



**THE GEORGE
WASHINGTON
UNIVERSITY**
WASHINGTON, DC

Responsible University Official:
Provost for Diversity, Equity and
Community Engagement
Responsible Office: Office of the Vice
Provost for Diversity, Equity and
Community Engagement
Last Revised Date: May 16, 2019

EQUAL OPPORTUNITY, NONDISCRIMINATION, ANTI-HARASSMENT AND NON-RETALIATION

Policy Statement

The university is an Equal Employment Opportunity/Affirmative Action (EEO/AA) employer committed to maintaining a nondiscriminatory, harassment-free, diverse work and education environment. The university does not unlawfully discriminate on the basis of protected characteristics or on any other basis prohibited by applicable law in any of its programs, activities, or employment practices.

Reason for Policy

This policy affirms the university's commitment to and compliance with Title IX of the Education Amendments of 1972, Title VI of the Civil Rights Act of 1964, Title VII of the Civil Rights Act of 1964, as amended, Section 504 of the Rehabilitation Act of 1973, the District of Columbia Human Rights Act, and other applicable laws relating to equal opportunity and nondiscrimination.

Who is Governed by this Policy

Faculty, staff and student

Policy

The George Washington University does not unlawfully discriminate against any person on the basis of protected characteristics or any other basis prohibited by federal law, the District of Columbia Human Rights Act, or other applicable law. This policy covers all programs, services, policies, activities, and procedures of the university, including participation in education programs and employment.

Definitions

Protected characteristics covered by this policy are those personal traits, characteristics and/or beliefs that are defined by applicable law as protected from unlawful discrimination and/or harassment. They include 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. Notwithstanding the above, this policy does not address discrimination on the basis of sex or gender related to conduct covered by the university's Sexual and Gender-Based Harassment and Interpersonal Violence Policy.¹

Unlawful discrimination is adverse treatment of an individual based on a protected characteristic, rather than individual merit. Examples of conduct that can constitute unlawful discrimination if based on an individual's protected characteristic include but are not limited to:

- Singling out or targeting an individual for different or less favorable treatment (e.g., more severe discipline, denial of promotion) because of their protected characteristic
- Failing or refusing to hire an individual because of their protected characteristic
- Failing or refusing to allow an individual to participate in an activity, program or organization based on their protected characteristic (e.g., student/faculty/staff organizations, university groups or associations, university committees, etc.)
- Terminating an individual from employment or an educational program based on their protected characteristic.

Discriminatory harassment is any unwelcome conduct based on a protected characteristic where such conduct creates a hostile environment or where enduring such conduct becomes a condition of: continued employment; continued access to an educational program or activity; or an academic or employment decision about an employee or student. A hostile environment exists when the conduct is sufficiently severe, persistent, or pervasive that it unreasonably interferes with, limits, or deprives an individual from participating in or benefiting from the university's educational, employment, co-curricular, and/or campus-residential experience when viewed through both a subjective and objective standard. This means that an aggrieved party's subjective perception that certain conduct violates this

¹ This policy explicitly incorporates and follows Title IX of the Education Amendments of 1972, which allows for single-sex social fraternities and sororities.

policy must be objectively reasonable to constitute discriminatory harassment.

A hostile environment can be created by persistent or pervasive conduct or by a single or isolated incident, if sufficiently severe. The more severe the conduct, the less need there is to show a repetitive series of incidents to prove a hostile environment. Discriminatory harassment:

- May be blatant and intentional and involve an overt action, a threat or reprisal, or may be subtle and indirect, with a coercive aspect that is unstated.
- Does not have to include intent to harm or be directed at a specific target.
- May be committed by anyone, regardless of gender, age, position, or authority.
- May occur in any context, although the context often involves a power differential between two persons, which may be due to differences in social, educational, or employment relationships.
- May occur in the classroom, in the workplace, in residential settings, or in any other context or setting connected to the university or related activities.
- May be committed by or against an individual, organization or group.
- May occur in digital environments including but not limited to social media, web sites, educational platforms, and electronic mail.
- May be a one-time event or may be part of a pattern of behavior.
- May be committed in the presence of others or when the parties are alone.
- May affect not only the person at whom it is directed, but also third parties who witness or observe harassment.

Nothing in this policy limits academic freedom, guaranteed by the Faculty Code and the Statement of Student Rights and Responsibilities, which is a pre-eminent value of the university. 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 policy.

Retaliation is materially adverse action, such as disciplinary action, violence, threats or intimidation, intended to punish or discourage an individual or group of individuals from engaging in protected activity. Protected activity includes making a good faith report under this policy; filing an external complaint for issues arising under this policy; participating in proceedings related to this policy; or opposing in a reasonable manner and consistent with university policy an action reasonably believed to constitute a violation of this policy. For more information, see the university's [Non-Retaliation Policy](#).

Reporting Allegations of Discrimination and/or Harassment Under this Policy

Individuals who believe they have been discriminated against or harassed based on protected characteristics covered by this policy may make reports as follows:

Students should bring their concerns under this policy to the Office of Student Rights and Responsibilities.

Office of Student Rights and Responsibilities (SRR)

Mitchell Residence Hall

202-994-6757

rights@gwu.edu

<https://studentconduct.gwu.edu/student-rights-responsibilities>

Students will be offered the opportunity to meet with an SRR staff member to talk about the different reporting and complaint options available, including 1) the processes outlined in the Student Grievance Procedures if the complaint is being made about a faculty member, staff member, or chartered student organization, and/or 2) the processes outlined in the Code of Student Conduct if the complaint is being made about another student or student organization.

Employees (including all faculty and staff) should bring their concerns about the conduct of a non-faculty staff member to the Office of Equal Employment Opportunity & Employee Relations.

Office of Equal Employment Opportunity and Employee Relations (EEO/ER)

2033 K Street, NW, Suite 205

Washington, D.C. 20006

(202) 994-9656

eeo@gwu.edu

<https://hr.gwu.edu/equal-employment-opportunity>

Employees (including all faculty and staff) should bring their concerns about the conduct of a faculty member to the Office of the Provost/Office of Faculty Affairs.

Reports may be made directly to the Vice Provost for Faculty Affairs at 1918 F Street, NW, Washington, DC 20052, (202) 994-5884, or facultyaffairs@gwu.edu. Allegations of violations of this policy will be reviewed and/or investigated by the Office of Faculty Affairs or designee. This policy shall be interpreted in a manner consistent with the principles of academic freedom and professional responsibility as set forth in the Faculty Code and related university policies and guidelines. Nothing in this policy shall be construed to revoke any right of a faculty member to file a grievance under the Faculty Code.

Employees (including all faculty and staff) should bring their concerns about the conduct of a student to the Office of Student Rights and Responsibilities

Office of Student Rights and Responsibilities (SRR)
Mitchell Residence Hall
514 19th Street, NW
202-994-6757
rights@gwu.edu
<https://studentconduct.gwu.edu/student-rights-responsibilities>

Reporting through EthicsPoint

Concerns of discrimination and harassment under this policy may also be reported through the university's compliance hotline, EthicsPoint. Reports may be made on an anonymous basis.

EthicsPoint will send information provided to the appropriate university office. See the [EthicsPoint FAQs](#) for more information.

Reports may be made online or by phone:

EthicsPoint
888-508-5275
<https://secure.ethicspoint.com/domain/media/en/gui/46662/index.html>

Sanctions and Corrective Action

Findings of violations of this policy made by the offices identified above may result in the imposition of sanctions and/or corrective action, in accordance with applicable policies, e.g., the Code of Student Conduct, the Faculty Code, and the Employee Handbook. Sanctions and corrective actions for students include, but are not limited to, censure, disciplinary probation, restitution, eviction from residence, suspension, expulsion, restriction from employment at the university, educational program attendance, educational project, professional assessment, removal from specific courses, activities or

organizations, No Contact Order, transcript notation and/or notification to other institutions, withholding or delaying the conferral of a degree, prohibitions against participation in academic honor ceremonies (such as graduation), training, and guidance.

Sanctions and corrective actions for faculty and staff include, but are not limited to, oral or written warning/reprimand, suspension, termination of employment, training, guidance, and adjustment of supervisory or evaluative responsibilities. Dismissal of a tenured faculty member will be subject to Article V.C.1. of the Faculty Code and Section F of the Procedures for Implementation of the Faculty Code.

The university may take appropriate measures at any time to protect the health and safety of members of the university community.

Reporting Allegations of Sexual and Gender-Based Harassment/Sexual Assault/Sexual Exploitation/Intimate Partner Violence/Stalking

Individuals who believe they have been discriminated against or harassed based on conduct prohibited by the university's [Sexual and Gender-Based Harassment and Interpersonal Violence Policy](#) may make reports to the university's Title IX Office, 812 20th Street, NW, Washington, DC 20052, (202) 994-7434 or www.haven.gwu.edu.

External Reporting Options

Inquiries concerning this policy and federal and local laws and regulations concerning discrimination in education and employment programs and activities may be directed to the university's Office of EEO & Employee Relations, 2033 K Street, NW, Suite 205, Washington, DC 20052, (202) 994-9656, eeo@gwu.edu, or to the Office of the Vice Provost for Diversity, Equity, and Community Engagement, 1918 F Street, NW, Washington, DC 20052, (202) 994-7297, diverse@gwu.edu. Inquiries may also be directed to the U.S. Department of Education Office for Civil Rights, the U.S. Equal Employment Opportunity Commission, or the applicable state or local agency (for example, the District of Columbia Office of Human Rights).

Retaliation

Retaliation against a person who reports an allegation of discrimination or harassment or who provides information or participates in an investigation or

proceeding related to this policy is prohibited by law. Allegations of Retaliation, as defined in this policy, will be investigated and may result in disciplinary action, up to and including expulsion or termination. More information about GW's policy on Non-Retaliation is available at: <http://my.gwu.edu/files/policies/NonRetaliationFINAL.pdf>.

Contacts

Contact	Telephone	Email
Office of Student Rights and Responsibilities (SRR)	(202) 994-6757	rights@gwu.edu
EEO & Employee Relations	(202) 994-9656	eeo@gwu.edu
Office of the Vice Provost for Faculty Affairs	(202) 994-5884	facultyaffairs@gwu.edu
Title IX Office	(202) 994-7434	shrc@gwu.edu
Vice Provost for Diversity, Equity and Community Engagement (ODECE)	(202) 994-7297	diverse@gwu.edu

Document History

- **Last Revised Date:** May 16, 2019
- **Policy Origination Date:** Not Available

Who Approved This Policy

The George Washington University Board of Trustees

Reporting of non-compliance with this policy can be done through the [Office of Ethics, Compliance & Privacy's](#) website.