I. General
These grievance procedures are promulgated to provide an adequate, reliable, and impartial channel for resolution of the grievances of students who feel they have been discriminated against on the basis of race, color, religion, sex, national origin, age, disability, veteran status, sexual orientation, or gender identify or expression in any of the policies, procedures, programs, or activities of or by any individual employed by or acting in an official capacity for The George Washington University. The Student Grievance Procedures are not intended to be used to resolve charges of sexual harassment, which includes sexual violence. For grievance procedures to resolve charges of sexual harassment, please consult the Sexual Harassment and Sexual Violence Policy and Procedures. This policy is available at http://my.gwu.edu/files/policies/SexualHarassmentFINAL.pdf

The procedures are intended to encourage resolution of the student's grievance informally, when appropriate, and at the earliest possible stage. At the same time, when such resolution is not possible or appropriate, these procedures provide for a more formal review of the student’s grievance by individuals not party to the case, and a final decision based upon that review by the appropriate dean or vice president. In providing these procedures, it is the intention of the university to carry them out in an equitable and timely manner. However, it may not be possible to adhere to established time frames, and extensions of time shall not be construed as failure to follow established procedures.

It shall be a violation within the meaning of these regulations to discriminate against any student because he or she has opposed any discriminatory practice proscribed by these procedures, or because he or she has filed a grievance, testified, assisted, or participated in any manner in the procedures provided for herein.

A. Eligibility
Any currently enrolled full-time or part-time student who believes that he or she has been discriminated against on any of the bases cited above may initiate these procedures. Employees, both full-time and part-time, who are also students, may use these procedures for matters relating to their student status only. (For grievance procedures to resolve charges of discrimination in employment, employees should consult the Faculty Code or the Employee Handbook, as appropriate.) These grievance procedures are not available to applicants to any of the university's academic units, including applicants who are or have been registered students in another of the university's academic units.

B. Coverage
A student may charge discrimination on the basis of sex, race, color, religion, age, national origin, disability, sexual orientation, or any other basis covered under the university's Policy on Equal Opportunity in the policies, procedures, programs, or activities of or by any individual employed by and acting in an official capacity for The George Washington University. However, in accordance with the statement on academic freedom as outlined in the Faculty Code, 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 shall be exempt from coverage.

Individuals and/or registered student organizations who feel they have been discriminated against by chartered student organizations as they act to carry out responsibilities specifically delegated to them by the Board of Trustees or the President may charge the organization under these procedures. Individuals who feel they have been discriminated against by having been denied the rights and privileges of membership or participation in registered student organizations may also charge the registered student organization under these procedures. University policy permits campus organizations that are social fraternal groups to limit membership on the basis of sex and sectarian groups to limit membership on the basis of religion.

A faculty member or administrator having administrative responsibility relating to the group being charged shall be appointed by the Dean of Student Affairs or a designee, to carry out the function assigned to the department chair outlined in II.C. Grievance Review Committees for student organizational matters shall consist of two faculty members, one administrator, and two students.
II. Grievance Procedures

A. Students who believe they have been injured in some fashion by discrimination are encouraged, but not required to first seek to clarify or resolve the question through direct contact with the individuals whose action gave rise to the matter.

B. If the student is unable to clarify or resolve the matter, the student must submit a signed written statement of the charge to the Dean of Student Affairs or a designee. The student will have the opportunity to meet with the Dean of Student Affairs or a designee and have any issues or questions addressed. The written statement must include the following: the name of the faculty member, administrator, or student organization whose action gave rise to the matter (the respondent); the type of discrimination alleged; a statement of the injury alleged and the resolution sought; and a summary, if applicable, to include time, place, and results, of any discussion that may have taken place, as encouraged in II.A. above.

C. The Dean of Student Affairs or designee shall refer the charge to the appropriate academic or administrative department chair with a copy to respondent. The department chair shall seek to mediate the charge and thereby effect an informal resolution of the matter. This phase of the Student Grievance Procedures is voluntary; if one party refuses to participate in the informal mediation, the matter is referred directly to the Grievance Review Committee. If both parties agree to informal mediation of the matter, the department chair shall convey, in writing to the Dean of Student Affairs or designee, the efforts that were made to mediate the issue and the outcome of the mediation. This mediation phase of the procedures, which should be completed within 10 class days, does not require an in-person meeting with the complainant or the respondent and may be conducted by telephone or email.

If the individual whose action gave rise to the matter is an academic department chair, dean, or administrator, or a faculty member reporting directly to a dean or vice president, the Dean of Student Affairs or a designee shall refer the matter directly to a dean or vice president, or if the academic or administrative department chair wishes to disqualify himself or herself because of prior knowledge of the matter, the Dean of Student Affairs or designee shall refer the matter directly to the appropriate dean or vice president, who shall designate another academic department chair, dean, administrator, or faculty member under his or her supervision to perform the function required by this subsection. The person selected by the dean or vice president must be at least equal in position and rank to the person against whom the grievance has been filed. If the individual whose action gave rise to the matter is the Dean of Student Affairs, the matter shall be referred to the Provost who will refer the matter to another administrator under his or her supervision.

If, because of prior knowledge of the matter, the dean or vice president wishes to disqualify him- or herself from performing any of the functions outlined in these grievance procedures, the matter will be referred to the President who shall designate another dean or vice president to perform one or more of the functions outlined in these procedures.

D. Failing a successful mediation, either party to the case may request a formal Grievance Review Committee by writing the Dean of Student Affairs or designee within three class days of receipt of the department chair's mediation report.

E. The Dean of Student Affairs or a designee shall, within seven class days, appoint a Grievance Review Committee.

   1. The Grievance Review Committee for academic matters will consist of two faculty members and two students.

   2. The Grievance Review Committee for administrative matters will consist of one faculty member, one administrator, and one student.

   3. Committee members will be selected from among a panel of ten faculty members selected by the Faculty Senate, ten students selected by The George Washington University Student Association, and five administrators selected by the Chief Human Resources Officer or designee. At
least five students named to the panel shall be enrolled in programs at the graduate level.
Appointments to the panel shall be made for one year from July 1 to June 30. Appointments are
renewable. The Dean of Student Affairs or a designee will select the committee members for each
review and will appoint one of the members to serve as chair. In the event panel members are not
available to serve, the Dean of Student Affairs or a designee shall have the authority to appoint
committee members from the appropriate constituency from outside the panels to hear a particular
grievance. The Dean of Student Affairs or a designee shall serve as advisor to the Review
Committee.

4. Each party shall, within five class days from notification of the appointment of a Grievance
Review Committee, submit to the Dean of Student Affairs or a designee documentation to be
reviewed by the Grievance Review Committee and a list of witness to be called at the hearing.

5. Within fifteen class days of appointment, the Grievance Review Committee shall hear the
grievance together with such witnesses as it deems germane to the grievance and/or as may be
called by either party or the Grievance Review Committee. The Grievance Review Committee
is charged with conducting a full and impartial hearing, which includes, but is not limited to,
introducing and reviewing documents and other evidence and calling and questioning witnesses.
Each party may submit materials and documents to the Grievance Review Committee in advance of
the hearing. Additionally, the Grievance Review Committee may request and review any additional
documents or materials it deems necessary. Each party shall be entitled to question all witnesses
appearing at the hearing and to present written statements or other evidence. It is the
responsibility of each party to ensure that his/her witnesses are present. However, if a witness is
unavailable or declines to attend, the Grievance Review Committee will determine whether a
written statement will be admitted. Either party may be accompanied at the hearing by one person
whom he or she has selected. That person may not speak on behalf of either party. Representation
by legal counsel is not permitted at the grievance hearing.

The proceedings shall in all respects be under the control of the chair and shall not be subject to
formal rules of evidence or procedure; the Committee shall use a “preponderance of the evidence”
standard for determining if discrimination occurred. At the discretion of the Committee, the
proceedings may be closed or may be open to members of the university community. The
proceedings shall be recorded and the recording preserved for three years along with any written
statements of evidence presented. A copy of the recording will be made available to either party
upon request.

The Grievance Review Committee shall convey its findings to the Provost or the appropriate vice
president and to the Dean of Student Affairs or designee within five class days of the conclusion of
the hearing. The Dean of Student Affairs or designee shall distribute copies of the Committee’s
findings to both parties.

6. The Provost or the appropriate vice president shall make a decision within five class days after
receiving the findings of the Grievance Review Committee. The decision of the Provost or the
appropriate vice president shall be in writing and shall be conveyed to both parties; the decision
made by the Provost or the appropriate vice president shall be final.

If the decision of the Provost involves the changing of an academic evaluation to remedy a finding
of discrimination, the Provost shall, in conjunction with the appropriate Dean, identify and appoint
two qualified faculty members or subject matter experts, either from within the university or
external to GW, to evaluate the academic work(s) in question. The name of the student shall be
withheld from those performing the independent evaluation and the grading rubric used in the
class, along with the assignment(s) as outlined on the class syllabus, shall be provided to those
performing the independent evaluation. This evaluation shall be completed within 15 class days
unless two qualified faculty members or subject matter experts need to be identified external to
GW. In this case, the evaluation shall be completed within 25 class days.

The grade(s) that result from these independent evaluations shall be communicated to the Provost
who will then determine the grade to replace the grade previously given. Should the revised
grade(s) result in a change to the overall grade received for the course, the overall course grade
shall be corrected as well. The remedy that is implemented will be communicated to the cognizant faculty member(s) after it has been implemented.

**7.** Retaliation of any kind, by either party will not be tolerated and, should be reported immediately to the Dean of Student Affairs or a designee. Such action will be referred to the appropriate university office (Student Rights and Responsibilities, Faculty Affairs, and/or Human Resources) and may result in disciplinary action.

**F.** The Faculty Senate, the Joint Committee of Faculty and Students, and the Student Senate shall be consulted before any revisions are made to these procedures.