>

The health and safety of students at The George Washington University are of great importance to the entire GW community. It is understood that the potential for non-academic student conduct action may deter students from seeking needed medical assistance, either for themselves or others, as the result of harmful use of alcohol and other drugs. The university has adopted a limited "amnesty" program in an effort to address this concern in the first instance where a student receives medical attention for the harmful use of alcohol and/or other drugs and otherwise violates no additional university policies. The Alcohol and Other Drug Medical Amnesty Program and the Good Samaritan Statement may also apply to university-registered student groups and organizations.



Drug Medical Amnesty program, please contact Student Rights & Responsibilities at [rights@gwu.edu](mailto:rights@gwu.edu) or call us at (202) 994-6757.

