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THE CHRONICLE OF HIGHER EDUCATION

The Faculty

From the issue dated May 18, 2001

George Washington Professors Reject Harassment Policy

By ROBIN WILSON

The Faculty Senate at George Washington University has voted 15 to 0 to reject a new sexual-harassment policy, saying it could infringe on professors' academic freedom and deny their rights to due process. It is now up to the university's president, who has endorsed the policy, to decide whether to institute it.

The policy was drafted by professors and university officials to deal with complaints of sexual harassment against students and professors. As part of its vote, the Faculty Senate approved a resolution asking the university to redraft the policy "with the goal of more fairly balancing" the rights of those complaining with the rights of those who are accused. The university has been operating under an interim policy on sexual harassment while professors and administrators have debated the permanent policy.

Arthur E. Wilmarth Jr., an associate professor of law at George Washington and a member of the Faculty Senate, cited several flaws in the policy endorsed by administrators. Most importantly, it does not protect everything professors say in the classroom, he said. The policy says speech that is "reasonably designed" to contribute to academic inquiry "shall not be construed as sexual harassment." But professors questioned whose standards would be used to determine what is reasonable.

In addition, the senate said that under the proposed policy, professors would not be told who had filed sexual-harassment complaints against them and would not have the right to request a hearing.

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If the administration determined that a hearing was warranted, students could make complaints through an administrator and would not have to be present. Members of the Faculty Senate said anyone who wanted to present evidence of sexual harassment by a professor should "testify" at a hearing and that the accused professor and his or her lawyer should have the right to question that person.

The Foundation for Individual Rights in Education, which supports students and professors who believe their academic-freedom and due-process rights have been violated, has been lobbying against the policy at George Washington. "Anyone who thinks this is a progressive move to help those who may be victims of sexual harassment are forging their own chains," said Thor L. Halvorssen, executive director of the group. "What passes for reasonable discourse in a women's-studies course would make a lot of white heterosexual males uncomfortable, but it's the price we pay for living in freedom."

Cynthia Harrison, an associate professor of history and women's studies at George Washington, said the Faculty Senate does not represent the views of the majority of professors on this issue. She said those on the panel simply don't want any sexual-harassment policy to be instituted, and she called the Faculty Senate vote a "stalling tactic."

Ms. Harrison said the administration's policy includes ample protection for what is said in the classroom. But even there, she said, university officials must exercise some control. For example, she said, if the senators had their way, a professor "who routinely called on a student by her physical characteristics would be beyond the scope of the sexual-harassment policy."

In a memo he sent to faculty members in January, Stephen Joel Trachtenberg, the university's president, called the proposed policy "fair" and "balanced." But after the senate vote, Donald R. Lehman, vice president of academic affairs at George Washington, said the president will "look for a compromise solution" that would satisfy professors and administrators.

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