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News

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GSE Student Acquitted of Rape Fights for Readmission

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A former student of the Graduate School of Education (GSE) who was acquitted of rape charges earlier this year has accused Harvard administrators of discouraging him from applying for readmission.

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Georgi Zedginidze, 36, was found not guilty on all six counts of rape and assault after a five-day trial at Middlesex Superior Court in August, according to his lawyer, Edward W. Wayland.

But Wayland said Harvard administrators have advised Zedginidze not to reapply, warning that, if the GSE's disciplinary body finds him guilty, his academic record could be marked with an expulsion. Currently, Zedginidze's record notes his voluntary withdrawal in 2002.

"[GSE officials] sat him down and told him they didn't think it was a good idea, that he was risking his academic record by doing it," Wayland said. "He told me they were kind of hostile."

Zedginidze was arrested on Jan. 20, 2002, when a female resident of his dorm reported to police that Zedginidze had "pretty much pulled" her into his Child Hall room and kissed, fondled, undressed and made sexual contact with her against her will. Wayland said a Harvard official came to the jail that night and recommended he withdraw from the GSE, which he did.

Despite Harvard's warnings, Zedginidze decided he would risk his clean transcript to gain readmission. Wayland said Zedginidze wrote a letter officially declaring his intent to reapply about a month ago.

GSE spokesperson Christine Sanni wrote in an e-mail that the GSE could not comment on an individual case, but that the school's disciplinary body decides independently of the criminal justice system whether a student's conduct warrants punishment.

"A finding by a court that a person did not violate the state's criminal laws does not speak to whether the student has acted consistently with the School's code of conduct and related expectations for members of the community," Sanni wrote.

To apply for readmission, Zedginidze must appear at a hearing before the GSE's Committee on Rights and Responsibilities, a disciplinary committee equivalent to the College's Administrative Board which is composed of two continuing doctoral students and three faculty members.

Wayland said Zedginidze has not heard anything from the GSE since he submitted the letter a month ago and may not receive a hearing, or even a response, for several more months.

"He sent the letter into a black hole and that's it," Wayland said. "The next step should be waiting for Harvard to decide what, if anything, they are going to do."

Zedginidze, a citizen of the Republic of Georgia, was forced to return to his country when his visa expired earlier this fall. He could not be reached for comment.

"My understanding is that they told him it could take many months to set up the hearing," Wayland said. "They gather as much info as possible and then have the hearing. Just [getting] the transcripts for the trial can take many months."

Harvard's Trial

The GSE's Committee on Rights and Responsibilities will decide whether Zedginidze violated the GSE's code of ethics and, if so, what punishment would be appropriate.

According to the student handbook, the GSE's policy on harassment states that "rape, assault, unwelcome touching, physical intimidation...and forms of behavior that violate federal or state civil rights law" are "impermissible."

Wayland said he thinks Zedginidze was acquitted in court because there were "discrepancies" in the story told by the

alleged victim, whose name was not made public because the case involved sexual assault.

"She told police and the grand jury that she had little or no contact with him," Wayland said. "We demonstrated through e-mails that she had."

But the GSE's disciplinary standards do not exactly mirror state and federal law, according to Sanni.

"Like virtually every institution of higher education, the Graduate School of Education has established a code of conduct that governs the behavior of members of our community," Sanni wrote. "When complaints about a student's behavior arise, the School must necessarily consider them in light of its code of conduct and community standards."

Wayland said that although he agrees with a University's right to have a separate disciplinary procedure, he is worried that once Zedginidze receives a disciplinary hearing, it will not be fair.

He said that the procedures of the Committee on Rights and Responsibilities might not be fair to the accused in an emotionally charged case of alleged sexual assault.

"It's a different standard of proof, I agree with that...what's at stake is not liberty but admission to a University," Wayland said. "But it's a terrible crime he's been accused of and people get upset based on the allegations. I think there is a tendency, among some people in public, to hear of a charge and assume it must be true. And the fact of the matter is that false accusations are made for all kinds of reasons. We don't know why in this case."

According to the GSE's Student Handbook, both the accuser and the accused can present witnesses during a committee hearing, and the witnesses are questioned by members of the committee. The accused is also "entitled to rebut any evidence presented and to present his or her own information on pertinent matters. Rules of evidence applicable to civil or criminal proceedings do not, however, apply."

Wayland said that he thinks Zedginidze feels his situation could be hopeless.

"The Dean's office told my client it's very risky," Wayland

said. "If you're accused waiting for decision it doesn't sound like you're going to have a lot of input."

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