THE GEORGE WASHINGTON UNIVERSITY
Washington, D.C.

The Faculty Senate **April 30, 2009**

The Faculty Senate will meet on Friday, May 8, 2009, at 2:10 p.m. in the State Room, 1957 E Street, N.W., 7th Floor

AGENDA

1. **Call to order**

2. **Approval of the minutes of the regular meeting of April 10, 2009 (minutes to be distributed)**

3. **Introduction of newly-elected and re-elected Senate members**

4. **A RESOLUTION TO AMEND THE GEORGE WASHINGTON UNIVERSITY EQUAL EMPLOYMENT OPPORTUNITY POLICY (EEOP) TO INCLUDE "GENDER IDENTITY OR EXPRESSION" (09/1) Joint Committee of Faculty and Students (Resolution attached)**

5. **A RESOLUTION TO RECOMMEND MODIFICATION OF THE UNIFIED BUDGET MODEL (09/2) Professor Joseph Cordes, Chair, Fiscal Planning and Budgeting Committee (Resolution attached)**

6. **Introduction of Resolutions**

7. **Report on the School of Medicine and Health Sciences: Dean James L. Scott**

8. **Report on the University's FY 2009 budget projections in light of the University's financial results as of 3/3l/09: Professor Cordes**

9. **General Business**

   (a) **Nomination for election of Professor Peter F. Klaren (ESIA) to the Senate Executive Committee for the 2009-10 Session, as recommended by the Nominating Committee; Professor Arthur E. Wilmarth, Jr., Convener**

   (b) **Approval of dates for regular Senate meetings in the 2009-10 Session recommended by the Executive Committee as follows:**

September 11, 2009	January 15, 2010
October 9, 2009	February 12, 2010
November 13, 2009	March 12, 2010
December 11, 2009	April 9, 2010
	May 14, 2010

(c) **Nominations for election of Chairs and members of Faculty Senate Standing Committees for the 2009-10 Session (list to be distributed)**

(d) **Nominations for appointment by the President of the following faculty members to Administrative Committees: Joint Committee of Faculty and Students: Alan G. Wade, Faculty Co-Chair; Heidi Bardot, Lisa W. Martin, Geoffrey Carter, Dorothy E. Holmes, Amy Mazur, Catheeja Ismail**

(e) **Nominations for appointment of faculty members by the Board of Trustees to the following Trustees' Committees: Committee on Advancement: Joseph J. Cordes; Committee on Academic Affairs: Lilien F. Robinson; Committee on Student Affairs: Alan G. Wade; External Affairs: Christy J. Zink**

(f) **Nominations for election by the Faculty Senate of the following faculty members to the Student Grievance Review Committee: Joseph Arleth, Heidi Bardot, Geoffrey Carter, Molina Dayal, Dorothy E. Holmes, Susan LeLacheur, Venetia L. Orcutt, Rumana Riffat, George Stephens, and Karen A. Wright**

(g) **Report of the Executive Committee: Lilien F. Robinson, Chair**

(h) **Annual Reports of Senate Standing Committees**

(i) **Tributes to retiring faculty members who have served on the Faculty Senate**

(j) **Chair's Remarks**

10. **Brief Statements (and Questions)**

11. **Adjournment**

Elizabeth A. Amundson
Elizabeth A. Amundson
Secretary

Attachments

A Resolution to Amend The George Washington University Equal Employment Opportunity Policy (EEOP) To Include "Gender Identity or Expression" ((09/1)

WHEREAS, the current EEOP does not specifically include "gender identity or expression" as a basis for which the University does not unlawfully discriminate; and

WHEREAS, over 260 colleges and universities have included "gender identity or expression" in their non-discrimination policies; and

WHEREAS, the inclusion of "gender identity or expression" would be consistent with provisions in the District of Columbia Human Rights Act that prohibit educational institutions from discriminating against individuals on this basis; and

WHEREAS, the inclusion of "gender identity or expression" assures current and prospective transgender students, faculty and staff that GW is a nurturing and supportive campus community; and

WHEREAS, the GW Student Association has voted unanimously to support the inclusion of such language in the EEOP; and

WHEREAS, GW students have expressed their belief that the inclusion of "gender identity or expression" in the EEOP would result in an increased sense of safety and security; NOW, THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

That the EEOP be amended to read as follows (changes in italics):

"The George Washington University does not unlawfully discriminate against any person on the basis of race, color, religion, sex, national origin, age, disability, veteran status, sexual orientation, or *gender identity or expression*. This policy covers all programs, services, policies, and procedures of the University, including admission to educational programs and employment. The University is subject to the District of Columbia Human Rights Act."

BE IT FURTHER RESOLVED THAT THE FACULTY SENATE supports the amending of all University non-discrimination statements, including those in the Guide to Student Rights and Responsibilities and the GW statement on Discrimination and Harassment Prohibited in the Workplace, to include "gender identity or expression."

Joint Committee of Faculty and Students
April 8, 2009

Proposal to Include "Gender Identity or Expression" in The George Washington University Equal Employment Opportunity Policy

Prepared by the GW LGBT Resource Center in the Student Activities Center

Proposal to Include "Gender Identity or Expression" in The George Washington University Equal Employment Opportunity Policy

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Abstract

The George Washington University, like many educational institutions across the country, has been faced with the challenge of addressing the needs, concerns, and issues of transgender, genderqueer, and gender-variant students, faculty, and staff. While the current Equal Employment Opportunity Policy (EEOP) includes "sex" and "sexual orientation" as protected categories, neither of these protected categories apply to transgender people. Transgender people often face discrimination based on their gender identity or expression, rather than their biological sex or sexual orientation.

On behalf of these GW students, faculty, and staff, the GW LGBT Resource Center requests a change in GW's EEOP **(See Page 15 - http://my.gwu.edu/files/policies/EqualEmploymentOpportunityStatement.pdf)** to read as follows (note changes in bold):

> *The George Washington University does not unlawfully discriminate against any person on the basis of **d** race, color, religion, sex, national origin, age, disability, veteran status, sexual orientation, or **gender identity or expression**. This policy covers all programs, services, policies, and procedures of the University, including admissions to educational programs and employment*

Altering the EEOP to include gender identity or expression also necessitates inclusion of the same language in GW's Statement of Student Rights and Responsibilities Freedom from Discrimination clause **(See Page 16 - http://gwired.gwu.edu/dos/GuidetoStudentRights/)** and statement on Discrimination and Harassment Prohibited in the Workplace **(See Page 17 - http://www.gwu.edu/~hrs/manual/diversity/harassment.html)**.

Including gender identity or expression in GW's EEOP is in accordance with provisions of the District of Columbia Human Rights Act and will send a clear and assertive message of nurturance and support to a community that is often marginalized and discriminated against. Further, this effort toward visibility, recognition, equality, and justice is specifically connected to GW's institutional goals that have been, and must remain, student-focused. GW's Mission Statement is very clear about the importance of recognizing and valuing cultural diversity and every human's well being. The GW Mission Statement reads as follows:

> *The University values a dynamic, student-focused community stimulated by cultural and intellectual diversity built upon a foundation of integrity, creativity, and openness to the exploration of new ideas.*

This seemingly small change to GW's EEOP will be a significant and meaningful step toward achieving our mission. Such a change will openly and loudly declare that GW not only supports diversity, but nurtures it.

Why The Change Is Needed

In the George Washington University Equal Employment Opportunity Policy the distinction between protected classes is both legally and socially relevant. This is particularly true when identifying protected classes like sex, sexual orientation, and gender identity or expression; the current protected classes enumerated in the EEOP do not necessarily apply to transgender people. Transgender people have an increased risk of being victims of violent crimes, harassment, and discrimination.

A national study of campus climate for LGBT students (Rankin, 2003) found that 44 percent of the self-identified transgender students had experienced harassment within the past year, compared to less than a third of non-transgender lesbian, gay, and bisexual student- respondents. The study found that discrimination occurred throughout college life for the students who were visibly gender different: walking on campus (57%), in the classroom (57%), in residence halls (48%), and at campus events (29%). Because of the prevalence of the harassment at their colleges or universities, 30% of these transgender students said they concealed their gender identities to avoid being verbally or physically attacked. Other research (McKinney, 2005) has shown that openly transgender students almost universally experience discrimination in seeking counseling, health care, and other campus services.

Transgender students at GW have likewise experienced harassment and discrimination because of their gender identity or expression. The 2008 GW LGBT Campus Climate Survey found that self-identifying transgender students have encountered hostile remarks, felt physically unsafe in bathrooms, and experienced perceived discrimination from campus service providers.

One GW trans-identifying student responded, “I was told I was in the wrong bathroom and to get out when I was in a women’s restroom. I chose that restroom even though I identify more closely with a male identity because I did not think it would be safe to enter a men’s room.” In addition, respondents asserted that “harassment from other students is not uncommon, especially in public areas” and transgender students experience “verbal harassment walking on the street” and remain “invisible or [not] acknowledged.” The GW Trans Education and Action (TEA) student group asked that the LGBT Resource Center work with the Lerner Health and Wellness Center to establish gender-neutral changing facilities because many students did not feel comfortable or safe using either the men’s or women’s changing areas. Transgender students have also expressed dismay that gender-neutral bathrooms are not located in the Marvin Center, residence halls, or common buildings.

During the 2008 Allied in Pride/TEA Drag Ball, two performers were asked to leave the women’s restroom in the Marvin Center because UPD had been contacted about “men in the women’s bathroom.” UPD initially asked the two performers to leave the restroom, but permitted them to stay after the performers refused. Students felt UPD did not have the proper knowledge of gender identity and expression protections to adequately handle the situation and contacted the Metropolitan Police Gay and Lesbian

Liaison Unit. UPD has since received training on provisions relating to gender identity and expression in the DC Human Rights Act. Many students felt their rights were threatened in this instance and questioned whether UPD and the university understood the gender identity and expression protections of the DC Human Rights Act.

The increased risk of violence and harassment to transgender students ought to compel the University to guarantee their protection with clear and concise language. The inclusion of gender identity or expression in the GW EEOP will send an unequivocal message of support to these students who often feel they are not a full and integral part of the GW community. Ultimately, the recent issues that have arisen concerning gender identity and expression offers GW an opportunity to join with our prestigious universities around the nation by affirming a commitment to respect, safety and security of all students, faculty and staff.

The Absence of Gender Identity or Expression Language Jeopardizes Funding and Discourages Prospective Students

In 2008, GW Law faculty members Professor Naomi Cahn and Professor Donald Bramam sought funding from the Arcus Foundation for research into gay and lesbian parenting rights. Although Arcus was "favorably disposed" toward the proposed $200,000 research project, they determined that GW was not eligible for the funding because GW has no gender identity non-discrimination clause in its EEOP.

Due to the lack of inclusion of gender identity or expression in GW's EEOP, the faculty was forced to "channel the money through Yale University instead". Yale, like most prominent universities in the United States, has an EEOP that covers actual or perceived gender identity and expression. Professor Bramam wrote,

> *"For now, we have resolved the issue by following [Arcus'] advice, but the costs, monetary and otherwise, are significant. Our already overwhelmed collaborator at Yale is, for now, graciously taking up the burden of submission and administration; but I'm sure you will agree that while it's embarrassing to ask colleagues at other institutions to do one's work, the reason for doing so in this case is especially humiliating for us and for the University. Moreover, we expect the Arcus Foundation to be an ongoing source of funding for our research and would strongly prefer not to have to ask Yale to handle the funding in the future. And, of course, while the principal motivation for reform on this issue shouldn't be money, <u>the loss in indirects to the University on this grant and others like it will be substantial.</u>"*

In addition to this type of funding, GW may also increase the risk of losing prospective transgender students due to the exclusion of gender identity and expression in the EEOP. The 2008 GW LGBT Campus Climate Survey also found anecdotal evidence that students had "second thoughts" about coming to GW due to the lack of, or perceived lack of, inclusiveness and public nurturance for the LGBT community.

Adding gender identity or expression to the EEOP could open up funding streams for timely and important LGBT-specific research at GW and assure prospective transgender students that GW is a welcoming and supportive campus environment.

Major Institutions Include Gender Identity or Expression in Non-Discrimination Policies/EEOP

In amending our EEOP to include gender identity or expression, GW would be joining more than *260* colleges and college systems that have changed their policies in the last decade. These institutions include many local-area schools, such as American University and Georgetown University. According to the Transgender Law and Policy Institute, the following colleges or universities include gender identity or expression in their non-discrimination/EEOP policies:

Arizona

Arizona State University [4 campuses] (2004)
- -- Arizona State University, Downtown Phoenix campus
- -- Arizona State University, Polytechnic campus (Mesa)
- -- Arizona State University, Tempe campus
- -- Arizona State University, West campus (Phoenix)

University of Arizona [2 campuses] (2005)
- -- University of Arizona, South campus (Sierra Vista)
- -- University of Arizona, Tucson

California

California College of the Arts
California Institute of Integral Studies
California Institute of Technology (2004)
California State University, Chico (2008)
California State University, Long Beach
City College of San Francisco (2005)
Foothill-DeAnza Community College District (2006)
Harvey Mudd College (2005)
Humboldt State University (2008)
Occidental College (2006)
San Diego State University (2008)
San Jose State University
Stanford University (2007)
University of California system [10 campuses] (2004)
- -- University of California, Berkeley
- -- University of California, Davis
- -- University of California, Irvine
- -- University of California, Los Angeles
- -- University of California, Merced
- -- University of California, Riverside
- -- University of California, San Diego
- -- University of California, San Francisco
- -- University of California, Santa Barbara
- -- University of California, Santa Cruz

University of San Francisco (2006)
University of Southern California (2004)

Colorado

Johnson and Wales University, Denver
University of Denver (2007)

Connecticut
Connecticut College (2005)
Wesleyan University (2002)
Yale University (2006)

Florida
Johnson and Wales University, North Miami
New College of Florida (2006)

Georgia
Emory University (2007)

Illinois
Illinois Institute of Technology
Knox College (2001)
Parkland College (2006)
Richland Community College
Roosevelt University [2 campuses] (2006)
-- Roosevelt University, Chicago
-- Roosevelt University, Schaumburg
University of Chicago (2004)
University of Illinois system [3 campuses] (2005)
-- University of Illinois, Chicago
-- University of Illinois, Springfield
-- University of Illinois, Urbana-Champaign
Western Illinois University

Indiana
DePauw University (1999)

Iowa
Central College (2005)
Drake University (2004)
Grand View University
Iowa State University (2005)
Northwest Iowa Community College
Southwestern Community College (2003)
University of Iowa (1996)

Kansas
Kansas State University (2008)

Kentucky
University of Louisville (2008)

Maine
Colby College (2005)
Maine Media College (2000)
University of Maine system [7 campuses] (2006)
-- University of Maine, Augusta
-- University of Maine, Farmington
-- University of Maine, Fort Kent
-- University of Maine, Machias
-- University of Maine, Orono
-- University of Maine, Presque Isle
-- University of Southern Maine

Maryland
Goucher College (2006)
Johns Hopkins University (2005)
University of Baltimore (2006)

Massachusetts
Brandeis University (2006)
Bridgewater State College (2007)
Fitchburg State College (2007)
Framingham State College (2007)
Harvard University (2006)
Holyoke Community College (2006)
MGH Institute of Health Professions (2007)
Massachusetts College of Art (2007)
Massachusetts College of Liberal Arts (2007)
Massachusetts Institute of Technology (2003)
Massachusetts Maritime Academy (2007)
Salem State College (2007)
Suffolk University (2006)
Tufts University (2005)
Western New England College (2006)
Westfield State College (2007)
Williams College (2006)
Worcester State College (2007)

Michigan
Delta College (2007)
Eastern Michigan University (2007)
Grand Valley State University (2008)
Kalamazoo College (2000)
Kalamazoo Valley Community College (2005)
Lewis College of Business
Michigan State University (2007)
Olivet College (2006)
University of Michigan [3 campuses] (2007)
-- University of Michigan, Ann Arbor
-- University of Michigan, Dearborn
-- University of Michigan, Flint
Western Michigan University (2006)

Missouri
Washington University in St. Louis (2007)

New Hampshire
Dartmouth College (2006)
Plymouth State University (2007)
University of New Hampshire (2005)

New Jersey
Kean University (2007)
Princeton University (2006)
Richard Stockton College
Rutgers University [3 campuses] (2008)

-- Rutgers University, Camden
-- Rutgers University, Newark
-- Rutgers University, New Brunswick

New Mexico
College of Santa Fe (2005)
New Mexico Institute of Mining and Technology
New Mexico State University (2006)
University of New Mexico [5 campuses] (2007)
-- University of New Mexico, Albuquerque
-- University of New Mexico, Gallup
-- University of New Mexico, Los Alamos
-- University of New Mexico, Taos
-- University of New Mexico, Valencia

New York
Bard College (2007)
City University of New York system [17 colleges] (2002-03)
-- Bernard M. Baruch College
-- Borough of Manhattan Community College
-- Bronx Community College
-- Brooklyn College
-- The City College
-- College of Staten Island
-- Hostos Community College
-- Hunter College
-- John Jay College of Criminal Justice
-- Kingsborough Community College
-- LaGuardia Community College
-- Lehman College
-- Medgar Evers College
-- New York City College of Technology
-- Queens College
-- Queensborough Community College
-- York College
Columbia University (2006)
Cornell University (2005)
Ithaca College (2006)
New York University (2005)
Rochester Institute of Technology (2005)
Sarah Lawrence College (2006)
Syracuse University (2005)
Vassar College (2006)
Wells College (2007)

North Carolina
Duke University (2007)
Guilford College
Johnson and Wales University, Charlotte
North Carolina State University (2005)
University of North Carolina, Chapel Hill (2008)

Ohio
Baldwin-Wallace College (2008)
Case Western Reserve University (2006)
Miami University (2007)

Oberlin College (2008)
Ohio State University [5 campuses] (2004)
-- Ohio State University, Columbus
-- Ohio State University, Lima
-- Ohio State University, Mansfield
-- Ohio State University, Marion
-- Ohio State University, Newark
Ohio University [6 campuses] (2006)
-- Ohio University, Athens
-- Ohio University, Chillicothe
-- Ohio University, Eastern campus (St. Clairsville)
-- Ohio University, Lancaster
-- Ohio University, Southern campus (Ironton)
-- Ohio University, Zanesville
University of Toledo (2007)
Wright State University (2008)
Youngstown State University (2007)

Oregon
Oregon State University [2 campuses] (2005)
-- Oregon State University, Cascades campus (Bend)
-- Oregon State University, Corvallis
Portland State University (2008)
University of Oregon (2005)

Pennsylvania
Bucknell University (2006)
Carnegie Mellon University (2003)
Lehigh University (2003)
Moravian University (2006)
Muhlenberg College (2005)
Peirce College
Pennsylvania State University [20 campuses] (2006)
-- Penn State, Abington
-- Penn State, Altoona
-- Penn State, Beaver
-- Penn State, Berks
-- Penn State, Brandywine
-- Penn State, DuBois
-- Penn State, Erie
-- Penn State, Fayette
-- Penn State, Greater Allegheny
-- Penn State, Harrisburg
-- Penn State, Hazleton
-- Penn State, Lehigh Valley
-- Penn State, Mont Alto
-- Penn State, New Kensington
-- Penn State, Schuylkill
-- Penn State, Shenango
-- Penn State, University Park
-- Penn State, Wilkes-Barre
-- Penn State, Worthington Scranton
-- Penn State, York
Swarthmore College (2007)
University of Pennsylvania (2003)
University of Pittsburgh (2008)

Rhode Island
Brown University (2001-02)
Bryant University (2005)
Community College of Rhode Island
Johnson and Wales University, Providence
Rhode Island College
University of Rhode Island [4 campuses] (2003-04)
-- University of Rhode Island, W. Alton Jones campus
-- University of Rhode Island, Kingston
-- University of Rhode Island, Narragansett Bay
-- University of Rhode Island, Providence

Tennessee
University of Tennessee, Knoxville
Vanderbilt University (2008)

Texas
Rice University (2006)
University of Texas, Austin (2008)

Vermont
Bennington College
Champlain College (2008)
Goddard College (2007)
Green Mountain College (2008)
Marlboro College (2008)
Middlebury College (2003)
Norwich University (2007)
Saint Michael's College
Vermont Technical College
University of Vermont (2005)

Washington
Central Washington University (2005)
Clark College
Evergreen State College (2006)
Seattle University
University of Puget Sound (2002-03)
Washington State University [4 campuses] (2007)
--Washington State University, Pullman
--Washington State University, Spokane
--Washington State University, Tri-Cities
--Washington State University, Vancouver
Western Washington University (2008)
Whitman College (2001)

Washington, DC
American University (2002)
Georgetown University (2008)

Wisconsin
University of Wisconsin system [26 campuses] (2005)
-- University of Wisconsin, Baraboo/Sauk County
-- University of Wisconsin, Barron County
-- University of Wisconsin, Eau Claire

-- University of Wisconsin, Fond Du Lac
-- University of Wisconsin, Fox Valley
-- University of Wisconsin, Green Bay
-- University of Wisconsin, La Crosse
-- University of Wisconsin, Madison
-- University of Wisconsin, Manitowoc
-- University of Wisconsin, Marathon County
-- University of Wisconsin, Marinette
-- University of Wisconsin, Marshfield/Wood County
-- University of Wisconsin, Milwaukee
-- University of Wisconsin, Oshkosh
-- University of Wisconsin, Parkside
-- University of Wisconsin, Platteville
-- University of Wisconsin, Richland
-- University of Wisconsin, River Falls
-- University of Wisconsin, Rock County
-- University of Wisconsin, Sheboygan
-- University of Wisconsin, Stevens Point
-- University of Wisconsin, Stout
-- University of Wisconsin, Superior
-- University of Wisconsin, Washington County
-- University of Wisconsin, Waukesha
-- University of Wisconsin, Whitewater

Viterbo University

GW Student, Faculty, and Staff Support

On January 28th, 2009 the GW Student Senate passed Senate Resolution S09-03 unanimously **(See Page 18)**. The purpose of the resolution was to ensure that the University would not permit discrimination on the grounds of actual or perceived sex, race, color, religion, national origin, disability, sexual orientation or identity, ***actual or perceived gender identity or expression***, or any other illegal basis in any University-recognized area of student life.

The unanimous passage of the resolution sends an unwavering message of support for the inclusion of gender identity or expression in GW's EEOP. This message of support, directly from this democratically-elected student body, can be seen as nothing less than the GW student population's profound sense of urgency and cultural competency regarding this salient issue.

In addition to GW SR-S09-03, GW's Lambda Legal presented a similar resolution to the Faculty Senate **(See Page 19).** The resolution was never discussed by the Faculty Senate and no vote was held. There remains a growing, vocal majority of faculty, staff, and students who fervently believe in the inclusiveness of gender identity or expression in the GW EEOP.

Ultimately, this growing, vocal majority of the GW community believes that this inclusiveness must be nurtured and celebrated in all areas of GW campus life. Altering the GW EEOP would demonstrate that the GW administration truly values the dynamism and progressive outlook of its student body. This policy change is a tangible and viable opportunity for GW to play a crucial role in the advancement of equal rights, and acknowledge our continued commitment to achieving our mission.

EQUAL EMPLOYMENT OPPORTUNITY/AFFIRMATIVE ACTION STATEMENT 2

Policy/Procedures

The George Washington University does not unlawfully discriminate against any person on the basis of race, color, religion, sex, national origin, age, disability, veteran status, or sexual orientation. This policy covers all programs, services, policies, and procedures of the University, including admission to education programs and employment. The University is subject to the District of Columbia Human Rights Act.

Inquires concerning the application of this policy and federal laws and regulations concerning discrimination in education or employment programs and activities may be addressed to: Director, Equal Employment Opportunity, The George Washington University, Washington, D.C. 20052, (202) 994-9656; to the Assistant Secretary for Civil Rights of the U.S. Department of Education; or to the Director of the U.S. Equal Employment Opportunity Commission/Washington Field Office.

To request disability accommodations, students should contact the Office of Disability Support Services, (202) 994-8250 (TDD/voice), and employees should contact the Office of Equal Employment Opportunity, (202) 994-9656 (voice) or (202) 994-9650 (TDD).

Statement of Student Rights and 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 -- freedom to teach, to learn, and to search for truth.

I. Basic Assumptions

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 grounds of sex, race, color, religion, national origin, disability, sexual orientation or identity, 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.

Discrimination and Harassment Prohibited n the Workplace

The University expects all employees to treat each other with fairness and respect. Discrimination or harassment based on race, religion, color, gender, sexual orientation, age, national origin, disability, or as otherwise provided under District of Columbia, state or local law, is strictly prohibited and will not be tolerated. Discrimination and harassment of this type is illegal and contrary to University policy.

All allegations of discrimination, harassment, or complaints of unequal treatment should be taken seriously and brought to the attention of the Office of Equal Employment Opportunity (EEO). Employees who believe that they are experiencing any type of unlawful discrimination or harassment should bring their concerns to the attention of their supervisors, the Director of the Office of Equal Employment Opportunity (EEO), or any member of management.

Retaliation in any form against an employee who complains of discrimination or harassment is strictly prohibited and will result in appropriate disciplinary action for the party found to have retaliated against the employee.

Any supervisor who fails to take appropriate steps to help investigate, process, or resolve a complaint of harassment may be subject to discipline.

SR-S09-03

SENATE RESOLUTION

"Non-Discrimination Compliance Act"

SR-S09-03 **Committee: Student Life**

SPONSOR: Stephanie Benedict (FY-NV), Bianca Garcia (ESIA-G), Michael R. Komo (CCAS-U), Michelle Tanney (CPS)

CO-SPONSORS:

PURPOSE: To ensure that the University will not permit discrimination on grounds of actual or perceived sex, race, color, religion, national origin, disability, sexual orientation or identity, gender identity or expression, or any other illegal basis in any University-recognized area of student life.

WHEREAS the exclusion of "…actual or perceived…" and "…gender identity and expression…" in the University's non-discrimination policy is inconsistent with the D.C. Human Rights Act; and

WHEREAS such exclusion has prevented transgender students from being afforded the same protection under GW's non-discrimination policy.

BE IT RESOLVED that The George Washington University Student Association supports the inclusion of "…actual or perceived…" and "…gender identity and expression…" in GW's non-discrimination policy.

RESOLUTION TO AMEND THE UNIVERSITY NON-DISCRIMINATION POLICY TO REMOVE 'UNLAWFULLY' IN ORDER TO GIVE IT SUBSTANTIVE MEANING

WHEREAS, the current non-discrimination policy states only that the University will "not discriminate ***unlawfully*** on the basis of race, color, religion, sex, national origin, age, disability, veteran status, or sexual orientation". This statement represents no commitment beyond complying with the law, is purely symbolic with no substantive meaning, and is therefore not a meaningful non-discrimination policy.

WHEREAS, the University has an intellectual and moral duty to foster a diverse, tolerant, respectful and nurturing academic environment that affirms the inherent worth and dignity of every individual, values them for their uniqueness and difference, encourages them to reach their own potential, stimulates creativity, intellectual growth, and openness to new ideas, broadens intellectual discourse, and enriches and strengthens an increasingly diverse and multi-cultural society.

WHEREAS, by adopting a substantive, meaningful non-discrimination policy, the University declares a commitment to foster and strengthen a diverse, tolerant, multi-cultural and intellectually open community with equal opportunity for all, and a duty to protect racial, ethnic, religious, sexual, and other minorities whose unique culture, experience, and beliefs should not only be protected, but nurtured and encouraged.

WHEREAS, the University's student body is below average in racial diversity when compared to market basket schools (Duke, Northwestern, NYU, American, Georgetown, Emory, Boston College, Virginia, and Maryland). According to 2006 enrollment statistics, only 9.8 percent of the student body is Asian, only 5.9 is African American, and only 5.4 percent is Hispanic.

WHEREAS, by adopting a substantive, meaningful non-discrimination policy, the University will better attract the brightest and most diverse faculty and student body that will allow it to become a stimulating and open intellectual community, and to foster the most creative, diverse, and original research and scholarship.

WHEREAS, no top-ten national university has undercut the meaning of their non-discrimination policies by declaring merely that they do not discriminate "unlawfully", or only when it is "unlawful". In fact, the vast majority do not base their policies on legality at all, but rather are principled statements dedicated to nurturing the most diverse and talented intellectual communities, free from all forms of discrimination.

WHEREAS, the George Washington University non-discrimination policy should be a clear, unequivocal statement of principle that the University is committed to fostering tolerance, sensitivity, mutual understanding, and respect for difference in order to create the most vibrant, creative, and diverse intellectual community possible, and in pursuit of this ideal will support affirmative action and equal opportunity, and will not discriminate based on race, color, religion, sex, national origin, age, disability, veteran status, sexual orientation, or gender identity or expression.

NOW THEREFORE BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHIGNTON UNIVERSITY, that the following policy will be adopted:

"The George Washington University supports diversity through affirmative action and is committed to a policy of nondiscrimination and equal opportunity for all persons regardless of race, color, religion, sex, gender identity or expression, sexual orientation, national origin, age, disability, or veteran status. This policy covers all programs, services, policies, and procedures of the University including admission to education programs and employment. The University is subject to the District of Columbia Human Rights Act and all other applicable laws.

Note: The United States military legally discriminates against gay, lesbian, and bisexual individuals. However, after careful consideration and under threat of loss of federal funding under the Solomon-Pombo Amendment, the University will to continue to allow access to its facilities by military recruiters and the Reserve Officer Training Corps, while emphatically rejecting the military's discriminatory policy as inconsistent with its own."

April 22, 2009

To Whom It May Concern –

As faculty members and students at the George Washington University we are writing to express our strong support for the addition of "gender identity or expression" to the GW Equal Employment Opportunity Policy as proposed by the Joint Committee of Faculty and Students. We believe that this change will benefit the entire GW community and promote a more diverse and tolerant campus climate. We encourage the Faculty Senate to act promptly to adopt this resolution.

We join Allied in Pride, Trans Education and Advocacy, GW Amnesty International, the Black Student Union, the College Democrats, the Political Satire Living and Learning Cohort, the Student Global AIDS Campaign, and several other student organizations in their quest to change the GW Equal Employment Opportunity Policy. We are completely behind this effort. We recognize the grave importance of this resolution.

On January 27, 2009, SA Senate Resolution S09-03, which changes the GW Equal Employment Opportunity Policy as well, passed unanimously in the Student Association Senate. The Senate resolution is extremely similar to the Joint Committee of Faculty and Students resolution, and we are completely backing this proposal. The GW Student Association and student body population are both supporting this initiative. This measure will ensure that we are both protecting transgender students and complying with the D.C. Human Rights Act. We realize that students on campus have been trying to change the GW Equal Employment Opportunity Policy for over five years. We believe that now is the right time more than ever to make this change. We appreciate your time and consideration in passing this resolution.

Sincerely,

Faculty

Elliot School of International Affairs
Prof. Paula Alonso

Columbian College of Arts and Sciences
Prof. Catherine Chandler
Prof. Paul Constantino
Prof. Eric Drown
Prof. Stephen Forssell
Prof. Christina Gee
Prof. Margaret Gonglewski
Prof. Monika Harris
Prof. Elizabeth Kitsos-Kang
Prof. Randy Kristensen
Prof. Ami Lynch
Prof. David Malet
Prof. David McAleavey
Prof. Robert McRuer
Prof. Sherry Mollock
Prof. Bonnie Morris
Prof. Lynette Osborne
Prof. Paul Poppen
Prof. Rachel Reidner
Prof. Phyllis Ryder
Prof. Chet Sherwood
Prof. John Sides
Prof. Gustavo Guerra

Prof. David Truncellito
Prof. Sarah Warbelow
Prof. Abby Wilkerson
Prof. Eric Sean Williams
Prof. Zachary Wolfe
Prof. Christy Zink

Graduate School of Education and Human Development
Prof. Rick Jakeman
Prof. Billy Molasso
Prof. Ralph Mueller
Prof. Virginia Roach
Prof. Travis Wright

GW Law School
Prof. Donald Braman
Prof. Naomi Cahn
Prof. Alexa Freeman
Prof. Carol Izumi
Prof. Sarah Lawinsky
Prof. Cynthia Lee
Prof. Joan Shaffner
Prof. Christopher Yunkins

School of Engineering and Applied Sciences
Prof. Rachelle Heller
Prof. Bhagi Narahari

School of Media and Public Affairs
Prof. Mark Feldstein
Prof. Laurence Lipman

Students

Vishal Aswani
President, Student Association
Julie Bindelglass
President-Elect, Student Association
Jordan Chisolm
President, Black Student Union
Elizabeth Edwards
Co-President, Lambda Law
Josh Fischman
President, Sigma Nu Fraternity
Michael R. Komo
President, Allied in Pride
Michael Mort
Vice President, GW Amnesty International
Cory Struble
President, GW College Democrats
Kaden Trifilio
Liaison, Trans Education and Advocacy
Ben Williams
Co-President, Lambda Law
Emily Adams
Devin Alston-Smith
Arianna Ames
Kellan Baker
Jess Batter
Bren Belovarac
Tanya Choudhary
Leah Croughan
Jenna Curtis
Alina Czaplicki
Amy Dorfman
Dinora Fitzgerald
Christine Foltz
Kristen Gaerlan
Melissa Gindin
Ian Goldin
Kanika Gupta
Julia Haigney
Sarah Henke
Jessica Hoffman

Lauren Lacy
Sarah Leibach
Naomi Logan
Jessica Lopez
Sasha Madway
Kathleen McGinn
Pranita Mehta
Jami Mevorah
Allie Miller
Rohmteen Mokhtari
Stephen Muse
Elizabeth Nistico
Ben Pence
Nick Polk
Rachel Reynolds
Allie Rubin
Libby Sewell
Neha Shah
Tyler Stall
Jeremy Streitfeild
Michelle Tanney
Elisa Valjean
Jacob Warren
Adam Weiner
Veronica Weis
Peter Wentzell
Gabe Yessin

Protecting Transgendered Students at GWU
by Law Professor John Banzhaf

I write to set out several concerns - including those related to the need to draft proper and effective language - regarding the proposal about to be considered by the Faculty Senate to provide protection to GWU students (and perhaps also to staff and faculty) who are transgendered. I respectfully suggest that the issues should be resolved before any specific proposal is presented, much less voted on.

AUTHOR BACKGROUND: The author has won over 100 anti-discrimination legal proceedings involving discrimination based upon gender, as well as several based upon race, national origin, disability, age, etc. The author also spoke before the Faculty Senate to aid in its consideration of an earlier proposal [subsequently adopted] to add "sexual orientation" to the list of protected characteristics, and was similarly active with regard to the Senate's consideration of matters such as GWU's sexual harassment guidelines, university complaint procedures, etc.

PROPOSAL: As described in The Hatchet, the proposal about to be presented to the Faculty Senate would "add the words 'gender or identity expression' to GW's Student Code of Conduct nondiscrimination policy." There the phrase would join other categories like "sexual orientation" as to which discrimination is already proscribed. With all due respect to the drafters and supporters of the proposal, I would like to briefly suggest at least ten potential concerns.

FIRST, ironically, the proposed amendment might not provide any real protection in the situation which triggered it where, according to The Hatchet, a transgendered person seeking to join a sorority was allegedly harassed by the members. The reason is that GW's current policies regarding other similar categories - e.g., "sexual orientation"- target official policies, and actions by GWU officials, but do not seem to reach allegedly discriminatory actions by individual students.

Thus, individual members of a fraternity (for example) might not be prohibited from expressing dislike of a person based upon his sexual orientation or gender identity (or, for example, even his "color"), provided it didn't amount to "disorderly conduct." [See GWU Code of Student Conduct] GW's existing policies also apparently do not prohibit any fraternity brothers from individually deciding to vote against a pledge based on factors like sexual orientation, color, etc.

SECOND, it is not at all clear how such an amendment would answer a key concern raised by transgendered students at other universities, and in very similar legislation such as New Hampshire is now considering - restroom use. For example, a person who has male genitals, but adopts the gender identity of a female (e.g., wears a dress), today may experience adverse reactions from other male students when using a men's restroom.

If the proposed amendment would address that problem by permitting such a student to use the women's restrooms at GW, that specific problem might be eliminated, but some women who use the restroom might be concerned about an invasion of their own privacy.

Since the term "gender or identity expression" presumably also applies to transvestites/cross-dressers (including men wearing dresses who still consider themselves male and have male heterosexual

urges), that concern about invasion of privacy by voyeuristic males in a women's restroom might be ever greater.

THIRD, if the proposed amendment would permit persons with male genitalia to use a women's restroom, this might permit a typical male - e.g., one dressed and acting like a male - to use a women's restroom, since to permit transgendered males (but not other male students) this privilege arguably discriminates against the latter based upon their "gender or identity expression" as males.

Such a result might raise safety as well a privacy concerns for some women who might enter a women's room - at night or on weekends especially - and find a man there, since they could not then complain to campus security or other officials as they can now.

FOURTH: It is not clear how the proposed amendment would apply to sports activities. Whether or not an anatomic male who has adopted a female identity can play NCAA basketball on the GW women's rather than the men's team, or whether such a person could play NCAA volleyball at all (since GW has only a women's team), might (or might not) be determined by NCAA rules.

But the related issue of whether - if the proposal passes - such a student might demand to compete for a scholarship on a women's team, or be permitted to be a member of a women's team who never gets to play in formal NCAA competition, is not so clear. Similar issues might also be raised regarding GW's club sports teams (e.g., GW's separate men's and women's club soccer teams), intramural sports (which often have separate men's and women's team categories), etc.

FIFTH, protection against discrimination based upon "sexual orientation," as well as other traditional factors like race, appears in at least four different places in official University anti-discrimination policies - the "Statement of Student Rights and Responsibilities," the "University Policy on Equal Opportunity," our "Student Grievance Procedures," and the "Code of Student Conduct." [SEE ATTACHMENT]

But the Hatchet article says the proposal is to modify only the last of the four. Why add "gender or identity expression" to only one document, whereas "sexual orientation" is mentioned in all four, if the same type and level of protection from discrimination is intended?

Indeed, treating "gender or identify expression" in a different manner from "sexual orientation," "disability," etc. in University documents would suggest - under general rules for construing legal documents - that a different result and a very different type or level of protection is intended and required.

SIXTH, the "Code of Student Conduct" - which lists actions for which students can be disciplined - does not prohibit discrimination itself (whether based on race, sexual orientation, etc.) as a separate punishable offense, but rather only if it motivates "violence," "disorderly conduct," etc.

So even if "gender or identity expression" is added to existing categories like "sexual orientation," it is not clear that "harassment" [the broad and general term used by The Hatchet] which falls short of "disorderly conduct" would be prohibited, even if the proposal were adopted.

In other words, a student who openly avoids another student and/or makes remarks which might seem to be disparaging or even insulting may not be subject to discipline if the conduct doesn't rise to the level of "violence" or "disorderly conduct" - even if it were motivated by animus towards the transgendered student.

SEVENTH, the Statement of Student Rights and Responsibilities already says that "The University will not permit discrimination on grounds of sex, race, color, religion, national origin, disability, sexual orientation or IDENTITY, or any other ILLEGAL BASIS in any University-recognized area of student life." [emphasis added]

Since discrimination based upon "sexual identity" is already prohibited, why is there a need to add new language to protect against discrimination based upon "gender or identity expression" (which appears to be identical to "sexual identity")?

EIGHTH, as noted above, the Statement of Student Rights and Responsibilities, as well as the University Policy on Equal Opportunity, by its express terms prohibits only discrimination which is "illegal" or "unlawful."

This important distinction and limitation seems to be required because GWU has ROTC and other similar military units on campus, and the military does discriminate on the basis of "sexual orientation" - although its discrimination in this regard is not illegal. It appears that they also discriminate on the basis of "gender or identity expression" in the sense that an anatomical male who has adopted a female persona and appearance would - like those who are openly homosexual - not be welcomed.

Thus, since discrimination against transgendered people is not illegal or unlawful in Virginia, it is not clear that the amendment as now proposed would provide protection on GWU's Virginia campuses.

NINTH: If the proposal is adopted based upon certain understandings regarding some of the issues raised in this document, it is respectfully suggested that these understandings be set forth expressly in the words of the policies, rather than simply being contained in minutes of the meeting of the Faculty Senate.

The purpose of having clear written university policies is to put everyone on notice of what should and should not be done, so that minutes of meetings long since past, or the memories of those who were involved, do not have to consulted to ascertain what a university policy is. There is clear precedent for expressly setting forth any exceptions or limitations in GW ant-discrimination policies.

For example, our Statement of Student Rights and Responsibilities clearly lays out two limitations on the scope of the anti-discrimination protections. It notes: "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."

Similarly, if this new proposal passes with certain understandings, they should be spelled out. For example, “the protection afforded based upon ‘gender or identity expression’ shall not affect nor apply to the use of gender-specific restrooms nor membership on sports teams.”

TENTH: It is very important, in drafting language related to this proposed change, to craft it very carefully and precisely for several reasons.

For example, students who are charged with an alleged act of discrimination against a transgendered student can successfully defend against the charge if the conduct sought to be prohibited is not spelled out very clearly in a written university policy.

In other words, discipline for conduct not clearly proscribed in a document listing the offenses for which discipline can be imposed could easily provoke a law suit against the University, and even against individuals at the University who participated in the disciplinary process.

Also, courts are increasingly concluding that university documents - including not only official policies, but also even statements in catalogs - can create a binding legal contract between the student and the university. Thus a transgendered student who come to GWU could claim that a fair reading of the University’s policies created a “reasonable expectation” that his novel needs regarding restrooms would be met and/or that he would be able to play on female sports teams, etc.

Such a position might be bolstered by arguments related to so-called “contracts of adhesion” - defined as contracts where the terms are written by one party, and the other party has little if any ability to alter them. In such situations, courts will often “construe the contract strictly against the maker” by adopting any plausible construction offered by the weaker party, since the stronger party which dictated the terms had the power to avoid ambiguities in the first place by writing the terms more clearly.

In this regard, note that the Faculty Senate should be careful to write language so clear that such suits are virtually precluded, rather than simply ultimately winnable by the University. Even law suits which the University ultimately wins can be expensive, subject university employees to pre-trial discovery and harassment, result in very unfavorable publicity for the University, etc.

SUMMARY AND RECOMMENDATIONS:

Although the addition of the words "gender or identity expression" may not accomplish all that its proponents argue it will, the author sees no reason why the phrase should not be added to the list of protected categories set forth in University documents. Moreover, it logically should appear every place the closely-related phrase "sexual orientation" now appears. This could be accomplished by the following motion:

MOTION A: I move that the words “or gender or identity expression” be added immediately after the words “sexual preference” (after removing the “or” prior to “sexual preference”) in the University Policy on Equal Opportunity, University Policy on Equal Opportunity, and the Code of Student Conduct, and that the words “gender or identity expression” replace the word “identity” in

the Statement of Student Rights and Responsibilities.

On the other hand, there are important and complex issues not yet explored involved in concerns about the proper restrooms for transgendered people to use, and what sports terms they may be eligible to play on.

Therefore the author suggest that it be made very clear that any transgender amendment does not apply to or otherwise affect these two concerns, but that - if desired - these issues could be considered separately by some appropriate body and brought to the Senate as separate proposals at some appropriate future time. This could be accomplished by the following motion:

MOTION B: I move that the following sentence be added at the end of the Statement of Student Rights and Responsibilities; I.B. Freedom from Discrimination: "Moreover, nothing in this Statement, nor in other University policies related to discrimination, shall apply to separate men's and women's restrooms or sports teams."

FOR THE READER'S CONVENIENCE, RELEVANT SECTIONS OF FOUR DIFFERENT UNIVERSITY DOCUMENTS ARE SET FORTH BELOW.

ALL OF THESE UNIVERSITY DOCUMENTS CAN BE ACCESSED BY CLICKING ON: http://gwired.gwu.edu/dos/GuidetoStudentRights/

CORRESPONDING PROVISIONS OF THE DC HUMAN RIGHTS ACT CAN BE ACCESSED BY CLICKING ON: http://ohr.dc.gov/ohr/cwp/view,a,3,q,491858,ohrNav,|30953|.asp

Statement of Student Rights and Responsibilities
I.B. Freedom from Discrimination
The University will not permit discrimination on grounds of sex, race, color, religion, national origin, disability, sexual orientation or IDENTITY, 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 DC 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.

University Policy on Equal Opportunity
The George Washington University does not unlawfully discriminate against any person on the basis of race, color, religion, sex, national origin, age, disability, veteran status, or sexual orientation. This policy covers all programs, services, policies, and procedures of the University, including admission to education programs and employment. The University is subject to the District of Columbia Human Rights Act.

Student Grievance Procedures
I. General

These grievance procedures are promulgated to provide a channel for resolution of the grievances of students who feel they have been discriminated against on the basis of sex, race, color, religion, age, national origin, disability or sexual orientation 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.

Code of Student Conduct
Prohibited Conduct
11. Violence of any kind will not be tolerated on or off University premises or at University-sponsored activities. Any student, group, or organization found to have committed misconduct is subject to disciplinary action and to the sanctions outlined in this "Code". Attempts to commit any of these acts of misconduct are included in the scope of these definitions. The following are examples of misconduct subject to disciplinary action (subject to the provisions of Article 5):

s. Disorderly Conduct - Acting in a manner to annoy, disturb, interfere with, obstruct, or be offensive to others; shouting or making excessive noise either inside or outside a building to the annoyance or disturbance of others; verbally abusing University officials acting in performance of their duties; or acting in a lewd or indecent manner.

u. Discrimination - Committing any of the above acts because of a person's race, color, religion, sex, national origin, age, disability, veteran status, or sexual orientation.

PUNISHMENT: u. Discrimination: Will not have a separate, minimum sanction since it only will be charged in conjunction with charges or other prohibited conduct as an aggravating circumstance to be considered in imposing sanctions for another violation.

PROFESSOR JOHN F. BANZHAF III
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A RESOLUTION TO RECOMMEND MODIFICATION OF THE UNIFIED BUDGET MODEL (09/2)

WHEREAS, the Administration has adopted the "Unified Budget Model" (UBM) and that model is playing a significant role in determining the funding for, and strength of, academic programs in the various Schools of the University;

WHEREAS, the UBM specifically claims that "(o)nly those activities that a school can control are included in determining the budgeted margin" and has interpreted that control to refer to the "continuing undergraduate students enrolled in a school's on-campus programs during the academic year", so that, for example, "under the Unified Budget Model, no tuition revenue is allocated to one school for teaching students enrolled in other schools";

WHEREAS, these two provisions of the UBM are incompatible with an environment where students should not be impeded in seeking inter-school majors and minors which require the resources and attention of at least two schools and which schools could control by denying students access to these interschool majors and minors and course enrollment;

WHEREAS, the current system provides an undesirable financial incentive for departments and faculty to discriminate among students majoring in the same subject based on the school in which they are enrolled;

WHEREAS, the *Faculty Code* Section IX.A. entitles faculty to "an active role …" including "an opportunity to make recommendations" when budgetary decisions under schemes such as the UBM have substantial implications for the strength and continuation of academic programs, the welfare of students, and the teaching and learning environment; NOW, THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

That the potentially dysfunctional provision of the UBM be eliminated by amending the provisions in the "Closing Out the Budget at Year End" sections (pages 3 and 4) of the current Unified Budget model to provide for equal division of tuition revenue from undergraduate students based on their declared candidacy for majors offered by the various schools rather than based solely on school of enrollment. This recommended change is to take effect in fiscal year 2010.

Committee on Fiscal Planning and Budgeting
April 21, 2009