1.7.3 Prohibited Sexual Conduct: Sexual Misconduct, Sexual Assault, Stalking and Relationship Violence

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This Guide Memo outlines Stanford University's definitions and policies relating to sexual misconduct, sexual assault, stalking and relationship violence (“Prohibited Sexual Conduct”). In conjunction with this Guide Memo, Stanford has disciplinary and administrative procedures for making formal determinations of whether Prohibited Sexual Conduct has occurred, which are described in Section 8 [1] of this Guide Memo. Prohibited Sexual Conduct is a severe form of sexual harassment; see Guide Memo 1.7.1: Sexual Harassment [2].

Authority:
Approved by the President.

Enforced under the authority of the Vice Provost for Student Affairs, the Vice President of Human Resources and the Provost. In addition, an individual who violates this policy may be subject to criminal prosecution and civil litigation.

Applicability:
All students, faculty, staff, affiliates and others participating in university programs and activities are subject to this policy. This policy also applies to reports of incidents of Prohibited Sexual Conduct as required by Title IX.

1. Policy Statement

Acts of sexual misconduct, stalking and relationship (dating or domestic) violence (collectively “Prohibited Sexual Conduct”) are not tolerated at Stanford University. The University investigates or responds to reports of Prohibited Sexual Conduct under circumstances in which the accused person (responding party) is subject to this policy and (i) the individual who believes he or she has experienced the Prohibited Sexual Conduct (impacted party) is a student, faculty, staff member or
program participant and there is a connection between the allegations and University programs or activities; or (ii) investigation and response are necessary for the proper functioning of the University, including the safety of the University community or preservation of a respectful and safe climate at the University. Students, faculty and staff found to be in violation of this policy will be subject to discipline up to and including termination, expulsion or other appropriate institutional sanctions; affiliates and program participants may be removed from University programs and/or prevented from returning to campus.

A comprehensive University web page dedicated to sexual violence awareness, prevention, response and support for those who have experienced sexual violence can be found at NotAlone.Stanford.edu [3]. The web page contains a list of resources and describes reporting options. Resources are also provided at the end of this policy in Section 16 [4] and at and at titleix.stanford.edu [5].

2. What is Prohibited Sexual Conduct?

Prohibited Sexual Conduct is the umbrella term that Stanford uses to collectively define different types of misconduct relating to assault, violence or exploitation of a sexual nature, or connected to an intimate relationship. Prohibited Sexual Conduct includes Sexual Misconduct, Sexual Assault, Stalking, and Relationship (dating or domestic) Violence. Under federal law, Prohibited Sexual Conduct is a severe form of sexual harassment. (See Administrative Guide Memo 1.7.1 [6] for more information regarding Sexual Harassment and Administrative Guide Memo 1.7.2 [7] for information about Consensual Sexual or Romantic Relationships in the Workplace and Educational Setting.)

3. What Are Sexual Misconduct and Sexual Assault?

a. What is Sexual Misconduct?
Sexual misconduct is the commission of a sexual act, whether by a stranger or nonstranger and regardless of the gender of any party, which occurs without indication of consent.

1. The following acts or attempted acts can be the subject of a Sexual Misconduct or Sexual Assault charge:
   a) vaginal or anal intercourse;
   b) digital penetration;
   c) oral copulation; or
   d) penetration with a foreign object

2. Additional Acts of Sexual Misconduct
   The following completed acts can be the subject of a Sexual Misconduct charge:
   a) unwanted touching or kissing of an intimate body part (whether directly or through
b. What is Sexual Assault?
Sexual Assault is an act described in Section 3.a.1 [8] accomplished by use of (i) force, violence, duress or menace; or (ii) inducement of incapacitation or knowingly taking advantage of an incapacitated person.

Definitions of force, violence, duress or menace
The following definitions (drawn from California law) inform whether an act was accomplished by force, violence, duress or menace:

- An act is accomplished by force if a person overcomes the other person’s will by use of physical force or induces reasonable fear of immediate bodily injury.
- Violence means the use of physical force to cause harm or injury.
- Duress means a direct or implied threat of force, violence, danger, hardship, or retribution that is enough to cause a reasonable person of ordinary sensitivity to do or submit to something that he or she would not otherwise do or submit to. When deciding whether the act was accomplished by duress, all the circumstances, including the age of the impacted party and his or her relationship to the responding party, are relevant factors.
- Menace means a threat, statement, or act showing intent to injure someone.

c. What is Consent?
Consent is an affirmative act or statement by each person that is informed, freely given and mutually understood. It is the responsibility of each person involved in a sexual activity to ensure that he or she has the affirmative consent of the other or others to engage in the sexual activity. Affirmative consent must be ongoing throughout a sexual activity and can be revoked at any time. Lack of protest or resistance does not mean consent, nor does silence mean consent. Consent to one act by itself does not constitute consent to another act. The existence of a dating relationship between the persons involved, or the fact of past sexual relations, should never by itself be assumed to be an indicator of consent. Whether one has taken advantage of a position of influence over another may be a factor in determining consent.

d. What is Incapacitation?
Incapacitation means that a person lacks the ability to voluntarily agree to sexual activity because the person is asleep, unconscious, under the influence of an anesthetizing or intoxicating substance such that the person does not have control over his/her body, is otherwise unaware that sexual activity is occurring, or is unable to appreciate the nature and quality of the act. Incapacitation is not the same as legal intoxication.

A party who engages in sexual conduct with a person who is incapacitated under circumstances in which a reasonable sober person in similar circumstances would have known the person to be incapacitated is responsible for sexual misconduct. It is not a defense that the responding party’s belief in affirmative consent arose from his or her intoxication.

d. Stranger Assault and Nonstranger Assault
For the purposes of this policy, a nonstranger is someone known to the impacted party, whether through a casual meeting or through a longstanding relationship, including a dating or domestic relationship. A stranger is someone unknown to the impacted party at the time of the assault. While California law requires universities to describe how a school will respond to instances of stranger and nonstranger assaults, Stanford applies the same policies for both stranger and nonstranger assaults.

f. Sexual Harassment
The above examples of conduct of a sexual nature may also violate the University’s sexual harassment policy. In addition, unwelcome conduct of a sexual nature involving less severe acts still may violate the University’s sexual harassment policy. See Guide Memo 1.7.1: Sexual Harassment [2].

4. What is Stalking?
Stalking is the repeated following, watching or harassing of a specific person that would cause a reasonable person to (a) fear for his or her safety or the safety of others, or (b) suffer substantial emotional distress.

5. What is Relationship Violence?
Relationship violence, including dating and domestic violence, is physical violence relating to a current or former romantic or intimate relationship regardless of the length of the relationship or gender/gender identity of the individuals in the relationship, including conduct that would cause a reasonable person to be fearful for his or her safety.

6. Getting Immediate Help
If you or someone you know has experienced Prohibited Sexual Conduct, here are some steps to consider:

a. If you are in immediate danger, or if you believe there could be an ongoing threat to the community, please call 911 or 9-911 from a campus phone.

b. Get to a safe place and speak to a confidential resource. Confidential resources have special legal protection and will not share your name or personal information with anyone. They are able to provide for your immediate mental well-being and to discuss your options with you. A complete list of confidential resources is provided in Section 16 [4].

1. For students, Stanford University Confidential Sexual Assault Counselors are available 24 hours a day: Office: (650) 736-6933. After Hours Hotline: (650) 725-9955.
2. Counseling and Psychological Services (CAPS) at (650) 723-3785.
3. For all University community members, the YWCA Rape Crisis Hotline is available 24 hours a day at (650) 493-7273 or (408) 287-3000.

c. You are encouraged to seek medical attention and a medical-legal examination for evidence collection purposes. Please see Section 11 [9] for information about medical resources.

d. You are encouraged to contact the police, although you are not required to make a report to the police. Stanford has its own Department of Public Safety, which you can reach at (650) 723-9633, for assistance and support. University officials also will assist you in contacting local law enforcement authorities, if you request assistance. If you believe that there is an ongoing threat to your safety from a particular individual, you may request an Emergency Protective Restraining Order from a California police officer. Please see Section 16 [4] for more information about restraining order options.

e. If you are able, you are encouraged to write down what you remember about the incident. (You might also ask a friend to help you.) If possible, record information in a chronological order including details, such as names of the accused and witnesses, time-estimates and locations. This record will assist you in recalling the event later and might assist you in any further process, such as speaking to the police, doctors or University staff.

f. Students in need of immediate University assistance or interim accommodations should contact the resources listed here; Stanford provides 24-hour assistance. Please note that requesting interim safety measures or accommodations (e.g., housing or academic) will result in a formal notification to the University. For an immediate No Contact Order, a temporary housing accommodation or similar urgent assistance, contact:

**During business hours:**
Mark Zunich, Acting Title IX Coordinator, 2nd Floor, Mariposa House, 585 Capistrano Way, Stanford, (650) 497-4955, titleix@stanford.edu [10]. The Title IX Coordinator will coordinate with appropriate staff.

**Undergraduate students** during regular business hours call:
(650) 725-2800, for Residence Deans or other residential house staff. If there is no answer or if you have an urgent, after-hours issue, contact the campus operator at (650) 723-2300 and ask to be connected to the undergraduate Residence Dean on call.

**Graduate students** during regular business hours call:
(650) 736-7078, for a Graduate Life Office Dean. If there is no answer or if you have an urgent, after-hours issue, call the 24-hour pager: (650) 723-8222, pager ID 25085.

g. Employees in need of University assistance relating to employment responsibilities or interim accommodations should contact the Sexual Harassment Policy Office at (650) 724-2120, harass@stanford.edu [11], a Human Resources Representative or a Sexual Harassment Adviser at harass.stanford.edu/help/advisers [12]. Please note that requesting interim measures or accommodations will result in a formal notification to the University.
7. Reporting Acts of Prohibited Sexual Conduct to the University

a. Where to Report
Reports of Prohibited Sexual Conduct relating to students, either as the Impacted Party or as the accused party, should be reported to:

- **Mark Zunich**, Acting Title IX Coordinator, titleix@stanford.edu [10], (650) 497-4955
- All other reports should be made to the Sexual Harassment Policy Office:
  Sexual Harassment Policy Office, harass@stanford.edu [11], (650) 724-2120

b. What to Report
For University staff members who are required to report Prohibited Sexual Conduct, the following information (if known) should be provided:

- Name of Impacted Party
- Name of Responding Party (if known)
- Date of the incident
- Date of report
- To whom report was made
- Location of the incident (be specific: not "Responding Party's room" but "RP's room in Stern Hall" or "off-campus in downtown Palo Alto")
- Time of the incident
- Nature of the conduct (be as specific as possible, identify the category(ies) of Prohibited Sexual Conduct - sexual misconduct, sexual assault, stalking, relationship violence; and also specific allegations: e.g., sexual misconduct, IP awoke to RP touching her breasts without permission.)

c. Who Must Report
Except for University-recognized confidential resources, the following University staff members (including student staff members) with knowledge of unreported concerns relating to Prohibited Sexual Conduct are required to report such allegations to the Title IX Coordinator (for students) or the Sexual Harassment Policy Office (for all other reports): (i) supervisors; (ii) staff within: (a) Residential Education; (b) Vice Provost for Student Affairs; (c) Vice Provost for Undergraduate Education; (d) Vice Provost for Graduate Education; and (iii) staff who have responsibility for working with students in the following capacities: teaching; advising; coaching or mentoring. Reporting by these individuals is required regardless of whether impacted party has or has indicated they will contact the appropriate office.
The University urges an individual who has been subjected to Prohibited Sexual Conduct to make an official report, whether or not he/she intends at that time to seek criminal or civil redress or pursue internal disciplinary measures. A report of the matter will be dealt with promptly and equitably. The University will not discipline reporting parties or witnesses for drug and alcohol violations (relating to voluntary ingestion) or similar Fundamental Standard (not Honor Code) offenses that do not place the health or safety of any other person at risk.

8. University Response to Allegations of Prohibited Sexual Conduct

a. Administrative (Non-Disciplinary) Response & Investigation

Upon notice of any concern regarding Prohibited Sexual Conduct, the University will promptly assess the situation and respond, including instituting any interim safety measures or accommodations necessary to ensure the safety of the Impacted Party and the Stanford Community. The University will first assess whether an investigation will be conducted; that is, whether the allegation(s), if true, would rise to the level of Prohibited Sexual Conduct and, if so, whether a formal investigation is appropriate under the circumstances, taking into account the Impacted Party's request for confidentiality. The decision-makers to assess whether to move forward to an investigation are: for all matters in which a student is either an Impacted Party or respondent, the Title IX Coordinator; for matters in which no student is involved and the respondent is faculty, the cognizant dean or program director; for matters in which no student is involved and the respondent is staff, Human Resources; faculty and staff decision-makers should confer with the Sexual Harassment Policy Office.

In instances in which the University determines to move forward to an investigation, each party will have the same opportunities within the process including: written notice of the concern, an opportunity to respond and be interviewed, and an opportunity to identify relevant witnesses and evidence. Investigations of Prohibited Sexual Conduct will be timely and equitable. The University will review relevant information. While corroborating evidence of accounts is helpful, it is not always available and the credible account of one party can be sufficient to establish a fact. The University makes good faith efforts to complete investigations under Title IX in a 60 day timeframe, although extensions may be appropriate in some matters. Investigations of allegations of Prohibited Sexual Conduct may be conducted by the Title IX Coordinator or her trained designee, by a Human Resources or trained Sexual Harassment Adviser in consultation with the Sexual Harassment Policy Office and the Title IX Office, or by outside resources, depending upon who the parties are and the nature of the conduct alleged. All cases involving students will be investigated in consultation with the Title IX Office. The standard of proof for all determinations of Prohibited Sexual Conduct during an administrative review process is preponderance of the evidence, that is, the conduct more likely than not occurred. Appeal rights are as provided in specifically applicable policies:

- Student-Related Matters. Student-related Prohibited Sexual Conduct will be investigated under the Title IX Sexual Harassment, Sexual Assault, Sexual Misconduct, Relationship
(Dating) Violence and Stalking Administrative Policy and Procedures, whether the accused (Responding Party) is a student, faculty or staff member, post-doctoral scholar or third party. Both parties have the right to appeal.

- **Staff Investigations.** Following an investigation, a staff member may file a grievance under Guide Memo 2.1.11: Grievance Policy [13].

- **Senior Staff.** Following an investigation, a staff member may seek administrative review as provided in Guide Memo 2.1.14: Senior Staff [14].

- **Employees covered by collective bargaining agreements.** Please refer to Labor Relations & Collective Bargaining.

- **Trial period, casual or temporary employees.** Following an investigation, an employee may seek administrative review as provided in Guide Memo 2.1.19: Administrative Review Policy [15].

- **Academic Staff–Librarians and Academic Staff–Research Associates.** Following an investigation, please refer to the Research Policy Handbook at Grievance Procedure: Academic Staff [16].

- **Faculty.** Please refer to the Faculty Handbook [17].

**b. Administrative (Non-Disciplinary) Accommodations and Safety Measures**

1. **Administrative measures available to the University**
   The University will take steps to prevent the recurrence of Prohibited Sexual Conduct through safety measures and will redress its effects through appropriate accommodations. The University in implementing such measures and accommodations will seek to minimize the impact and burden on the involved parties consistent with protecting the well-being of the involved parties and the community. To the extent reasonable and feasible, the University will consult with the Impacted Party and the Responding Party in determining accommodations and safety measures. Appropriate interim or permanent measures may include:
   i. Housing accommodations
   ii. Counseling services
   iii. Academic accommodations
   iv. No contact directives, stay-away letters, or campus bans
   v. Escorts
   vi. Limitation on extracurricular or athletic activities
   vii. Removal from University community
   viii. Referral to University disciplinary process
   ix. Review or revision of University policies or practices
   x. Training
   xi. Climate surveys

2. **Obtaining Interim Measures**
   When the University has notice of an allegation of Prohibited Sexual Conduct, a qualified University staff member (such as a Graduate Life Dean, Residence Dean, Residence Fellow, Dean of Student Life, HR Manager, cognizant Dean, Title IX Coordinator or Deputy Title IX Coordinator) may impose interim accommodations or safety measures, which will generally remain in effect throughout the duration of the University investigation. In imposing interim
measures, a qualified University staff member should consult with the Title IX Coordinator (for students) or the Sexual Harassment Policy Office (for staff or faculty). Interim Measures may include the same safety measures or accommodations provided above in section b.1.

3. Potential Accommodations in the Event of No Investigation
Even if the University decides not to confront the Responding Party because of the Impacted Party’s request for confidentiality, the University may pursue other reasonable steps to limit the effects of the Prohibited Sexual Conduct as feasible and reasonable in light of the Impacted Party’s request for confidentiality. The University’s response may be limited, however, by a request for confidentiality.

c. Disciplinary & Corrective Action Processes
The University has processes that focus on the imposition of discipline (students and faculty) or corrective action (staff) for individuals found responsible for violating the Fundamental Standard or a University Policy.

1. Student Discipline

The Office of Community Standards (650-725-2485) investigates all formal disciplinary complaints of student misconduct, including allegations of Prohibited Sexual Conduct, and files formal charges if the evidence supports the allegation. The Alternate Review Process is the disciplinary process at Stanford designed specifically to consider allegations of Prohibited Sexual Conduct with specially trained reviewers. Sanctions, for students found responsible for such a violation, range from a formal written warning, suspension for a period of time, or expulsion from the University. Mediation between parties is not available for cases of sexual assault or misconduct.

Stanford processes guarantee that the rights of students, including those of the Responding Party, are protected. The Impacted Party and the Responding Party may each choose to be accompanied by a person of his or her choice (a support person) at all stages of the disciplinary process. Both parties have the right to an appeal. The standard of review is preponderance of the evidence (i.e., more likely than not the alleged misconduct occurred) and both parties will be notified of the outcome in disciplinary matters. For more information, please see the process and procedures [18] governing student disciplinary cases involving Prohibited Sexual Conduct.

2. Faculty & Staff Discipline/Corrective Action
For faculty and staff, violations of this policy are addressed according to applicable faculty and staff personnel policies. Employees in a collective bargaining unit are covered by policies in the applicable agreement. When violations are found, possible sanctions range from censure to dismissal from the University. For more specific information, please see the following resources:

- Addressing Conduct and Performance Issues (staff), Administrative Guide 2.1.16 [19], and the policies described above in Section 9.a. [20] above.
9. Confidentiality of Information

The University will make reasonable and appropriate efforts to preserve an individual’s privacy and to protect the confidentiality of information. However, because of laws relating to reporting and other state and federal laws, the University cannot guarantee confidentiality relating to incidents of Prohibited Sexual Conduct except where those reports are privileged communications to Confidential Resources. (See below.) Exceptions to maintaining confidentiality are set by law; for example, physicians and nurses who treat any physical injury sustained during a sexual assault are required to report it to law enforcement. Also, physicians, nurses, psychologists, psychiatrists, teachers and social workers must report a sexual assault committed against a person under age 18.

Except for Confidential Resources, information shared with other individuals is not legally protected from being disclosed. If the individual requests confidentiality, the University’s ability to respond may be limited, including pursuing discipline or administrative remedies against the accused, although, where feasible, the University will take reasonable steps to prevent Prohibited Sexual Conduct and limit its effects. It is not always possible to provide confidentiality depending on the seriousness of the allegation and other factors, which will be weighed by the University in conjunction with an individual’s request for confidentiality. These factors include circumstances that suggest an increased risk of the accused committing additional acts of Prohibited Sexual Conduct or other violence, whether the Prohibited Sexual Conduct was perpetrated with a weapon, the age of the student, and the ability of the University to obtain evidence by other means. The University takes requests for confidentiality seriously while at the same time considering its responsibility to provide a safe and nondiscriminatory environment for all students and the University community. The University in such circumstances will make sure the Impacted Party is aware they are protected from retaliation.

As required by the Clery Act, all disclosures to any University employee of an on-campus sexual assault must be reported for statistical purposes only (without personal identifiers) to the Stanford University Department of Public Safety, which has the responsibility for tabulating and annually publishing sexual assault and other crime statistics. Such reports are for statistical purposes and do not include individual identities or other personally identifiable information.

In California, a police officer is required to ask a victim of sexual assault and domestic violence (specifically section 273.5 Penal Code) if he or she wants his or her name to remain confidential (Penal Code 293(a)). If a victim elects to have his or her name remain confidential, the police will not list the victim’s name in a crime log or release it to university officials without permission (Penal Code 293(d)). If the District Attorney elects to prosecute a sexual assault, the name of an adult victim may be subject to disclosure.
If a formal complaint against a student is filed with the Title IX Coordinator (administrative process) or the Office of Community Standards (disciplinary process) then the Responding Party must be provided with the name of the Impacted Party and advised of the specific allegations.

10. Retaliation

It is a violation of Stanford University policy to retaliate against any person making a complaint of Prohibited Sexual Conduct or against any person participating in the investigation of (including testifying as a witness to) any such allegation of Prohibited Sexual Conduct. Retaliation should be reported promptly to the Title IX Coordinator. Individuals engaging in retaliation are subject to discipline (for students and faculty) and employment action (for employees). Retaliation includes direct or indirect intimidation, threats, coercion, harassment or other forms of discrimination against any individual who has brought forward a concern or participated in the University’s Title IX process. Both parties are prohibited from engaging in intimidating actions directly or through support persons that reasonably could deter either a party or a witness from participating in a Title IX investigation.

11. Medical-Legal Evidence Preservation & Collection

Individuals who have experienced a sexual assault are encouraged but not required to have a medical-legal exam performed by a trained medical professional as soon as possible (i.e., within 72 hours) after the assault. The medical professional will address an individual’s medical needs related to the assault as well as collect evidence in accordance with established protocols for evidence collection.

In order to preserve evidence, individuals are advised not to shower, wash, urinate, wipe, change clothes, eat, drink or brush their teeth prior to the exam, if possible.

Even if an individual is uncertain about whether he or she wants to pursue criminal or other remedies, participating in the exam allows for the collection and preservation of evidence that might be useful should the individual decide he or she wants to pursue some type of action at a later date.

In Santa Clara County, medical-legal exams are performed at the Santa Clara Valley Medical Center (SCVMC) in San Jose. Medical-legal exams will be performed at no cost to a victim of sexual assault. A victim does not need to file a report in order to obtain a medical-legal exam; however, hospitals are required to notify the police if a physical injury has been sustained, so the hospital will notify the police agency that has jurisdictional responsibility where the assault took place. Victims have the option to speak with the police or not. The ability to have a medical-legal exam performed is not dependent upon speaking with the police or filing a police report.
If a victim needs assistance traveling to the SCVMC, a University staff person or a member of DPS will provide assistance.

For assistance in receiving a medical-legal exam, contact:
YWCA Rape Crisis Hotline: (650) 493-7273 or (408) 287-3000
Department of Public Safety: 9-1-1 or (650) 723-9633
SCVMC Emergency Department: (408) 885-5000

To collect and preserve evidence of Prohibited Sexual Conduct Impacted Parties are encouraged to photograph injuries; retain emails, text messages, phone records and other similar evidence; and maintain a journal or other means to document incidents.

12. Reporting to the Police

For a sexual assault that occurs on the Stanford campus, contact the Stanford Department of Public Safety at (650) 723-9633 or, in case of an emergency, 9-1-1 or 9-911 from a campus phone.

For an off-campus incident, call the local police jurisdiction:
Palo Alto, call 911 or (650) 329-2307
Menlo Park, call 911 or (650) 325-4424

13. University Action in Conjunction with Civil & Criminal Processes

In addition to University disciplinary actions, a person who engages in Prohibited Sexual Conduct may be the subject of criminal prosecution and/or civil litigation.

Individuals experiencing Prohibited Sexual Conduct have the option to notify law enforcement or not to notify law enforcement. Impacted Parties do not need to report matters to the police to be eligible to receive accommodations from the University under Section 8.b [1]. University officials will assist individuals wishing to report a matter to the police. A police report must be made before a criminal prosecution can be considered by the local District Attorney's Office. The chances of successful prosecution are greater if the report to the police is timely and is supported by the collection of medical-legal evidence (See Section 11 [9], above, Medical Legal Evidence Collection). Victims have the right to request that law enforcement implement emergency protective restraining orders. Victims who receive emergency or permanent protective or restraining orders through a criminal or civil process should notify the University's Title IX Coordinator, titleix@stanford.edu [10]. The University will work with the victim and the person who is the subject of the restraining order to manage compliance with the order on Stanford’s campus.

Because the requirements and standards for finding a violation of criminal law are different from the standards for finding a violation of this Policy, criminal investigations or reports are not determinative of whether Prohibited Sexual Conduct, for purposes of this Policy, has occurred. In other words, conduct may constitute a violation under this Policy even if law enforcement agencies
lack sufficient evidence of a crime and therefore decline to prosecute. Moreover, the filing of a complaint of Prohibited Sexual Conduct with the University is independent of any criminal investigation or proceeding. The University will not wait for the conclusion of any criminal investigation proceeding to commence its own investigation and/or to take interim measures to protect the Impacted Party and University community. Both a criminal investigation and a University investigation involving the same incident(s) may occur simultaneously.

A person who wishes specific information about legal options should consult a private attorney or advocacy organization. Please see Section 16: Resources [4] at the end of this policy.

14. Education and Prevention

a. Bystander Intervention
Stanford University expects all members of the Stanford Community to be Active Bystanders against sexual violence. The following information is based on Bystander Intervention research being done at the University of New Hampshire and the guidelines developed by UNH. (“Bringing in the Bystander® is a registered trademark of the University of New Hampshire on behalf of Prevention Innovations [22]. Learn to recognize the signs of danger and learn how to intervene safely. Commit to being an Active Bystander.

1. Some simple steps to becoming an Active Bystander:
   - Notice the situation: Be aware of your surroundings.
   - Interpret it as a problem: Do I recognize that someone needs help?
   - Feel responsible to act: See yourself as being part of the solution to help.
   - Know what to do: Educate yourself on what to do.
   - Intervene safely: Take action but be sure to keep yourself safe (see next step).

2. How to Intervene Safely:
   - Tell another person. Being with others is a good idea when a situation looks dangerous.
   - Ask a person you are worried about if he/she is okay. Provide options and a listening ear.
   - Distract or redirect individuals in unsafe situations.
   - Ask the person if he/she wants to leave. Make sure that he/she gets home safely.
   - Call the police (911) or someone else in authority or yell for help.

3. What can my friends and I do to be safe?
   - Take care of each other. Remember these tips when you are out.
   - Have a plan.
     Talk with your friends about your plans BEFORE you go out. Do you feel like drinking? Are you interested in hooking up? Where do you want to go? Having a clear plan ahead of time helps friends look after one another.
   - Go out together.
     Go out as a group and come home as a group; never separate and never leave your
friend(s) behind.

- **Watch out for others.**
  - If you are walking at night with friends and notice a woman walking by herself in the same direction, ask her to join you so she doesn’t have to walk alone.

- **Diffuse situations.**
  - If you see a friend coming on too strong to someone who may be too drunk to make a consensual decision, interrupt, distract, or redirect the situation. If you are too embarrassed or shy to speak out, get someone else to step in.

- **Trust your instincts.**
  - If a situation or person doesn’t seem “right” to you, trust your gut and remove yourself, if possible, from the situation.

### b. Education Resources
Stanford University provides resources for education about and prevention of Prohibited Sexual Conduct. Incoming students participate in online training before arriving at Stanford and undergraduates participate in a series of educational events during New Student Orientation. Throughout the year both undergraduates and graduates are invited to participate in programming on the prevention of Prohibited Sexual Conduct. Students, faculty and staff are urged to take advantage of on-campus prevention and education resources (both University-supported and student-led) and are encouraged to participate actively in prevention and risk reduction efforts.

- **Office of Sexual Assault & Relationship Abuse Education & Response (SARA)** (650-725-1056) provides comprehensive and consistent response to incidents of sexual and relationship violence to the campus community. SARA provides case consultation to students and staff, case management for reported assaults and information and referrals to services on and off campus. The office also assists with educational outreach and training to increase awareness, sensitivity, and community accountability in the prevention of these acts. Online information is available at the SARA Office [23].

- **Sexual Harassment Policy Office** (650-724-2120) provides training programs regarding sexual harassment for the campus community. Some programs are required for faculty, staff supervisors, instructors and newly hired staff. Information is available at [http://harass.stanford.edu](http://harass.stanford.edu) [24].

- **Stanford University Department of Public Safety** (650-723-9633) conducts educational programs and distributes educational literature to students, faculty and staff.

- **Students United for Risk Elimination (SURE)** (650-725-SURE) is an evening golf cart escort service for students, faculty and staff designed to enhance safety for the campus community.

### 15. Public Release of Information

#### a. Public Information
Requests for information concerning an incident of Prohibited Sexual Conduct should be directed to the Stanford University News Service (650-723-2558) or the Stanford University Department of Public Safety (650-723-9633).

#### b. Public Notification of Incidents
As required by state and federal law, the Stanford Department of Public Safety must collect and report annually statistical information concerning sexual assaults occurring in its jurisdiction. To promote public safety, the Department also alerts the campus community to incidents and trends of immediate concern.

16. Resources

The University is committed to providing information regarding on- and off-campus services and resources to all parties involved. A comprehensive website dedicated to Prohibited Sexual Conduct awareness, prevention and support can be found at NotAlone.Stanford.edu [25].

Confidential Campus Resources

The following resources have the ability to keep a victim's name confidential and anonymous. Reporting an incident of Prohibited Sexual Conduct to one of these resources will not lead to a university or police investigation.1

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<tr>
<th>Confidential Campus Resources</th>
<th>Contact Information</th>
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<tr>
<td>• Stanford University Confidential Sexual Assault Counselors:</td>
<td>(650) 725-9955 or (650) 736-6933</td>
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<tr>
<td>• YWCA Rape Crisis Hotline:</td>
<td>(650) 493-7273 or (408) 287-3000</td>
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<tr>
<td>• Counseling and Psychological Services (CAPS)--students only:</td>
<td>(650) 723-3785</td>
</tr>
<tr>
<td>• Faculty Staff Help Center (faculty and staff only):</td>
<td>(650) 723-4577</td>
</tr>
<tr>
<td>• Office for Religious Life:</td>
<td>(650) 723-1762</td>
</tr>
<tr>
<td>• University Ombuds:</td>
<td>(650) 723-3682</td>
</tr>
<tr>
<td>• School of Medicine Ombuds:</td>
<td>(650) 498-5744</td>
</tr>
</tbody>
</table>

1 Pursuant to California Penal Code 11165.7, 11166, 11167, persons who meet the definition of a mandated reporter must report incidents of child abuse and neglect. A person under the age of 18 years of age is considered to be a child.

Medical Resources2

<table>
<thead>
<tr>
<th>Medical Resources</th>
<th>Contact Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Vaden Health Center:</td>
<td>(650) 498-2336, ext. 1</td>
</tr>
<tr>
<td>• Stanford Health Care Emergency Department:</td>
<td>(650) 723-5111</td>
</tr>
<tr>
<td>• Santa Clara Valley Medical Center (medical-legal exam):</td>
<td>(408) 885-5000</td>
</tr>
<tr>
<td>• Planned Parenthood Mountain View:</td>
<td>(650) 948-0807</td>
</tr>
</tbody>
</table>

2 Pursuant to California Penal Code 11160, medical clinicians are required to notify the police if they observe physical injuries they believe were caused by assultive conduct, including sexual assault.

Campus Resources3
<table>
<thead>
<tr>
<th>Resource</th>
<th>Contact Information</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Title IX Office/Title IX Coordinator</strong> [5]:</td>
<td>(650) 497-4955</td>
</tr>
<tr>
<td><a href="mailto:titleix@stanford.edu">titleix@stanford.edu</a> [10]</td>
<td></td>
</tr>
<tr>
<td><strong>SARA Office</strong> [23]:</td>
<td>(650) 725-1056 or</td>
</tr>
<tr>
<td><a href="mailto:saraoffice@stanford.edu">saraoffice@stanford.edu</a> [26]</td>
<td>(650) 725-9129</td>
</tr>
<tr>
<td><strong>Residential Education/House Staff:</strong></td>
<td>(650) 725-2800</td>
</tr>
<tr>
<td>(Residence Deans, Resident Assistants, Peer Health Educators, Residence Fellows).</td>
<td></td>
</tr>
<tr>
<td>If there is no answer or if you have an urgent, after-hours issue, contact the campus operator at (650) 723-2300 and ask to be connected to the Undergraduate Residence Dean on call.</td>
<td></td>
</tr>
<tr>
<td><strong>Graduate Life Office Deans:</strong></td>
<td>(650) 736-7078</td>
</tr>
<tr>
<td>If there is no answer or if you have an urgent, after-hours issue, call the 24-hour pager: (650) 723-8222, pager ID 25085.</td>
<td></td>
</tr>
<tr>
<td><strong>OCS Alternate Review Process (ARP) [18]:</strong></td>
<td>(650) 725-2485</td>
</tr>
<tr>
<td><strong>Office of the General Counsel:</strong></td>
<td>(650) 723-9611</td>
</tr>
<tr>
<td><strong>Sexual Harassment and Policy Office:</strong></td>
<td>(650) 724-2120</td>
</tr>
<tr>
<td><strong>Human Resources:</strong></td>
<td>(650) 725-8356</td>
</tr>
<tr>
<td>General:</td>
<td>(650) 725-8607</td>
</tr>
<tr>
<td>School of Medicine:</td>
<td>(650) 926-2358</td>
</tr>
<tr>
<td>SLAC:</td>
<td></td>
</tr>
</tbody>
</table>

3 These resources are obligated to report Prohibited Sexual Conduct to the Title IX Office when the Impacted Party or the Responding Party is a student.

**Legal and Advocacy Resources**

<table>
<thead>
<tr>
<th>Resource</th>
<th>Contact Information</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>YWCA Rape Crisis Hotline:</strong></td>
<td>(650) 493-7273 or</td>
</tr>
<tr>
<td></td>
<td>(408) 287-3000</td>
</tr>
<tr>
<td><strong>YWCA Silicon Valley Domestic Violence:</strong></td>
<td>(800) 572-2782</td>
</tr>
<tr>
<td><strong>Next Door Solutions to Domestic Violence:</strong></td>
<td>(408) 279-2962</td>
</tr>
<tr>
<td><strong>Community Solutions:</strong></td>
<td>(877) 363-7238</td>
</tr>
<tr>
<td><strong>Santa Clara County District Attorney’s Office Sexual Assault Investigations Team:</strong></td>
<td>(408) 792-2516</td>
</tr>
<tr>
<td><strong>Santa Clara County District Attorney’s Office Domestic Violence Investigations Team:</strong></td>
<td>(408) 792-2551</td>
</tr>
<tr>
<td><strong>National Domestic Violence Hotline:</strong></td>
<td>(800) 799-SAFE</td>
</tr>
<tr>
<td><strong>Rape, Abuse &amp; Incest National Network Hotline:</strong></td>
<td>(800) 656-HOPE</td>
</tr>
<tr>
<td><strong>Bay Area Legal Aid:</strong></td>
<td>(650) 358-0745</td>
</tr>
</tbody>
</table>
Guidelines on requesting a memo change can be found at https://adminguide.stanford.edu/change-request-guidelines

Source URL (modified on 01/19/2016 - 10:52): https://adminguide.stanford.edu/chapter-1/subchapter-7/policy-1-7-3

Links
[10] mailto:titleix@stanford.edu
[11] mailto:harass@stanford.edu
[22] http://prevention.innovations@unh.edu
[23] https://sara.stanford.edu/
[26] mailto:saraoffice@stanford.edu

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