

# Stanford University



## HOPKINS MARINE LABORATORY PACIFIC GROVE

**SAFETY, SECURITY, AND FIRE REPORT  
2018**

The Hopkins Marine Station is under the jurisdiction of the Pacific Grove Police Department. They are located at 580 Pine Avenue, Pacific Grove, CA 93950. Their phone number is (831) 648-7900. The Pacific Grove Police Department supplies all statistics at the close of this document. Crime statistics for the entire city of Pacific Grove are a matter of public record and are available at the Police website: <http://www.ci.pg.ca.us/police/trafficcrime.htm>.

The Stanford Housing is located at 651 and 675 Belden Street in Monterey and is under the jurisdiction of the Monterey Police Department. They are located at 351 Madison Street, Monterey, CA 93940. Their phone number is **(831) 646-3914**.

**Contact Information:**

120 Ocean View Boulevard  
Pacific Grove, CA 93950-3094  
Telephone: (831) 655-6200  
E-mail: [information@marine.stanford.edu](mailto:information@marine.stanford.edu)

**Local Law Enforcement Agency:**

Pacific Grove Police Department  
580 Pine Avenue  
Pacific Grove, CA 93950  
Telephone: (831) 648-3147

You may request a paper copy of the Stanford Safety, Security & Fire Report through any of the following means:

- *In person* at the Police & Fire Facility at 711 Serra Street, Monday through Friday, 8 a.m. to 5 p.m.
- *By mail* to 711 Serra Street, Stanford, CA 94305
- *By email* to [publicsafety@lists.stanford.edu](mailto:publicsafety@lists.stanford.edu)
- *By phone* at **650-723-9633**

Crime statistics for Stanford foreign and U.S. branch campuses are published in separate reports for each location and are available at [police.stanford.edu/security-report.html](http://police.stanford.edu/security-report.html). For locations in which the University has established student residences for the program, fire statistics are published with the crime statistics. For definitions of the location classifications, refer to pages 42-43.

The daily crime log for the most recent 60-day period is available for the public to view at the Stanford University Department of Public Safety (SUDPS), 711 Serra Street, Stanford, CA 94305, upon request and during normal business hours. Portions of the log that are older than 60 days are available within two business days. The daily fire log for the most recent 60-day period is available during regular business hours at the Stanford University Fire Marshal's Office, in Building B of the Environmental Safety Facility, 480 Oak Road, Stanford, CA 94305.

Memoranda from the Stanford University Administrative Guide and all other policy references are current at the time of printing.



Stanford University Department of Public Safety  
711 Serra Street  
Stanford, CA 94305  
Phone: **650-723-9633**  
24-Hour non-emergency line: **650-329-2413**

*This report has been compiled in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, the Violence Against Women Act, and the Higher Education Opportunity Act.*

*Safety on the Hopkins Marine Laboratory campus is a natural source of concern for students, parents and University employees. Education - the business of Stanford University - can take place only in an environment in which each student and employee feels safe and secure. Stanford recognizes this and employs a number of security measures to protect the members of its community. The local police force, students, and employees all share in the responsibility of making the program a safe place to study, work, and live.*



# The Stanford University Department of Public Safety



## ***A Message from Chief Laura Wilson***

*I want to thank you for taking the time to read this annual report and encourage you to become involved with the safety of the Stanford community. The Stanford University Department of Public Safety exists to provide a safe, secure environment that respects and encourages freedom of expression, the safe movement of people, and the protection of life and property, while upholding the United States Constitution and federal, state, and local laws and ordinances.*

*The members of the Stanford University Department of Public Safety are committed to providing high quality public safety services with a strong emphasis on customer service.*

### ***To accomplish this goal***

- *We pledge to honor the spirit and letter of the laws we are charged to uphold.*
- *We will dedicate our full attention to our duties in order to promote a safe environment while earning and maintaining the public's trust.*
- *We will endeavor to continually enhance our professional skills and knowledge.*
- *We will hold each other accountable for demonstrating professional and ethical behavior.*
- *We will actively identify and pursue opportunities to improve our department and the way we serve the campus community.*

*The hallmark of our service is constant dedication to the principles of **honesty, integrity, fairness, courage, and courtesy.***

**Stanford** | Department of  
Public Safety

# Reporting Emergencies and Crimes

Members of the Stanford community are encouraged to immediately and accurately report any criminal offense, suspected criminal activity, or other emergency directly to the law enforcement agency with jurisdiction where the crime occurred. For information related to the reporting of sexual assault, domestic violence, dating violence and stalking, see page 21.

|  |                       |
|--|-----------------------|
| <b>Emergencies</b>                               | <b>911</b>            |
| <b>Pacific Grove Police</b> non-emergency number | <b>(831) 648-7900</b> |
| <b>Administrator Judy Thompson</b> office phone  | <b>(831) 655-6249</b> |
| cell phone                                       | <b>(831) 915-7682</b> |
| <b>Director Stephen Palumbi</b> office phone     | <b>(831) 655-6214</b> |

## For Immediate Police, Fire, or Medical Response

Provide the dispatcher with a description of the incident type, location, time of occurrence, any injuries, weapons involved, the suspect, associated vehicles, and the direction of travel.

Start with the **what** and **where**: "My bike was stolen from outside (building name or address)."

Then **who**:

-Gender, height, hair color/style, eye color, and other features:

"I saw a male with white hair in a ponytail."

-Clothing (from top down) and any distinguishing characteristics:

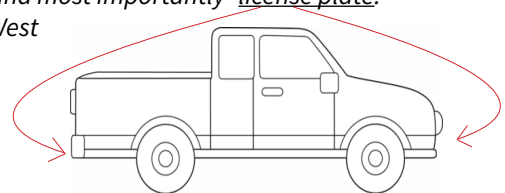
"He was wearing a blue shirt with a heart on the sleeve, black pants, and he was barefoot."

-Mode & direction of travel, such as car color, make/model, and most importantly- license plate.

"He put my bike in the back of a white truck and drove West on Main Street. The license plate is V876ASD." **OR**

"He went westbound on Main in a Ford F-150. It was white and had a black bed-liner." **OR**

"He is going toward the library on red mountain bike with black wheels."





# Reporting Emergencies and Crimes

## Responding to a Bomb Threat

**If you receive a telephone bomb threat** ► *Try to stay calm and gather information from the caller.*

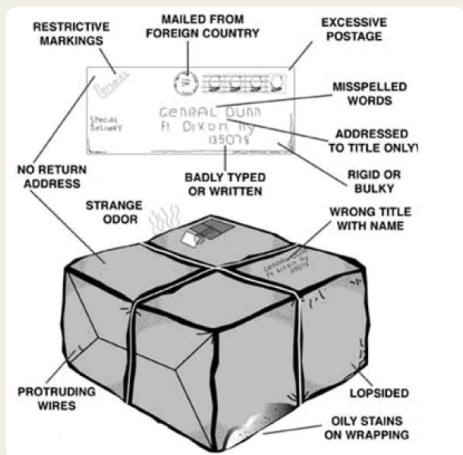
- Write down the apparent gender, age, and unique speech attributes of the caller.
- Note if anything can be heard in the background.
- If they do not tell you, ask the caller where the device is located and when it is set to detonate.
- Call **911** immediately and provide the details.

**If you receive a suspicious package** ► *Call 911 immediately.*

Advise others to move away from the area. If advised by the police to evacuate, follow the procedures on page 11.

**If you receive an email bomb threat or other threatening email** ► *Call 911 immediately.*

Do not delete the message. Law enforcement personnel will need all the details of the message for the investigation.



## Missing Person Policy

If you believe someone might be missing, notify the program administrator at **831-655-6249** (office) or **831-915-7682** (cell phone) immediately. Branch staff in receipt of information that a student may be missing, should immediately report the matter to the local police and call the Stanford Department of Public Safety as soon as possible. The Department of Public Safety can be reached 24 hours per day, seven days per week by calling **650-924-3209**. The Department of Public Safety will notify University officials.

US Federal law mandates that the University provide students with an option of specifying person(s) to contact in the event that he or she has been determined by the police to be a missing person. An option will be given to students to specify this person when they perform the Registrar's annual online check-in procedure. Federal law also requires the University to inform students that an emergency contact will be notified within (24) hours of the person being reported as missing. For non-emancipated minors, a custodial parent or guardian will be notified in addition to any listed emergency contact(s).

In addition to the minimum notifications that will be made under federal law, Stanford may make additional notifications as necessary as provided by FERPA to resolve a safety emergency; this could include notifying parents or guardians even when they were not specifically listed by a student as an emergency contact.

The accurate reporting of crimes helps keep the community informed and ensures institutional compliance with state and federal law. Anyone who experiences Prohibited Conduct <sup>1</sup> is encouraged to make an official report to the police and the University. No personal identifying information will be included in the annual report of crime statistics or any publicly-available record keeping, and the university will endeavor to keep the details of the Prohibited Conduct and the involved parties private.

### “Campus Security Authority” Defined

As defined by the Clery Act, a federal law codified in 20 U.S.C. § 1092(f), a Campus Security Authority (CSA) is: (1) A campus police department or a campus security department of an institution; (2) any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department under part (1) of this definition, such as an individual who is responsible for monitoring entrances into institutional property; (3) any individual or organization specified in an institution’s statement of campus security policy as an individual or organization to which students and employees should report criminal offenses; (4) an official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings. If such an official is a pastoral or professional counselor, the official is not considered a campus security authority when acting as a pastoral or professional counselor. If you have questions about whether your position or job functions meet the definition of a CSA, please contact the University’s Clery Compliance Coordinator (see page 7 for contact information).

When a CSA becomes aware of an incident that involves an ongoing or imminent threat to the community that might require a Timely Warning or Emergency Notification to be distributed, the CSA should call 9-1-1, immediately or as soon as practicably possible.

### Stanford University CSA’s

The following list denotes the positions or organizations at Stanford that have been identified as meeting the federal definition of a Campus Security Authority for the purposes of Timely Warning notifications and the annual statistical disclosure. The list is intended to be comprehensive, but certain positions may not be specifically listed.

- Law enforcement and security officers
- Contract security and access control monitors
- The Vice Provost of Residential and Dining Enterprises
- The Vice Provost for Student Affairs
- The Dean of Students
- The Director of Vaden Health Center
- Residence Deans
- Resident Fellows
- Residence Assistants and Community Assistants
- Athletic Coaches
- Title IX professional staff
- Office of Community Standards staff
- Study Abroad Directors
- Department of Athletics Red Coat staff
- Fraternity and sorority life professional staff
- Community Center Directors
- Student Activities & Leadership professional staff
- The Haas Center professional staff
- The Office of Sexual Assault & Relationship Abuse (SARA) Education & Response professional staff
- Graduate Life Office professional staff
- 5-SURE safety escorts

<sup>1</sup> See page 21 for additional information on Prohibited Conduct.



# Reporting Emergencies and Crimes Campus Security Authorities

## Persons Exempt From Reporting Clery-Reportable Crimes

The Clery Act specifically excludes the following persons from Clery reporting requirements when the person is operating in the course and scope of their license:

**Pastoral Counselor** – a person who is associated with a religious order or denomination and is recognized by that religious order or denomination as someone who provides confidential counseling within the scope of their position as a pastoral counselor.

**Professional Counselor** – a person whose official responsibilities include providing mental health counseling to members of the institution’s community and who is functioning within the scope of his or her license or certification.

Pastoral and professional counselors who learn about Clery-reportable crimes in the performance of their official duties are not required to report these crimes to the Clery Compliance Coordinator for inclusion in the annual security report or for the purposes of a Timely Warning. There is no specific University policy requiring pastoral and professional counselors to encourage victims of crimes to make an anonymous report for inclusion in compiling Clery Act statistics.

## CSA Responsibilities

Campus Security Authorities have reporting responsibilities under both federal and state laws. The university expects CSAs to be familiar with their obligations and to comply with these federal and state laws. The following pages provide greater detail about these legal obligations. CSAs are encouraged to review the actual laws for additional information and guidance. Resources to assist CSAs with their reporting obligations can be found at [police.stanford.edu](http://police.stanford.edu) under the heading ‘CSA Resources.’

## Federal Law – Clery Act (20 U.S.C. Section 1092(f))

Any CSA who becomes aware of a Clery-reportable crime, as noted below, that occurred on the main Stanford campus or property owned or controlled by the University (including off-site facilities and short-term “control” such as the rental of a room during a university sponsored trip) must report the incident to the University’s Clery Compliance Coordinator. The way to notify the Clery Compliance Coordinator is by sending an email with the relevant information (outlined on the following page) to:

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**Vince Bergado**

*Clery Compliance Coordinator*

*[secure-clerycsa@lists.stanford.edu](mailto:secure-clerycsa@lists.stanford.edu)*

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## Reporting Emergencies and Crimes Campus Security Authorities

The Clery reportable<sup>2</sup> crimes are:

- Murder/manslaughter
- Rape
- Statutory rape
- Incest
- Fondling
- Robbery
- Aggravated Assault
- Domestic violence
- Dating violence
- Burglary
- Vehicle theft
- Arson
- Stalking
- Hate crimes
- Alcohol laws violations
- Drug laws violations
- Weapons laws violations

Definitions of these crimes can be found on pages 43-45. Comparisons between the federal Clery definitions and the California Penal Code definitions can be found on pages 51-55.

There is no specified time frame for notifying the Clery Compliance Coordinator; however, the University

<sup>2</sup> A crime is "reported" when it is brought to the attention of a campus security authority or local law enforcement personnel by a victim, witness, other third party, or even the offender. It does not matter whether or not the individuals involved in the crime or reporting the crime are associated with the institution. What must be disclosed are statistics from reports of alleged criminal incidents. It is not necessary for the crime to have been investigated by the police, nor must a finding of guilt or responsibility be made to disclose the statistic. Unless the CSA has a job function at the university to conduct investigations, the CSA is not expected to investigate to comply with the Clery Act or the California Education code. A CSA should determine if anyone is in immediate danger or in need of medical attention. A CSAs reporting obligation for compliance with the Clery Act and the CA Ed Code sections 67380-383 is limited to: what type of crime occurred, where did it occur, when did it occur, and whether the crime involved violence (in which case notification to law enforcement is required in addition to reporting to the Clery Office). It is also not a CSA's responsibility to convince a victim to contact law enforcement if the victim chooses not to do so.

encourages individuals to notify the Clery Compliance Coordinator in a timely manner and as soon as practicably possible<sup>3</sup> so that a determination can be made as to whether it will be necessary or advisable to send an Immediate Notification or Timely Warning (see page 10) about the crime.

CSAs – other than those whose university function is to conduct investigations -- are not expected to investigate what has been told to them. For purposes of Clery compliance, a CSA does not need to provide the names of the involved persons to the Clery Compliance Coordinator.

Include the following information when notifying the Clery Office about a Clery-reportable crime.

- Type of crime (preferably with sufficient information to properly classify the incident)
- The location of the incident (as specific as possible)
- The date and time of the incident
- The date and time the incident was reported to the CSA

### Frequently Asked Questions

#### *May I report anonymously?*

Clery Compliance reporting does not require the names of involved persons; however, the name and contact information of the CSA making the report is required so that the Clery Compliance Coordinator can conduct follow up, if needed, to minimize the potential for an incident to be counted more than once.

#### *What happens to the information provided to the Clery Compliance Coordinator?*

The Clery Compliance Coordinator evaluates the information provided and determines 1) if a timely warning recommendation is warranted; 2) how to categorize the crime and location for statistical reporting purposes.

<sup>3</sup> Some organizations, such as Residential Education, have established procedures for employees to report Clery-reportable crimes to specified staff within the department or organization, and those individuals will report incidents to the Clery Compliance Coordinator. For example, Resident Assistants have been instructed to notify the Residence Dean (RD) of a Clery-reportable crime. The RD, in turn, notifies the Clery Compliance Coordinator.





# Reporting Emergencies and Crimes Campus Security Authorities

## ***What happens to the information provided the police?***

Depending on the jurisdiction, the type of crime, and the information provided to the police, some agencies may conduct a criminal investigation. It is more likely that the agency will make note of the crime without conducting an investigation, especially if the victim does not want to be identified (which means the name of the alleged perpetrator cannot be shared). A victim who wants a criminal investigation to be conducted is encouraged to notify local law enforcement in the jurisdiction where the crime occurred and file a police report.

## ***Do I have to report a sexual assault to the police, the Clery Compliance Coordinator and Title IX?***

Yes. There are different reporting requirements as well as some limitations as to what can be shared between the police and non-law enforcement.

## **Mandated Reporter**

In California, there are state laws requiring certain employees to report child abuse and elder abuse to local law enforcement. For explanations of what to report and the contacts for reporting known or suspected abuse, see pages 14-15 in the main campus Safety, Security, and Fire Report at [police.stanford.edu/security-report.html](https://police.stanford.edu/security-report.html).

Additionally, you may refer to specific Stanford Policies and resources at the Protection of Minors website at <https://rde.stanford.edu/conferences/minors-program> as well as the relevant Administrative Guide Section at <https://adminguide.stanford.edu/chapter-1/subchapter-8/policy-1-8-1>

## Emergency Notifications and Timely Warnings

In the event of a significant emergency or dangerous situation on campus that involves an immediate threat to the health or safety of the population, Hopkins Marine Lab will initiate, without delay, use of the Hopkins Marine Lab Emergency Contact List upon confirmation by first responders of the significant emergency or dangerous situation.

Taking into account the safety of the community, the notification will be sent to everyone via telephone calls, text messages, and/or emails, unless issuance of the notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. The content of the message will vary depending on the situation. The people who can initiate an emergency message include the Center Director and the Administrator.

The Stanford out-of-area information hotline can be reached at **1-844-ALERTSU (1-844-253-7878)** or **+1-602-241-6769** (from abroad).

## Crime Prevention Education Programs

Crime prevention is a top priority. During orientation, issues of general safety and crime prevention, acceptable computer use, student conduct, sexual harassment, and sexual abuse policies are reviewed.

University judicial policy applies year-round to all on-campus activities, and to any acts that threaten the safety and integrity of the University community regardless of where such acts occur.

## Personal Accountability

Students, faculty, and staff are responsible for their individual safety and the security of their property. Acting collectively, with others in mind, helps promote safety and security for the entire campus. EH&S provides resources for preparing and responding to a variety of emergencies at [ehs.stanford.edu](https://ehs.stanford.edu).

## Weapons on Campus

All weapons are prohibited on the Stanford and Stanford Branch Campuses except for local or government law enforcement officers. In addition to firearms, most knives that are capable of inflicting death by stabbing and all straight razors are prohibited. Weapons are also prohibited in student residences.

## Sex Offender Registry

California law requires sex offenders who are employed, volunteer, are a resident of, or enrolled as a student at an institution of higher education to register with the campus police. California's Megan's Law provides the public with certain information on the whereabouts of sex offenders. Go to [meganlaw.ca.gov](https://meganlaw.ca.gov) for more info. The existing provisions of Megan's Law address the requirements of the federal law known as the Adam Walsh Child Protection and Safety Act.

*The purpose of a Timely Warning is to notify the community about certain specified crimes so that community members may take appropriate precautionary measures to avoid being victims of similar crimes. As required by law, Timely Warnings will include general precautionary measures persons may implement to avoid harm. Individuals must assess their respective situations and decide if the precautionary measures are valid for their given situation.*



# Evacuation

Familiarize yourself with the evacuation procedures for any building; locate the nearest exit and fire extinguishers.

## Fire and General Evacuation Procedures

- ▶ **Report a fire or smoke** - *even if the fire has been extinguished*
  - Use fire alarm pull boxes AND
  - Call for emergency assistance.
  
- ▶ **If it is not safe to evacuate**
  - Close the door to the corridor and seal up cracks with wet towels .
  - Go to the window and open it a few inches.
  - Hang out a bed sheet or other large item to signal for help.
  
- ▶ **Evacuate** - Leave the building as soon possible when you hear the sound of an alarm in a campus building (drills are not an exception).
  
- ▶ **Report to the Program Administrator** - Account for yourself and notify the administrator if you know of anyone who is missing.
  
- ▶ **Choose a safe exit**
  - **Before opening a door**, check for warmth with the back of your hand:
    - *If warm*, leave the door closed and stuff towels or clothes in the cracks and open a window.
    - *If not warm*, open the door slowly (CAUTION: the doorknob may be hot) and be prepared to close it quickly, if necessary.
  - Close doors as you leave to confine the fire.
  - If you see or smell smoke in a hall or stairway, use another exit.
  - Never use elevators; always use the stairs.
  
- ▶ **Help others evacuate**
  - Knock on doors and check bathrooms as you leave.
  - Offer assistance to individuals with physical disabilities.
  
- ▶ **Be alert to suspicious persons or activity** - Immediately report any vandalism or tampering with an alarm.

Emergency Evacuation plans and maps are posted in hallways, common room, and gathering spaces.

### Violence on campus and in the workplace

Stanford University will not tolerate violence or threats of violence on campus or in connection with University events.

**Employees** who violate this policy (or who bring false charges) will be subject to corrective action, up to and including termination. Persons who violate the law are subject to arrest.

**Students** who violate this policy could be in violation of the Fundamental Standard\* and subject to disciplinary action ranging from a formal warning and community service to expulsion. Additionally, students who violate the law are subject to arrest.

[AdminGuide 2.2.11](#)

### See Something, Say Something

Report crimes, suspicious activity or behavior to the police immediately, including:

- ANY activity or behavior that poses an imminent threat to persons or property.
- Peeping or prowling.
- Solicitors (when prohibited inside student residences, per the Student Housing Residence Agreement).

### Lock It or Lose It

- Lock your doors and windows anytime you leave your office, residence, or room, especially on the first floor.
- Never prop open a door that should be locked.
- Don't allow "piggybacking" (when someone unknown to you tries to enter a locked building behind you).
- Immediately report broken or malfunctioning locks to a building/facility manager.
- Lock your vehicle and secure valuables in the trunk.
- Avoid becoming a target of thieves by securing items commonly stolen on campus:
  - Secure laptops in a closet or drawer, or secure them to a fixed object with a cable lock.
  - Never leave laptops or other mobile devices unattended.
  - Secure bicycles to a bicycle rack with a U-lock.

\*The Fundamental Standard has set the standard of conduct for students at Stanford since it was articulated in 1896 by David Starr Jordan, Stanford's first president: *Students at Stanford are expected to show both within and without the University such respect for order, morality, personal honor and the rights of others as is demanded of good citizens. Failure to do this will be sufficient cause for removal from the University.*



# Safety and Security

The University will not tolerate violence or threats of violence anywhere on campus or in connection with University-sponsored events. Persons who become aware of situations which pose an imminent threat to the safety of the community or one of its members, including self-harm, should call 9-1-1 immediately. Persons who become aware of situations which might pose a threat to the safety of the community or one of its members, including self-harm, are encouraged to consult with a member of the Threat Assessment and Management Team (see page 14 for additional information) or other appropriate University official in a timely manner.

## Behavioral Expectations

Behaviors do not have to violate the law or University policies to be worrisome. Violence may be preceded by behaviors that indicate an increasingly negative emotional state.

The behaviors listed on the right have been associated with a heightened risk for violence or self-harm<sup>4</sup> and should prompt a community member to notify a supervisor, a member of the Threat Assessment Team, or law enforcement by calling 9-1-1. These lists are not intended to be comprehensive.

### Imminently Dangerous ► Call 9-1-1

- Statements, written or verbalized, about harming oneself or others, especially if specific plans are mentioned
- Acquisition of weapons in the context of concerning or alarming behaviors listed below

<sup>4</sup> These behaviors have been adapted from a variety of sources including:

Deisinger, G., et al. *The Handbook for Campus Threat Assessment Teams*. Stoneham: Applied Risk Management, LLC, 2008. Print.

Work Trauma Services, Inc. *Warning Signs*. Web. 2012. <<http://wtsglobal.com/warning-signs>>

Curiale Hirschfeld Kramer LLP. "Managing Within the Law Workshop for Stanford University." Santa Monica. 2012. Print.

- Statements, written or verbalized, about harming oneself or others, especially if specific plans are mentioned
- Acquisition of weapons in the context of concerning or alarming behaviors listed below

**Alarming Behavior ► Notify the director or contact Threat Assessment and Management Team**  
[TAM4safety@stanford.edu](mailto:TAM4safety@stanford.edu)

- Verbally abusive of peers; disruptive or bizarre behavior
- Defiant of authority and believes rules do not or should not apply to them
- Sense of victimization or paranoia
- Change in appearance, declining hygiene
- Sending disturbing messages (e.g., texts, emails, letters)
- Coursework content that is disturbing
- Statements supporting the use of violence to resolve issues or a general obsession with violence or guns
- Distancing oneself from family, friends, or peers (suddenly or gradually)
- Vandalism of property out of revenge
- Stalking

### Concerning Behavior ► Notify the director

- Consistent interpersonal conflict
- Irritability or moodiness
- An inability or unwillingness to abide by policies or rules
- Increase in alcohol or drug use
- Social isolation and unexplained absenteeism
- Anger, intimidation, and bullying, especially without personal accountability or remorse
- Inappropriate reasoning, impaired judgment

### The Stanford University Threat Assessment & Management Team

The University's Threat Assessment and Management Team is comprised of professional staff who meet regularly to review best practices and current trends in behavioral threat assessment and to consult about matters of immediate concern. The Threat Assessment Team is committed to maintaining an environment where people feel safe to carry out the University's mission. Education, communication, collaboration, coordination of resources, and early intervention are the cornerstones of Stanford's violence prevention efforts. Contact the team at [TAM4safety@stanford.edu](mailto:TAM4safety@stanford.edu)

Team members include representatives from: Student Affairs, SUDPS, Counseling and Psychological Services (CAPS), Faculty and Staff Help Center, Ombuds, Human Resources (University, Medical School, SLAC), General Counsel, Risk Management, the Office of the President, and other departments, depending on the situation.

The responsibilities of the University Threat Assessment Team are to:

- Proactively develop procedures for response to actual or potential violence.
- Serve as a resource to develop appropriate response strategies.
- Review and coordinate training materials and programs.
- Periodically review and update Stanford's workplace violence policy.
- Develop contacts with outside threat assessment professionals.
- Keep current on legal issues related to workplace/academic safety and incident response.
- Stay abreast of developing trends both domestically and internationally.
- Deploy future forecasting models to anticipate developments.

### Reacting to an Active Threat (such as an Active Shooter)

**If an active threat is nearby** ► *Flee the area, if it is safe to do so.*

- Don't take time to gather your belongings.
- Put distance and buildings between you and threat. Leave the area.
- If you have information that will assist the police, such as the suspect description or location, call **9-1-1**.

**If escape is not an option** ► *Shelter in place and take steps to increase your safety, and if possible, others around you.*

- Lock and barricade doors. Seek cover (with others, if possible) by placing as much material as possible between you and the threat.
- Turn off lights (to make the area appear unoccupied).
- Close blinds and/or block windows.
- Silence cell phones (turn off vibration as well) but do not turn them completely off.
- Keep other occupants calm, quiet, and out of sight.
- As soon as it is safe to do so, notify law enforcement by calling **9-1-1**.
- Remain concealed until the threat has passed or you have been advised by law enforcement that you can exit.
- Do not sound the fire alarms unless there is a fire. Evacuation during an active threat event could place people in harm's way

**If confronted by an attacker** ► *Do everything in your power to overcome the threat.*

- Fight back as a last resort. Be aggressive and do whatever it takes to survive.
- Attack aggressively and in coordination with others, if possible.



# Safety and Security

- Throw objects or improvise other weapons (bags, fire extinguisher, office equipment, etc.).
- Do not approach emergency responders; let them come to you. Raise both your hands over your head. Otherwise, emergency responders may not be able to distinguish between victims and the person posing the threat.

If you are traveling internationally and you find yourself in need of immediate assistance, including situations in which you experience a medical emergency, there is political upheaval or a threat of violent protests and you need to get to safety, or a disaster threatens your wellbeing, Stanford may have resources to assist you. Information on the following resources can be found at [international.stanford.edu/help-travelers](https://international.stanford.edu/help-travelers)



## Resources

### SUDPS Active Threat Response Video and Resources

Visit the SUDPS webpage for a short animated video and links to additional resources to help you be prepared.

[police.stanford.edu/active-threat.html](https://police.stanford.edu/active-threat.html)

**Active Shooter Preparedness** (U.S. Department of Homeland Security)

[dhs.gov/active-shooter-preparedness](https://dhs.gov/active-shooter-preparedness)

## International Travel Assistance

Reporting crimes in other countries may require additional considerations, such as cultural, religious, and political principles in the region. Consultation with program administrators and trip leaders is recommended prior to contacting any local authority.

For a list of contact numbers relevant to Stanford international travel assistance programs, visit [internationaltravel.stanford.edu/emergencies](https://internationaltravel.stanford.edu/emergencies)

## Personal Travel Locator & Emergency Record

- Available for either business or leisure related travel
- Input your travel plans and contact information online so you can be located in the event of an emergency
- Store vital personal health, medical history, and vaccination information online so both you and medical providers can access it in case of an emergency

## Information Services

- Available for either business or leisure related travel
- Receive recommendations for vaccinations and reminder alerts when follow-up boosters are required
- Access country-specific information on disease prevention, hospital locations, translation services, and referrals to English-speaking doctors
- Get medical and security travel alerts, global security reports and risk ratings by country via email

## Medical Assistance Services

- Available for either business or leisure related travel
- Access clinics and doctor referrals around the world (Charges may apply)

## Evacuation Services for Medical or Other Emergencies

- Available for Stanford University academic, business or research related travel or participation in Stanford University programs
- Receive evacuation services in the event of a medical, natural hazard or political emergency.

As stated in Administrative Guide 2.2.8, *Controlled Substances and Alcohol*, it is the policy of Stanford University to maintain a drug-free workplace and campus. It is widely recognized that the misuse and abuse of controlled substances, illegal drugs (collectively called controlled substances<sup>5</sup>) and alcohol are major contributors to serious health problems and social and civic concerns. The health risks associated with the use of illicit drugs and the abuse of controlled substances and alcohol include various physical and mental consequences, including addiction, severe disability, and death. Information concerning the effects of alcohol and specific drugs is available from the Office of Alcohol Policy and Education at [\(650\) 725-5947](tel:6507255947).

**Stanford University does not tolerate reckless drinking — lawful or unlawful — and its consequent harmful behaviors.** As stated in the Student Alcohol Policy, members of the Stanford community are expected to abide by all federal, state, and local laws, including those governing alcohol consumption and distribution. Additionally, all members of the Stanford community are expected to make healthy choices concerning their personal use of alcohol, including understanding the physical and behavioral effects of alcohol misuse and preventative measures to ensure their own safety and that of their peers.

The Office of Alcohol Policy and Education (OAPE) oversees, manages, and holds authority for the application of the University's Student Alcohol Policy ([studentaffairs.stanford.edu/alcohol/policy](http://studentaffairs.stanford.edu/alcohol/policy)). It coordinates and implements programs and activities for students who do not drink or drink lightly, provides party planning registration and advising, and develops resources and services for students who need help for themselves or others related to alcohol use in accordance with Section 120 A of the Higher Education Opportunity Act.

### Authority, Application, and Enforcement

Separate from criminal sanctions, dangerous drinking and controlled substance behaviors may be subject to University disciplinary sanctions up to, and including, termination of employment of staff or expulsion of students. Violations may also be referred to the Office of Community Standards (for individual students) and the Organization Conduct Board (for student groups). The Vice Provost of Student Affairs may also take action in certain circumstances.

### Standards of Conduct, Policies and Procedures

Stanford University maintains extensive standards, policies and published information on alcohol and other drugs. These include the University Administrative Guide, the SU Student Alcohol Policy and reference materials on the OAPE website, [alcohol.stanford.edu](http://alcohol.stanford.edu). The Faculty Staff Help Center, a division of University Human Resources, provides employee-related resources and information on its Preventing Alcohol and Drug Abuse website.

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<sup>5</sup> Controlled substances are those defined in 21 U.S.C.812 and include, but are not limited to, such substances as marijuana, heroin, cocaine and amphetamines.





# Controlled Substances & Alcohol

| DFSCA Regulatory Requirement  | Stanford Standards, Policies, and Procedures   |
|---|--|
| A description of the health risks associated with the use of illicit drugs and the abuse of alcohol.  | <p>Descriptions of health risks are provided in the <b>Alcohol &amp; Drug Info</b> section at <a href="https://alcohol.stanford.edu/alcohol-and-other-drugs">https://alcohol.stanford.edu/alcohol-and-other-drugs</a></p> <p>The <b>Faculty Staff Help Center</b> provides employees information on health risks and the effects of alcohol and drugs in the workplace on their <a href="#">Preventing Alcohol and Drug Abuse website</a>.</p>   |
| Standards of conduct that clearly prohibit, at a minimum, the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on its property or as part of any of its activities. | <p><b>University Administrative Guide Memo (AGM) 2.2.8</b> Controlled Substances and Alcohol<br/><a href="https://adminguide.stanford.edu/chapter-2/subchapter-2/policy-2-2-8">https://adminguide.stanford.edu/chapter-2/subchapter-2/policy-2-2-8</a></p> <p>The <b>Fundamental Standard</b>, a student policy<br/><a href="https://communitystandards.stanford.edu/student-conduct-process/honor-code-and-fundamental-standard">https://communitystandards.stanford.edu/student-conduct-process/honor-code-and-fundamental-standard</a></p> <p>The <b>SU Student Alcohol Policy</b> has additional policies at <a href="https://alcohol.stanford.edu/home/stanford-university-student-alcohol-policy">https://alcohol.stanford.edu/home/stanford-university-student-alcohol-policy</a></p> <p>This document clarifies the University’s expectations and approach related to the use of alcohol by students.</p> <p><i>Preamble</i><br/><i>The Fundamental Standard has set the standard of conduct for students at Stanford since 1896. It states: “Students at Stanford are expected to show both within and without the University such respect for order, morality, personal honor and the rights of others as is demanded of good citizens.” Implicit in the Standard is the understanding that students are responsible for making their own decisions and accepting the consequences of those decisions.</i></p> <p><i>The University is committed to the health, safety and well-being of each member of the Stanford community. In order to further student learning, development and success and to promote the University’s academic mission, Stanford fosters an environment of personal and collective responsibility and respectful citizenship. This means that all members of the university community—students, faculty and staff—have a role in safeguarding a healthy learning environment free of the consequences of alcohol misuse.</i></p> |
| A description of any drug or alcohol counseling, treatment, or rehabilitation or re-entry programs that are available to students and employees.  | The Office of Alcohol Policy and Education website, <a href="https://alcohol.stanford.edu/students">https://alcohol.stanford.edu/students</a> , includes a list of on-campus and off campus resources.   |
| A disciplinary sanction may include the completion of an appropriate rehabilitation program.  | <b>AGM 2.2.8</b> , section 2. Policy, sub-section d. Rehabilitation states: “Successful completion of an appropriate rehabilitation program (including participation in aftercare) may be considered evidence of eligibility for continued or future employment or for reinstatement of student status.”   |

| DFSCA Regulatory Requirement   | Stanford Standards, Policies, and Procedures   |
|--|--|
| <p>A description of the applicable legal sanctions under local, State or Federal law for the unlawful possession or distribution of illicit drugs and alcohol.</p>   | <p>The <b>AGM 2.2.8</b>, section 5. Legal Sanctions<br/>           The unlawful manufacture, distribution, dispensing, possession, and/or use of a controlled substance or alcohol is regulated by a number of federal, state and local laws. These laws impose legal sanctions for both misdemeanor and felony convictions. Criminal penalties for convictions can range from fines and probation to denial or revocation of federal benefits (such as student loans) to imprisonment and forfeiture of personal and real property. Full text at <a href="https://adminguide.stanford.edu/chapter-2/subchapter-2/policy-2-2-8#anchor-23">https://adminguide.stanford.edu/chapter-2/subchapter-2/policy-2-2-8#anchor-23</a><br/> <a href="https://alcohol.stanford.edu/home/stanford-university-student-alcohol-policy-403">https://alcohol.stanford.edu/home/stanford-university-student-alcohol-policy 403</a></p> <p><b>Health and Safety Code §11550</b> - Use or under the influence of controlled substances. Full text at <a href="https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=HSC&amp;section-Num=11550">https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=HSC&amp;section-Num=11550</a></p> <p><b>Health and Safety Code §11357</b> - Possession of greater than 1 oz. of marijuana<br/> <b>Health and Safety Code §11357.5</b> - Furnishing, distribution, sale of, or giving synthetic cannabis<br/> <b>Health and Safety Code §11362.3</b> - (1) Smoking or ingesting cannabis products in a public place or (2) in a location where smoking tobacco is prohibited, or (7) while driving. Full text at <a href="https://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=HSC&amp;division=10.&amp;title=&amp;part=&amp;chapter=6.&amp;article=2">https://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=HSC&amp;division=10.&amp;title=&amp;part=&amp;chapter=6.&amp;article=2</a></p> <p><b>Health and Safety Code §11401</b> - Controlled substance analogs will be treated the same as other controlled substance classification<br/> <a href="https://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=HSC&amp;division=10.&amp;title=&amp;part=&amp;chapter=6.5.&amp;article=">https://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=HSC&amp;division=10.&amp;title=&amp;part=&amp;chapter=6.5.&amp;article=</a></p> |
| <p>A clear statement that the Institution will impose disciplinary sanctions on students and employees (consistent with local, State and Federal law), and a description of those sanctions, up to and including expulsion or termination of employment and referral for prosecution, for violation of the standards of conduct.</p> | <p><b>AGM 2.2.8</b>, section 2. Policy, states, “Violation of this policy may result in disciplinary sanctions up to and including termination of employment or expulsion. Violations may also be referred to the appropriate authorities for prosecution.”</p> <p>Per the <b>SU Student Alcohol Policy</b>, section Alcohol Policy Violations, the Office of Alcohol Policy and Education will work with various offices to address violations of the University’s alcohol policy as determined by the specifics of each situation.</p>   |



# Controlled Substances & Alcohol

| DFSCA Regulatory Requirement   | Stanford Standards, Policies, and Procedures   |
|--|--|
| Education and Awareness  |  |
| <p>The annual distribution in writing to each student who is taking one or more classes for any kind of academic credit except for continuing education units, regardless of the length of the student’s program of study, and employee.</p> | <p>Each fall the Department of Public Safety (DPS) issues the annual Safety, Security, and Fire Report via an email to all students and employees (including faculty) at the University to fulfill the Clery Act annual security reporting requirement. The report includes an “alcohol and controlled substances” section covering the annual notification requirements of DFSCA. The Report distribution list is based on a point-in-time extract by University Information Technology Systems Administration from the LDAP (Lightweight Directory Access Protocol). The LDAP is a software that enables searching of all student and employee directory information in Stanford University’s central information systems.</p> <p>In coordination with DPS, OAPE reviews and updates annually the “Alcohol and controlled substances” section of the Safety, Security, and Fire Report prior to distribution.</p> <p>In addition, University Human Resources issues the Annual Policy Update for Stanford employees, which includes information on the University’s controlled substances and alcohol policy.</p>  |
| Program Evaluation and Guidance  |  |
| <p>A biennial review by the Institution of its program to determine its effectiveness and implement changes to the program if they are needed.</p>   | <p>Each year, Stanford collects and reports on alcohol and drug use data related to undergraduate students to track trends, behaviors, attitudes and negative consequences. The report also includes results of the annual alcohol and drug behaviors and attitudes survey. The report is delivered to the Dean of Students and Vice Provost for Student Affairs and is evaluated with senior leadership.</p> <p>A report is delivered annually to campus stakeholders (Housing, Residential Education, Graduate Life Office, Fire Marshal, Stanford Police, Risk Management, Office of General Counsel, etc.). The report includes statistics on party planning, number of registered parties, categories of parties, grad versus undergrad parties, on campus versus off campus parties, etc.</p> <p>A report on underage drinking is delivered annually to the Santa Clara County Department of Alcohol and Drug Services in compliance with Stanford’s exemption from the Santa Clara County Ordinance on Social Host Responsibility.</p> <p>All alcohol and drug initiatives run out of the Office of Alcohol Policy &amp; Education have structured program evaluation mechanisms. This data is used to improve programs/policies and measure impact on campus.</p> <p>Each year students participate in the university Alcohol Advisory Board to provide input to senior leadership.</p> <p>Local Human Resources offices, in consultation with Employee &amp; Labor Relations, ensures that employees are given support to access the protected leave available to them when seeking treatment and that employees who violate Stanford policy are subject to discipline up to and including termination of employment.</p> |

## Alcohol & Drugs Effects

A comprehensive catalog of alcohol and drug effects, information and safety concerns can be found at:

<https://alcohol.stanford.edu/alcohol-and-other-drugs>

On-campus and off-campus resources can be found at:

<https://alcohol.stanford.edu/alcohol-drug-info/staying-safe/resources>

| Drug Type          | Examples   | Effects   | Risks  |
|--------------------|--|---|--|
| Alcohol            | Beer, wine, hard liquor  | Depressant – slowed central nervous system functioning; Impairments in reaction time, judgment, coordination and memory             | Dependency<br>Overdose<br>Accidents<br>Death |
| Cannabis           | Marijuana products (joints, blunts, edibles, tinctures, wax, etc.) | Distorted sense of time, space, memory and impaired coordination  | Dependency<br>Accidents                      |
| Stimulants         | Cocaine, methamphetamine, nicotine                                 | Increase central nervous system functioning. Elevated heart rate, hyperactivity, agitation, exhaustion, anxiety and depression      | Dependency<br>Overdose<br>Death<br>Accidents |
| Hallucinogens      | LSD, acid, mushrooms   | Distorted sense of reality, time, space, perceptions and sensations.  | Dependency<br>Psychosis<br>Accidents         |
| Prescription drugs | Pain medications, stimulant medications                            | Over exaggerated effects of the medications. Feelings of euphoria. Impairments in reaction time, judgment, coordination and memory. | Dependency<br>Overdose<br>Accidents<br>Death |



# Sexual Assault, Dating & Domestic Violence, and Stalking

Acts of sexual assault, dating violence, domestic violence, and stalking are unacceptable and will not be tolerated at Stanford University (Administrative Guide 1.7.3 and 2.2.11). Under Title IX, sexual assault, dating violence, domestic violence, and stalking are severe forms of sexual harassment, which is also prohibited (Administrative Guide 1.7.1). Hereafter, sexual assault, dating violence, domestic violence, stalking, retaliation related to a Prohibited Sexual Conduct allegations, and violation of a University directive or court order relating to Prohibited Sexual Conduct will be referred to collectively as “Prohibited Sexual Conduct.”

The University will continue to evaluate Prohibited Sexual Conduct policies and associated definitions. The policy references and definitions herein are accurate at the time of release and subject to revision. Please see the online Safety, Security and Fire Report at [police.stanford.edu/security-report.html](https://police.stanford.edu/security-report.html) for updates.

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## Stanford Policies Reference Guide

### Conduct Expectations

- Fundamental Standard (students only) - [communitystandards.stanford.edu/student-conduct-process/honor-code-and-fundamental-standard](https://communitystandards.stanford.edu/student-conduct-process/honor-code-and-fundamental-standard)
- Code of Conduct - [adminguide.stanford.edu/chapter-1/subchapter-1/policy-1-1-1](https://adminguide.stanford.edu/chapter-1/subchapter-1/policy-1-1-1)
- Prohibited Sexual Conduct & Sexual Assault Policy - [adminguide.stanford.edu/chapter-1/subchapter-7/policy-1-7-3](https://adminguide.stanford.edu/chapter-1/subchapter-7/policy-1-7-3)
- Sexual Harassment Policy - [adminguide.stanford.edu/chapter-1/subchapter-7/policy-1-7-1](https://adminguide.stanford.edu/chapter-1/subchapter-7/policy-1-7-1)
- Consensual Sexual or Romantic Relationships in the Workplace & Educational Setting Policy - [adminguide.stanford.edu/chapter-1/subchapter-7/policy-1-7-2](https://adminguide.stanford.edu/chapter-1/subchapter-7/policy-1-7-2)
- Violence in the Workplace - [adminguide.stanford.edu/chapter-2/subchapter-2/policy-2-2-11](https://adminguide.stanford.edu/chapter-2/subchapter-2/policy-2-2-11)

### Disciplinary Processes

- Stanford Student Title IX Investigation & Hearing (student respondent) <https://stanford.app.box.com/v/student-title-ix-process>
- Stanford Title IX Administrative Process (student complainant/non-student respondent) <https://stanford.app.box.com/v/TIXAdministrativePolicy>
- Addressing Conduct and Performance Issues (staff) - [adminguide.stanford.edu/chapter-2/subchapter-1/policy-2-1-16](https://adminguide.stanford.edu/chapter-2/subchapter-1/policy-2-1-16)
- Faculty Handbook - Statement on Faculty Discipline (faculty) <https://facultyhandbook.stanford.edu/4-core-policy-statements#4.3>

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## Definitions

Federal and state laws, regulations, and University policies each provide definitions for sexual assault, dating violence, domestic violence, and stalking (collectively “Prohibited Sexual Conduct”). Sometimes, these definitions differ from one another. State definitions are used by police and prosecutors to determine if a crime has been committed. Stanford generally models its definitions from state law, but there are some differences. University policy definitions are used to determine whether there has been the commission of an act of Prohibited Sexual Conduct and these definitions control whether University remedies or discipline will be imposed. The definitions prescribed by the Clery Act, a federal law, are used by all institutions in the United States to classify and report crimes under the Clery Act. The definitions that were in effect for the years reported in this publication are on pages 43-45. It is important to note the definitions in order to better understand how to interpret the statistical data.

## What to Do If You Have Experienced a Sexual Assault or Other Prohibited Conduct - The First Three Steps

### Address Individual and Community Safety / Seek Medical Attention

An individual's immediate safety and the safety of the community are the highest priorities. If an individual needs immediate medical attention or if there is an imminent threat to that person or others, call **9-1-1**.

### Seek Support and Explore Options

Students who experience Prohibited Conduct may seek confidential assistance from CAPS 24 hours assistance, **+1 650-723-3785**. CAPS provides confidential information regarding general options, although CAPS counselors will not be experts regarding police investigations or medical options. Program directors can assist with obtaining medical services and reporting incidents to local police authorities. Program directors are also able to provide interim accommodations. Formal reports to the University will be reported to the Title IX Coordinator. Under the Clery Act, the University must report crimes that occur at other campuses, but the information is recorded without any identifying information of the parties. Additional resources are available at [sexualviolencesupport.stanford.edu](https://sexualviolencesupport.stanford.edu).

### Collect & Preserve Evidence / Sexual Assault Forensic Exam (SAFE)<sup>6</sup>

Individuals who have experienced a sexual assault are encouraged to seek out, if available, a Sexual Assault Forensic Exam (SAFE) to be performed by a trained medical professional, as soon as possible 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, wipe, change clothes or brush their teeth prior to the exam, if possible. An exam is still recommended even if one or more of these actions have been performed.

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.

To collect and preserve evidence of Prohibited Conduct other than sexual assault, photograph injuries; retain emails, text messages, and phone records; and maintain a journal or other means to document incidents.

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<sup>6</sup> Sexual Assault Forensic Exam is also sometimes called a medical-legal exam, a Sexual Assault Response Team (SART) exam, or a Sexual Assault Nurse Exam (SANE).



# Sexual Assault, Dating & Domestic Violence, and Stalking

## Resources

The University is committed to providing information regarding on- and off-campus services and resources to all involved parties. A comprehensive website dedicated to sexual violence awareness, prevention, and support can be found at [sexualviolencesupport.stanford.edu](http://sexualviolencesupport.stanford.edu). Additionally, [wellness.stanford.edu](http://wellness.stanford.edu) provides links to on- and off-campus resources. The University will provide written notification to students and employees about counseling, health, mental health, advocacy, legal assistance, visa and immigration assistance, student financial aid assistance, and other services that are available to victims both on campus and in the community.

### Confidential Campus Resources

The following resources have the ability to keep a victim's name confidential and anonymous. Reporting an incident of Prohibited Conduct to one of these resources will not lead to a University or police investigation.<sup>7</sup>

- Stanford University Confidential Support Team  
+1 650-725-9955
- YWCA Silicon Valley Rape Crisis/Domestic Violence Hotline +1 650-493-7273 or +1 408-287-3000
- Counseling and Psychological Services (CAPS, for students only) +1 650-723-3785
- Faculty Staff Help Center (for faculty, staff, and post-docs) +1 650-723-4577
- Office for Religious Life +1 650-723-1762
- University & SoM Ombuds (See page 24, & footnote 10)

### Medical Resources<sup>8</sup>

- Vaden Health Center +1 650-498-2336, ext. 1
- Stanford Health Care Emergency Department  
+1 650-723-5111
- Santa Clara Valley Medical Center (SAFE exam<sup>9</sup>)  
+1 408-885-5000

<sup>7</sup> Pursuant to California Penal Code §§ 11165.7, 11166, and 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 is considered to be a child.

<sup>8</sup> Pursuant to California Penal Code §11160, medical clinicians are required to notify the police if they observe physical injuries they believe were caused by assaultive conduct, including sexual assault.

<sup>9</sup> See page 22 for additional information about the Sexual Assault Forensic Exam (SAFE).

## Statement of Principles

Stanford University and Stanford University Department of Public Safety are committed to the following principles regarding response to sexual assaults.

**Improving communication, coordination, and collaboration:** Enhance communication, coordination, and collaboration to remedy sexual assault and violence and hate crimes, and to respect the victim's confidential information.

**Championing campus and community safety:** Receive trauma-informed training to assist in the recognition that any allegation regarding sexual misconduct requires sensitive treatment and also directly impacts the real and perceived safety of all members of the campus community. Such training should also include trauma-informed interviewing techniques.

**Upholding the civil rights, civil liberties, and victim's rights:** Comply with state and federal laws in a manner that protects individuals' civil rights and liberties, while prosecuting crimes, championing justice for victims and protecting the legal rights of both the complainants and the accused; conduct thorough investigations in a manner that is fair and impartial; recognize explicitly the distinctions between criminal law and civil law and campus investigation and disciplinary proceedings in the handling of sexual violence that arise under both state and federal statutory frameworks.

**Centering the victim's needs in responses to sexual assault:** Institute specialized, trauma-informed responses developed in consultation with campus and community-based victim advocates.

**Ensuring accountability and auditing:** In an effort to promote greater transparency, implement means to self-monitor, record, and accurately maintain all reports of Part 1 violence crimes, hate crimes, and sexual assaults, their outcomes, and processes, while maintaining confidentiality where the law requires confidentiality.

**General Campus Resources:<sup>10</sup>**

- Sexual Assault & Relationship Abuse Education & Response Office (SARA) [650-725-1056](http://650-725-1056)  
[sara.stanford.edu](http://sara.stanford.edu) [650-721-4211, saraoffice@stanford.edu](mailto:saraoffice@stanford.edu)
- Title IX Office/Title IX Coordinator [650-497-4955](http://650-497-4955), [titleix@stanford.edu](mailto:titleix@stanford.edu)  
[titleix.stanford.edu](http://titleix.stanford.edu)
- Residential Education/House Staff [650-725-2800](http://650-725-2800)  
(Residence Deans, Resident Assistants, Peer Health Educators, Residence Fellows)  
*If there is no answer or if you have an urgent, after-hours issue, contact the campus operator at [650-723-2300](http://650-723-2300) and ask to be connected to the Undergraduate Residence Dean on call.*
- Graduate Life Office Deans [650-736-7078](http://650-736-7078)  
*If there is no answer or if you have an urgent, after-hours issue, call the 24-hour pager: [650-723-8222](http://650-723-8222), pager ID [25085](http://25085)*
- Office of Community Standards [650-725-2485](http://650-725-2485)
- Bechtel International Center (for international students)  
Shalini Bhutani, Asst. Vice Provost, Executive Director [sbhutani@stanford.edu](mailto:sbhutani@stanford.edu)
- ASSU Legal Counseling Office [650-375-2481](http://650-375-2481)  
[assu.stanford.edu/legal-counseling-office](http://assu.stanford.edu/legal-counseling-office)
- Sexual Harassment Policy Office [650-724-2120](http://650-724-2120)  
[harass.stanford.edu](http://harass.stanford.edu)
- Human Resources [650-723-5604](http://650-723-5604)  
[hr.stanford.edu](http://hr.stanford.edu) or [cardinalatwork.stanford.edu](http://cardinalatwork.stanford.edu)
- The Department of Public Safety [650-723-9633](http://650-723-9633)  
[police.stanford.edu](http://police.stanford.edu)
- University Ombuds [650-723-3682](http://650-723-3682)
- School of Medicine Ombuds [650-498-5744](http://650-498-5744)

**Off-Campus Resources**

- YWCA Silicon Valley Rape Crisis/Domestic Violence Hotline [650-493-7273](http://650-493-7273), [408-287-3000](http://408-287-3000)
- YWCA Support Line for Domestic Violence, Sexual Assault, and Human Trafficking [800-572-2782](http://800-572-2782)
- Planned Parenthood Mountain View [650-948-0807](http://650-948-0807)
- Next Door Solutions to Domestic Violence [408-279-2962](http://408-279-2962)
- Community Solutions [877-363-7238](http://877-363-7238)
- Santa Clara County District Attorney’s Office Sexual Assault Investigations Team [408-792-2793](http://408-792-2793)
- Santa Clara County District Attorney’s Office Domestic Violence Investigations Team [408-792-2537](http://408-792-2537)
- National Domestic Violence Hotline [1-800-799-SAFE \(7233\)](http://1-800-799-SAFE)
- Rape, Abuse & Incest National Network Hotline [1-800-656-HOPE \(4673\)](http://1-800-656-HOPE)

<sup>10</sup> These resources are obligated to report Prohibited Conduct to the Title IX Office, when a student is involved. Some of these individuals may also be required to notify the police. See pages 6-9 for more information about reporting obligations and information that is required to be reported to law enforcement.





# Sexual Assault, Dating & Domestic Violence, and Stalking

## Confidentiality of Information

The University will make reasonable and appropriate efforts to preserve an individual's privacy and protect the confidentiality of information. Because of laws relating to reporting and other state and federal laws, the University cannot guarantee confidentiality to those who report incidents of Prohibited Sexual Conduct except where those reports are privileged communications with those in legally protected roles (see "Confidential Campus Resources" on page 23).

The University has an obligation to evaluate, and sometimes investigate, reports of Prohibited Sexual Conduct made to non-confidential resources. If a victim requests confidentiality, the University's ability to respond may be limited, including pursuing discipline 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 sexual violence or other violence, whether the sexual violence was perpetrated with a weapon or with extreme force, the age of the student, and the ability of the University to obtain evidence by other means. The University takes seriously requests for confidentiality, while at the same time considering its responsibility to provide a safe and nondiscriminatory environment for all students and the University community.

In responding to a report, the University will maintain as confidential any accommodations and protective measures taken on behalf of a victim or impacted party, to the extent that such confidentiality will not impair the actions taken in the response. If a formal University investigation is conducted against a student, staff, or faculty member, then the accused will be provided with a summary of the concern and will be given an opportunity to respond.

During University investigations, the identities of impacted parties and witnesses are generally shared with the accused. 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 minor.

In California, per Penal Code 293(a), a police officer is required to ask a victim of certain specified crimes, including some forms of sexual assault and domestic violence, if he or she wants his or her name to remain confidential. 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 the victim's 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.

A victim or impacted party's personally identifiable information will not be included in publicly available documentation required by the Clery Act, such as the crime log.

## Reporting Prohibited Sexual Conduct to Stanford

An individual who has been subjected to Prohibited Sexual Conduct has the option to notify law enforcement authorities and have the matter investigated by the campus police or agency with jurisdiction. Additionally or alternatively, an individual who has been subjected to Prohibited Sexual Conduct on campus or in association with a University-sponsored event may report the incident to the University for a University (internal) investigation. When University staff in non-confidential roles become aware of a student who has been subjected to Prohibited Sexual Conduct, the incident will be reported to the Title IX Office.

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### Student-Involved Incidents

Reports of Prohibited Sexual Conduct involving a student or students should be reported to Stanford's Title IX Coordinator. Students who would like support with this process may contact the SARA Office.

- ▶ Title IX Office / Title IX Coordinator  
[650-497-4955](tel:650-497-4955), [titleix@stanford.edu](mailto:titleix@stanford.edu)
- ▶ SARA: Office of Sexual Assault & Relationship Abuse Education & Response  
[650-725-1056](tel:650-725-1056), [saraoffice@stanford.edu](mailto:saraoffice@stanford.edu)  
[sara.stanford.edu](http://sara.stanford.edu)
- ▶ Callisto [stanford.callistocampus.org](http://stanford.callistocampus.org)

### Faculty, Staff, and Third-Party Incidents (no student involvement)

Reports of Prohibited Sexual Conduct involving faculty, staff, and third parties, and in which there is no student involved, should be reported to:

Sexual Harassment Policy Office  
[650-724-2120](tel:650-724-2120) or [harass@stanford.edu](mailto:harass@stanford.edu)  
[harass.stanford.edu](http://harass.stanford.edu)

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A criminal investigation is separate from Stanford's own internal investigative processes, and the two distinct processes may proceed simultaneously. In some cases, the University process may be delayed at the request of law enforcement. An individual who has been subjected to Prohibited Sexual Conduct may also decline to notify police or University authorities. University employees who become aware of Prohibited Sexual Conduct may be obligated to report the conduct to the University.

## The Callisto Reporting Tool

In response to student requests, Stanford has partnered with Callisto to provide another reporting option for Stanford students who experience Prohibited Sexual Conduct.

Callisto allows a complainant to securely record information about the incident and make choices about what they wish to do with the information. The Callisto tool can send the information directly to the university Title IX Coordinator, or the information can be stored until another complainant identifies the same respondent, which is called Matching. When cases are matched, the stored information is forwarded to the Title IX Coordinator. Alternately, the information can be stored while the complainant considers their options and how best to obtain the help they need.

Callisto does not release any information to the University until the complainant decides to send it out or the matching takes place. Callisto does not forward information to the Police.

To use Callisto or to learn more about it, go to [Stanford.callistocampus.org](http://Stanford.callistocampus.org).

## Employees Required to Report Prohibited Conduct

Various state and federal laws mandate that certain university employees report certain types of conduct. Refer to page 9 for information about the mandated reporting of



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child abuse and neglect. Responsible Employees and Campus Security Authorities (CSAs), defined below, are two classifications that apply to University employees and affiliates with reporting obligations.

If you have questions about your legal obligations, contact the Office of the General Counsel at [ogc.stanford.edu/contact](http://ogc.stanford.edu/contact) or **650-723-9611**.

## Responsible Employee (Title IX)

Per federal law, except for University-recognized confidential resources (see *Confidential Resources* on page 23), certain university faculty and staff, including student staff, with knowledge of concerns relating to Prohibited Conduct are expected to report any allegations of Prohibited Conduct involving students to the Title IX Coordinator.

Staff who are required to report Prohibited Conduct to the Title IX Office include: (i) supervisors; (ii) staff within Residential Education; (iii) Vice Provost for Student Affairs; (iv) Vice Provost for Undergraduate Education; (v) Vice Provost for Graduate Education; and (vi) staff and faculty who have responsibility for working with students in the following capacities: (a) teaching, (b) advising, (c) coaching, or (d) mentoring.

Reports should be provided to the Title IX Office / Title IX Coordinator at [titleix@stanford.edu](mailto:titleix@stanford.edu), or **650-497-4955**.

## Campus Security Authority (Clery Act)

A Campus Security Authority who receives a report of a sexual assault, a violent crime, a hate crime, or an attempt to commit one of these crimes shall immediately, or as soon as practically possible, notify the Clery Compliance Coordinator via email at [secure-clerycsa@lists.stanford.edu](mailto:secure-clerycsa@lists.stanford.edu)

See pages 6-9 for more detailed information about CSA reporting obligations.

## University Response to Reports of Prohibited Conduct

### Overview

The University's first priority is to ensure a victim's immediate safety and the safety of the community. If a victim needs medical attention or if there is an imminent threat to the victim or others, call **9-1-1** for emergency assistance.

Tending to a victim's physical and emotional well-being is the next priority. University staff should encourage a victim to seek support from professional resources either on- or off-campus and provide a written list of resources. See pages 23-24 for a detailed list of on- and off-campus resources.

When a report of Prohibited Sexual Conduct is made to a non-confidential University resource, the University resource will promptly notify either the Title IX Coordinator (when the incident involves a student) or the Sexual Harassment Policy Office (when the incident involves faculty, staff, or third parties, and there are no students directly involved). If the person receiving the report is a Campus Security Authority and the crime being reported is a sexual assault, another violent crime, a hate crime, or an attempt of any of the preceding crimes, then the CSA must, as soon as practically possible, notify local law enforcement where the crime took place. For more information about CSA obligations, refer to pages 6-9.<sup>11</sup>

The Title IX Coordinator or staff from the Sexual Harassment Policy Office will evaluate the situation and determine if interim safety measures and other accommodations, such as housing, academic, or work assignments, need to be implemented. Consultation with other departments – such as the Office of the General Counsel, Student Affairs, and Human Resources– may occur. The parties will be provided with written rights and options when prohibited conduct is reported.

<sup>11</sup> A victim may elect to have their identity withheld from the required notification to the police. If the victim wishes to remain anonymous to the police, the name of the alleged assailant shall also be withheld, per CA Education Code § 67380(6)(A).

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In all instances, consideration will be given to respecting the privacy of persons and information. At the investigation phase, information will only be shared with a limited, need-to-know, group of personnel who have responsibilities for managing the situation.

Per federal law, the University has an obligation to assess all reports of Prohibited Sexual Conduct and redress the effects. Reports of Prohibited Sexual Conduct will be formally investigated by the University (subject to the balancing test described in the section “Confidentiality of Information” on page 25).

The victim’s wishes will be considered when implementing interim safety measures. If the circumstances indicate that there is a threat to others in the community, the University may opt to undertake a University proceeding even if the victim declines to participate. The University’s ability to impose discipline (on-going sanctions) for students may be limited if a victim elects to not participate in the University’s disciplinary process. For more information about each of these processes, refer to the *University Investigations and Proceedings* section that follows. After an alleged act of Prohibited Sexual Conduct, if requested by the victim and reasonably available, the University will provide interim safety measures, and dependent upon the outcome of the investigation, ongoing accommodations that can include changes to academic and living situations.

Victims of Prohibited Sexual Conduct or those who have been threatened with harm may be entitled to court-ordered protection against the person who committed or threatened harm. Beyond court ordered options, the University might also issue a “No Contact” or similar directive as an interim measure prior to an investigation or as an ongoing accommodation. Following a determination of responsibility, the University may also issue a Stay Away Letter prohibiting a person from coming onto Stanford’s private property enforced under trespass laws.

### University Investigations and Proceedings

In addition to any criminal or civil proceedings, the University may hold its own proceedings. A proceeding is a formal investigatory and resolution process conducted by the University, the type of which is determined by the nature of the alleged violation of University policy, that entitles the victim (Complainant) and the accused (Responding Party) certain rights and responsibilities (see page 30). Proceedings shall provide a prompt, fair, and impartial investigation and resolution in accordance with university policy. Proceedings shall be conducted by officials who receive annual training on the University’s Title IX policies and procedures and issues related to sexual violence, including sexual assault, relationship (dating and domestic) violence and stalking and how to conduct an investigation and hearing process. Specifically, the training covers trauma-informed methods for how to interview individuals subjected to sexual violence, evidentiary standard, consent and the potential impact of alcohol/drugs, appropriate remedies and sanctions, how to weigh evidence and judge credibility, types of sexual violence, the effects of trauma, and awareness of cultural differences.

### Student-Related Proceedings

The Title IX Coordinator evaluates reports of alleged Prohibited Sexual Conduct and determines if interim safety measures are appropriate and whether to conduct a Title IX investigation. In order for a student to be disciplined (e.g., suspension, expulsion), a student disciplinary hearing must take place. The standard of proof is preponderance of the evidence.<sup>12</sup> For more information about these proceedings, refer to the information beginning on the following page. In the event the Complainant is a student and the Responding Party is a faculty or staff member or other university affiliate, the Title IX investigation will be the basis for discipline, a disciplinary proceeding or sanction. Refer to the next section for more information.

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<sup>12</sup> The preponderance of evidence standard requires that evidence demonstrate that it is more likely than not that a violation occurred. This standard is applied in compliance with CA Ed. Code § 67386(a)(3).



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## Faculty and Staff Proceedings

Any entity conducting an investigation of a University faculty or staff member for Prohibited Sexual Conduct that does not involve students should consult with the Sexual Harassment Policy Office. If a student is involved, the investigator must also consult with the Title IX Coordinator.

See page 34 for additional information on proceedings with a non-student Respondent.

## Title IX Investigation and Hearing

Stanford University has developed the Title IX Investigation and Hearing process as part of its commitment to address sexual violence. The process, effective February 1, 2016, arises out of the April 2015 Report of the Provost's Task Force on Sexual Assault Policies and Practices, which included recommendations for a new streamlined Title IX student investigation and disciplinary process on a pilot basis. This process sets forth fair and equitable procedures to review and adjudicate sexual violence allegations made against students.

This process will be relied on to implement legal obligations in conjunction with Administrative Guide 1.7.3, which prohibits the following conduct: Sexual Harassment, Sexual Assault, Relationship Violence (domestic violence and dating violence), and Stalking. This process will also be used to address complaints of retaliation/intimidation and violations of University or court-ordered directives related to the aforementioned conduct (collectively, Prohibited Sexual Conduct). Additionally, this process may also address related policy and Fundamental Standard charges that stem from the same allegations as the charged Prohibited Sexual Conduct.

### Overview

The Student Title IX Process starts with an investigation phase undertaken by the Title IX Office. Following the

investigation, the Title IX Coordinator will make a decision about whether to charge the Responding Student with Prohibited Sexual Conduct. A decision not to charge can be appealed. Generally, a matter that is charged will go into the hearing process; however, in certain instances, where the Title IX Coordinator finds there is not a significant dispute among the parties and the Title IX Office about the proper outcome, the Title IX Office may suggest a non-hearing resolution.

If a matter proceeds to a hearing, both parties will have an opportunity to review and object to the evidence. Any objections will be heard by a third-party Evidentiary Specialist. The evidence and each party's response to the hearing file will go to a panel of three trained decision-makers comprised of faculty, staff, and graduate students. A finding of responsibility must be unanimous as must be a decision to expel. A sanction less than expulsion can be reached on a majority vote. Both parties have the right to appeal a panel's decision on responsibility and/or sanctions.

There is no specific time frame for individuals who have experienced Prohibited Conduct to make a formal University report pursuant to this process. Individuals are, however, encouraged to make a report soon after the incident in question in order to maximize the University's ability to investigate and reach a finding.

### Confidentiality

Should the University become aware of a concern that Prohibited Sexual Conduct is alleged to have occurred, the Title IX Coordinator has an obligation to review the available information and determine whether to proceed to an investigation. The Complainant may ask the University not to disclose the Complainant's identity to the Responding Student. Should a Complainant make such a request for confidentiality, the Title IX Coordinator will inform the Complainant that the University's ability to respond to the allegations and investigate may be limited if the request is granted. A Complainant who initially requests confidentiality is not prohibited from later waiving confidentiality and requesting that the University conduct a full investigation.

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The Title IX Coordinator will inform the Complainant that due to federal and state laws, it is not always possible to guarantee confidentiality regarding incidents of Prohibited Sexual Conduct. Under those laws, the University's decision to share information with others is subject to a balancing test that requires the University to consider a range of factors when a Complainant's request for confidentiality would preclude a meaningful investigation or potential discipline of the Responding Student.

These factors include, but are not limited to:

- multiple reports of Prohibited Sexual Conduct relating to a single Responding Student;
- a report that Prohibited Sexual Conduct involved a weapon, physical restraint or battery;
- the age of the Complainant; and
- the availability of other University means to obtain relevant evidence.

If a request for confidentiality is granted, the Title IX Office will retain information regarding the report, including the name of the Responding Student (if known), in its internal database for tracking purposes, noting that the report was not fully investigated. Even under circumstances where confidentiality is granted and there is no adjudicated finding of the matter, there are support resources and services available to assist such students.

If the Title IX Coordinator determines that the University cannot honor the request for confidentiality and must disclose the Complainant's identity to the Responding Student and pursue an investigation, it will inform the Complainant before making this disclosure and put in place Interim Measures as necessary to protect the Complainant and the Stanford community.

### Interim Measures

Once an individual has come forward with a concern of Prohibited Sexual Conduct or the Title IX Coordinator is otherwise made aware of such a concern, the University will promptly take steps to ensure that the Complainant has equal access to the University's educational programs and activities and to protect the Complainant as necessary, including taking Interim Measures before the final outcome of an investigation.

Interim Measures are determined on a case-by-case basis and may include housing accommodations, counseling services, academic accommodations, no-contact directives, stay-away letters/campus bans, escorts, limitations on extracurricular or athletic activities, and removal from the University community.

### Support During the Investigation & Hearing Process

Parties are encouraged to seek the help of a Support Person during this process. The University has identified and trained staff members to serve as Support Persons for students. For example, all Residence Deans and Graduate Life Deans are able to serve as Support Persons. Or, a party may elect to identify an attorney to serve as their Support Person. The University has identified local attorneys who are willing to advise the Complainant or the Responding Student going through the process for a total of nine hours of consultation. The Support Person serves as an advisor to the party. While an advisor may offer guidance to a party, each party is expected to submit their own work, which should be signed by the party attesting it is their work.

The Support Person may not speak or advocate on behalf of the party in University proceedings. Stanford students are expected to speak for themselves and express themselves, including in writing, on all matters relating to University concerns, including Title IX-related matters and Prohibited Conduct. Only one Support Person will be allowed to accompany a party into the hearing room. Each party may elect to identify an attorney to serve as their Support Person, and to accompany them in the hearing room. While a Support Person may be an attorney, the attorney has no different role in the process and serves as a Support Person in the same capacity as a non-attorney.

### Responsibilities & Rights of the Parties & Witnesses

During an investigation and hearing under this process, the parties and witnesses have the following responsibilities and rights.

#### A. Responsibilities of the Parties and Witnesses

1. The responsibility to be truthful, to cooperate with the process, and to follow the directions of University



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1. staff and agents responsible for administering this process
2. The responsibility not to retaliate against or intimidate any individual who has reported a Title IX concern or who has participated as a party or witness in the process
3. The responsibility to keep confidential (by not disseminating beyond Support Persons or advisors) documents and materials received from the University during this process and, as part of this responsibility, to destroy, when so directed by the University, all documents provided by the University, except for Outcome Letters

## B. Rights of the Parties and Witnesses

1. The right to be reasonably protected from retaliation and intimidation where one has reported a Title IX concern or participated as a party or witness in the process
2. The right not to be disciplined for drug and alcohol violations (relating to voluntary ingestion) or similar Fundamental Standard offenses in connection with the reported incident that do not place the health or safety of any other person at risk

## C. Rights of the Parties

1. The right to a Support Person to advise the party
2. The right to receive a written Notice of Concern that provides sufficient detail about the allegations and the applicable University policies for the Responding Student to be able to respond and for both parties to understand the scope of the investigation
3. The right to decline to give a statement about the allegations or attend a hearing
4. The right to participate in the investigation, including by identifying witnesses and identifying and/or providing relevant information to the investigator
5. The right to receive a written Notice of Charge or a No Charge Decision
6. The right to review the Hearing File at the point of a Charge or No Charge Decision
7. The right to object to the inclusion or exclusion of information or witnesses in the post-charge

1. Hearing File, including by requesting a review by an Evidentiary Specialist
2. The right to have the matter heard by a neutral Hearing Panel consisting of three trained panelists who will determine the matter using a preponderance of the evidence standard and who will not prejudge the outcome of a case because there has been a charge
9. The right to receive an Outcome Letter
10. The right to appeal the outcome
11. The right to receive an Appeal Outcome Letter

In a circumstance in which the complainant is deceased, the next of kin shall receive written notification of the outcome of the investigation and hearing process.

## Formal Investigation

The formal investigation phase begins when the Title IX Coordinator issues a Notice of Concern. After the Notice of Concern is issued, the Title IX Coordinator will assign an Investigator to the matter.

The Investigator may gather information about the allegation(s) in multiple ways. The Investigator may collect documents and other information and may also interview parties and/or witnesses. In addition, a Complainant or Responding Student may:

- submit documentary information to the Investigator;
- submit a list of witnesses to be interviewed by the Investigator; and/or
- request that the Investigator attempt to collect documents and other information that are not accessible to the requesting party.

## Potential Outcomes of Investigation: No Charge Decision, Non-Hearing Resolution or Charge Decision, Withdrawal of Complaint

Following an investigation, or possibly during the investigation in the event of a Non-Hearing Resolution or withdrawal of the complaint, the Title IX Office will adopt one of the following options:

**1. No Charge Decision** If the Title IX Coordinator concludes that a reasonable Hearing Panel could not find by

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preponderance of the evidence that the alleged Prohibited Conduct occurred, no charge will issue, and the Title IX Coordinator will issue an Outcome Letter. The Outcome Letter can be appealed.

**2. Non-Hearing Resolution** If the Title IX Coordinator concludes that a reasonable Hearing Panel could find by a preponderance of the evidence that the alleged Prohibited Sexual Conduct occurred, but there is not a significant dispute among the parties and the Title IX Office about the proper outcome of the matter (including administrative remedies and disciplinary sanctions), the Title IX Office may suggest to the parties a resolution without a hearing. In no case shall the parties be required to engage in discussions together regarding a proposed resolution.

- A non-hearing resolution is not available if a party objects to such a resolution.
- Non-hearing resolutions will result in an Outcome Letter.
- The administrative remedies and disciplinary sanctions will have the same force and effect as though they were imposed following a hearing.
- Non-hearing resolutions cannot be appealed.

**3. Charge Decision** If the Title IX Coordinator concludes that a reasonable Hearing Panel could find by a preponderance of the evidence that the alleged Prohibited Sexual Conduct occurred and that a Non-Hearing Resolution option is not feasible, the Title IX Coordinator will notify both the Complainant and the Responding Student in writing that the matter has been charged and referred to a Hearing Panel to decide the matter.

Specifically, the Charge Letter will contain (1) the specific allegations of Prohibited Sexual Conduct; and (2) the applicable University Policy.

**4. Withdrawal of a Complaint** A Complainant may notify the Title IX Coordinator at any time that the Complainant does not wish to proceed with the investigation and/or hearing process. If such a request is received, the Title IX Coordinator will inform the Complainant that the University's ability to respond to the allegation may be limited if the allegations are withdrawn. If a Complainant withdraws a concern, the Title IX Coordinator will engage in the same balancing test as she would if the Complainant requested confidentiality to determine whether to terminate the investigation or hearing.

### Hearing Schedule

Generally, the University will seek to reach a Non-Hearing Resolution or to complete a hearing within 60 calendar days from the date of issuance of the Notice of Concern, although the University will not compromise a thorough and fair process in order to meet the 60-day guideline. Additionally, the University will seek to conclude any post-hearing appeal and to issue the Appeal Outcome Letter within 15 calendar days after receipt of all appeal materials from the parties. These timelines may be extended for University breaks or other reasonable delays, such as extensions granted to the parties upon a showing of good cause. Written notice of and the reason for a delay will be provided to all parties. If a deadline falls on a weekend or holiday, there will be an automatic extension to the next business day.

The University will strive to complete an investigation and make a charging decision within 20 calendar days. The Complainant and Responding Party will receive notification of the outcome of the investigation and/or hearing, simultaneously and in writing, including procedures for or changes due to appeal, and upon results becoming final.

### Extensions

Extensions are only granted for good cause. A request for an extension must be made, in writing and with reasons provided, to the Hearing Coordinator. The Hearing Coordinator will endeavor to respond to an extension request promptly, in writing, ideally within 24 hours.

### Hearing Panel

Each case will be heard by a panel of three trained panelists, selected from a pool consisting of faculty, staff and graduate students appointed by the Provost. The panelist pool will be diverse and representative of the Stanford community. For the selection of faculty panelists, the Provost will receive candidates from the Faculty Senate Committee on Committees. For the selection of graduate student panelists, the Provost will review candidates with the Graduate Student Council. No panel will include more than two individuals of any of these categories, and it is not necessary for any particular group to be represented on a panel.





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The Hearing Panel will meet with the parties and witnesses for the purpose of making findings of fact. The names of the panelists will be provided to the parties in advance of the hearing. No person who has a conflict of interest may serve on the Hearing Panel. A conflict of interest exists if the panelist has prior involvement in or knowledge of the allegations at issue in the case, has a personal relationship with one of the parties or witnesses, or has some other source of bias.

Using a preponderance of the evidence standard, the Hearing Panel will determine responsibility based on the contents of the Hearing File and the parties' and witnesses' statements and responses to questions. A finding that the Responding Student has violated university policy or a university directive must be unanimous.

## Sanction

Upon a finding of responsibility, the process will move to the Sanction Phase. The parties may submit a statement regarding discipline that is no more than 1,500 words in length. This document is the opportunity for the parties to suggest disciplinary outcomes and to provide aggravating or mitigating circumstances for the Hearing Panel to consider. The Hearing Coordinator will set a date for the Hearing Panel to meet for the Sanction Phase. The parties do not meet with the Hearing Panel during this phase. At the Sanction Phase, the Hearing Panel will receive:

- the sanction statements;
- notice of the interim measures that were in place during the process; and
- notice of any disciplinary history of the Responding Student.

The sanction determination will be provided to the Title IX Coordinator who will determine the appropriate remedies. The Title IX Coordinator will then issue written Outcome Letters to the parties that will include a description of the sanctions and the remedies. The Title IX Coordinator will provide the Office of Community Standards with copies of the Outcome Letters for the purpose of maintaining a disciplinary record for the responsible student.

As outlined in the Stanford Student Judicial Charter, and further defined in the Stanford Student Conduct Penalty Code, sanctions that can be imposed for students include:

- Formal warning
- Probation
- Counseling and education
- Deprivation of rights and privileges
- Loss of a university staff position
- Monetary restitution
- Community service
- Delayed degree conferral
- Suspension or conditional suspension
- No contact order
- Expulsion / campus ban

## Appeal

The parties may appeal the Outcome Letter. Each party may submit a written appeal of up to 6,000 words in length, which will be shared with the other party. The parties must submit the appeal by the date determined by the Hearing Coordinator, generally 10 calendar days from the receipt of the Outcome Letter. The grounds for appeal are limited to the following:

1. Were there any procedural irregularities that substantially affected the outcome of the matter to the detriment of the appealing party?
2. Was there any substantive new evidence that was not available at the time of the no charge decision or hearing and that could not have been available based on reasonable and diligent inquiry that would substantially affect the outcome of the decision?

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3. Is the decision on the findings one that a reasonable Investigator (in an appeal of a no charge decision) or Hearing Panel (in an appeal of a finding of responsibility and/or sanction) might have made?
4. For matters that proceeded to sanctioning and imposition of remedies, are the sanction and/or remedies ones that could have been issued by a reasonable person given the findings of the case?

For matters in which the decision of the Appeal Officer is to uphold a determination to expel a student, the Provost will have the final review of the matter. Both the Responding Student and Complainant are permitted to write a letter to the Provost of no more than 3,000 words in opposition to or support of the expulsion.

During this process and after a Responding Student has been found responsible for engaging in Prohibited Conduct, if there is a new allegation that the Responding Student has violated a Court Order or University Directive relating to the matter, the Title IX Coordinator will expeditiously investigate the concern.

### Non-Student Respondents

If after assessing a concern, the Title IX Coordinator determines there is sufficient basis to initiate a Title IX investigation, the Title IX Coordinator or designee will meet with the Complainant, when possible, to provide information about a Title IX investigation. A copy of this procedure will be provided to the Impacted Party. Before beginning an investigation, the Title IX Coordinator will contact the Complainant and request consent from the Impacted Party to proceed to an investigation. An investigation may still go forward even if the Impacted Party declines to consent.

That letter states that, in such cases, institutions should balance factors including:

- The seriousness of the alleged harassment
- The Impacted Party's age
- Whether there have been other harassment complaints about the same individual; and
- The Respondent's rights to receive information about the allegations if the information is maintained by the school as an "education record" under the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g; 34 C.F.R. Part 99.

Upon notice of any concern regarding Prohibited Sexual Conduct, the Title IX Coordinator or her designee will assess whether a formal Title IX investigation will be conducted under this Procedure; 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. In circumstances in which the Title IX Coordinator determines that there is no ongoing risk of harm to the community and that Interim Measures, such as a No Contact letter, have redressed the concerns, the Title IX Coordinator may forgo a formal investigation.

If the determination is that no further action is necessary or that the Interim Measures will remain in place as ongoing Accommodations, the Complainant will be provided an Outcome Letter. To the extent appropriate under this policy and if involved in the assessment, the Respondent will also be provided an Outcome Letter. To the extent that the Outcome Letter states that the University will not investigate a matter, that determination may be appealed. The purposes of an investigation are to determine:

- Whether Prohibited Sexual Conduct has occurred
- Whether there is an ongoing risk of harm for further Prohibited Sexual Conduct (and, if so, what steps should be taken to prevent its recurrence)
- Whether accommodations for the Impacted Party need to be put in place to redress the effects of Prohibited Sexual Conduct



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- Whether accommodations or safety measures should be put in place to make the Stanford community safe
- Whether system-wide or local changes to policies, practices, or training should be considered and implemented

## Time Frame of a Title IX Investigation

A Title IX Investigation should normally be completed within 60 calendar days after the University has notice of an allegation of Prohibited Conduct. The Title IX Coordinator or her designee may extend this time frame for good cause, including University breaks.

## Respondent is Faculty Member

For concerns in which the Respondent is a faculty member, Stanford University has designated Jill Thomas, as the University's Title IX Coordinator, or her designee, and the Cognizant Dean (or Senior Associate Dean or equivalent) of the Respondent's school, or his or her designee, to work jointly and manage concerns and make decisions jointly under this Procedure. Stanford University has designated Sally Dickson (Emerita Associate Vice Provost and Dean of Educational Resources) or her designee, and the Dean of the Respondent's school (or equivalent) or his or her designee, to work jointly and decide appeals under this Procedure, when the Respondent is a faculty member. Some matters may be referred into the faculty discipline process

## Respondent is Staff Member

For concerns in which the Respondent is a staff member, Stanford University has designated Jill Thomas as the University's Title IX Coordinator, or her designee, and the responsible Human Resources manager of the Respondent, or his or her designee, to work jointly and manage concerns and make decisions jointly under this Procedure. Stanford University has designated Sally Dickson (Emerita Associate Vice Provost and Dean of Educational Resources) or her designee, and Elizabeth Zacharias (Vice President, Human Resources) or her designee to work jointly and decide appeals under this Procedure, when the Respondent is a staff member.

## Respondent is Post Doc, Fellow, or other member of the Stanford Community

For concerns in which the Respondent falls into this category, the Title IX Coordinator, in consultation with others and after consideration of the specific circumstances of the matter, will determine whether it is appropriate to include a joint decision-maker.

## Investigation Process

**A. Assigning an Investigator** When a determination is made to proceed with a Title IX investigation, the Title IX Coordinator will investigate or will assign an investigator or investigators. The Title IX Coordinator can delegate all or part of her responsibilities under this policy.

**B. Standard of Review** This Title IX investigation procedure will determine findings of fact using the "preponderance of the evidence" standard (i.e. it is more likely than not that the Prohibited Sexual Conduct occurred).

**C. Cooperation** All Stanford University faculty, staff, students and community members are expected to cooperate in the investigation process, although students have the right not to incriminate themselves.

**D. Notice of Investigation** At the outset of an investigation, the investigator will advise the Respondent of the allegations against him or her in writing (Notice of Investigation) and a copy of the Notice of Investigation will be provided to the Impacted Party.

**E. Opportunity to Participate** Both the Respondent and the Complainant will have an opportunity to respond to the Notice of Investigation in writing and in a meeting with the investigator. Both parties have the right to request that the investigator meet with relevant witnesses and evaluate relevant documentary or other evidence.

**F. Support Persons** Students may have a support person accompany him or her through the process. A support person may not speak for the student. All other parties may have a support person if the matter involves an allegation of sexual assault.

**G. Evidentiary Determinations** The investigator has broad discretion in determining whether an offered witness or documentary evidence would be relevant or helpful to a determination. For example, some reasons an investigator might decline to speak to an offered witness include: there is not a sufficient basis that the person could have relevant information to the factual determination; the information to be solicited would be repetitive; and there are concerns about balancing confidentiality concerns against the importance of the information. Similarly, some reasons that an investigator might decline to seek or review documentary evidence include: the University does not have the expertise to consider scientific evidence; the information is repetitive; cost considerations must be balanced against the importance of the information; and confidentiality concerns must be balanced against the importance of the information.

**H. Review of Title IX Coordinator** In the event the investigator is not the Title IX Coordinator, the investigator may provide a written report to the Title IX Coordinator as appropriate to assist the decision-maker. In such cases, the Title IX Coordinator will review the report and may request further review from the investigator, or may ask for additional information directly from parties or witnesses.

**I. Investigation Outcome** Upon completion of the investigation and review of all materials, the Title IX Coordinator or her designee will issue each party a written Outcome Letter including finding(s) of fact, and, if applicable, any actions the University will take to provide accommodations to the Impacted Party or safety measure(s) for the University community. The letter will also describe whether any systemic remedies are being considered or implemented. Additionally, the letter may include a recommendation that the matter be referred for disciplinary review by another University process, such as the Faculty Discipline Process (for faculty, see page 57). An Outcome Letter will be provided to both parties, although the content of each letter may be modified subject to the limitations of FERPA and other relevant federal or state privacy laws. Where Prohibited Sexual Conduct has been found to have occurred by the Respondent, the Outcome Letter will be provided to the Respondent's supervisor, HR manager or Dean, as appropriate under the circumstances.

## Appeal

If the Impacted Party or the Respondent is dissatisfied with final determinations made under this policy, that person may file an appeal. The Appeal should be filed in writing with the Title IX Coordinator within five business days of the Outcome Letter, unless there is good cause for an extension. A delay in filing the Appeal may be grounds for rejection of that Appeal.

The Appeal should follow the standards for review provided here and the Appeal should state the remedy sought by the appealing party. The Appeal will be forwarded to Sally Dickson, the University's designated Title IX Appeal Officer, who may attempt to resolve the matter informally, or may refer the matter (or any part of it) to another designee or other University administrator to resolve the matter. The Appeal review should be completed within 20 business days unless there is good cause for an extension, including University breaks. The appeal decision will be provided in writing and the appeal decision is final. For the avoidance of doubt, the appeal process under this policy will serve as the grievance process required under Title IX.

**Grounds for Appeal-** The grounds for the Appeal will usually be limited to the following considerations:

- Is there new compelling evidence that was not available at the time of the initial review? Were the proper criteria brought to bear on the decision? Were improper or extraneous facts or criteria brought to bear that substantially affected the decision to the detriment of the Impacted Party or the Respondent?
- Were there any procedural irregularities that substantially affected the outcome of the matter to the detriment of the Impacted Party or the Respondent?
- Given the proper facts, criteria, and procedures, was the decision one that a person in the position of the decision-maker might reasonably have made?



# Sexual Assault, Dating & Domestic Violence, and Stalking

## Disciplinary and Administrative Proceedings

### Staff and Faculty Proceedings

In many cases, there is an option, where appropriate, for the parties to agree to informal resolution. Beyond such an agreement, there are policies that guide investigation and administrative review that can lead to disciplinary action. Stanford has two bargaining unit contracts that outline disciplinary proceedings. The University honors the contracts in applicable circumstances. Other employee groups on campus have applicable processes outlined and referenced below.

In cases in which the Impacted Party is not a student, the University will follow the guidelines provided in Administrative Guide 1.7.1, *Sexual Harassment*; 1.7.2, *Consensual Sexual or Romantic Relationships in the Workplace and Educational Setting*; and 1.7.3, *Prohibited Sexual Conduct: Sexual Misconduct, Sexual Assault, Stalking, Relationship Violence, Violation of University or Court Directives, Student-on-Student Sexual Harassment and Retaliation*. See page 21 for web links to these sections.

### Staff Discipline and Sanctions

Staff are held accountable for policy violations by the local Human Resources Administrator. Additionally, employees can be subject to Administrative Guide policy 2.1.16, *Addressing Conduct and Performance Issues*, or Administrative Guide policy 2.1.11, the *Grievance Policy*. In all cases, the employee shall act as their own representative, and the standard of proof is the preponderance of the evidence. In some cases, the services of an outside investigator may be obtained. In the Administrative Review Process and the formal grievance processes, the case review will be completed by the Vice President of Human Resources or his or her designee.

Staff members are subject to sanctions, including counseling and education, loss of a position, and termination.

## Faculty Discipline and Sanctions

For additional information on addressing conduct and performance issues, visit [adminguide.stanford.edu/chapter-2/subchapter-1/policy-2-1-16](http://adminguide.stanford.edu/chapter-2/subchapter-1/policy-2-1-16).

For additional information on the formal grievance process, visit [adminguide.stanford.edu/chapter-2/subchapter-1/policy-2-1-11](http://adminguide.stanford.edu/chapter-2/subchapter-1/policy-2-1-11).

The following procedure is excerpted from the Statement on Faculty Discipline, section 4.3 of the Faculty Handbook. For the complete text, go to [facultyhandbook.stanford.edu](http://facultyhandbook.stanford.edu)

These disciplinary procedures are invoked when the Provost formally charges a faculty member with professional misconduct that is serious enough to warrant a sanction. The Provost may charge a faculty member with professional misconduct only for actions taken in association with the faculty member's academic duties and responsibilities.

A faculty member charged under these procedures may be subject to sanctions including but not limited to the following: censure; a fine and/or a temporary reduction in pay; suspension from the University without pay for a specified period; indefinite reduction in pay; dismissal from the University.

### Process

Charges will be brought on behalf of the University by the Provost, following the factual investigation. When charges are brought against a faculty member, he or she must be notified of the charges in confidence and given an opportunity to reply. If the matter cannot be settled by agreement (requiring the President's approval), and the faculty member wishes to contest the charges, the Provost shall prepare a written statement of the charges and proposed sanction(s) for the faculty member and the Advisory Board.

## Sexual Assault, Dating & Domestic Violence, and Stalking

The faculty member must file with the Board a statement setting forth the defenses proposed, any factual allegations that are specifically disputed, and any additional factual matters. The University ordinarily has 10 days to reply to this statement.

If the Advisory Board determines that there is a dispute about material issues of historical fact, the Board will notify the parties of such issues(s) and will select a qualified Hearing Officer from outside the University to hold an Evidentiary Hearing. If the Board determines that there is no dispute about material issues of historical fact, the Board will proceed to schedule the Final Hearing.

At the Evidentiary Hearing, the Hearing Officer will hear evidence and will then make detailed findings of historical fact, which are submitted to the Board.

Any witness shall be guaranteed the right in the Evidentiary Hearing to invoke the privilege (a) not to incriminate himself or herself in answer to any question, and (b) not to divulge a confidential communication from a University employee or student made with the understanding of all parties to the communication that it would be kept confidential.

After the Hearing Officer has submitted the findings of fact to the Advisory Board, the Board will schedule a Final Hearing. Each party has the opportunity to file a written brief, not later than one week before the scheduled start of the Final Hearing, regarding the charges, evidence, findings of fact, and proposed sanctions, among other procedural issues.

Within one week after the Final Hearing before the Advisory Board, either party may file a written reply, which is limited to the issues raised by the opposing brief and the opposing party's oral argument. The Advisory Board will affirm those of the Hearing Officer's findings of historical fact that it concludes are supported by substantial evidence, and such findings will thereafter be final and binding upon the President and Board of Trustees.

A finding of professional misconduct requires that a majority of the members of the Advisory Board concludes

that the faculty member has committed misconduct. The advisory Board will notify the President of their decision by majority vote. If the President does not accept the decision of the Advisory Board, he or she will resubmit the case to the Board for reconsideration with a statement of questions or objections. The Board will then reconsider the case in the light of such questions or objections, hold (if necessary) further hearings and receive new evidence, and either render a new decision or state the reasons for its decision to reaffirm its original decision.

After study of the Board's reconsidered decision, the President may make a final decision different from that of the Board only if the President determines that the faculty member or the University was denied a fair hearing or that the Board's decision (as to whether there has been professional misconduct and/or as to the sanction) was not one which a decision-making body in the position of the Board might reasonably have made.

If the President's decision requires dismissal, such decision is not effective until it has been approved by the Board of Trustees.

The faculty member has the right to have an advisor of his or her choice accompany him or her during the hearings, the rights of confrontation and cross-examination, and the right to refuse to testify in the hearings.

### **Retaliation**

It is a violation of University policy to retaliate against any person making a complaint of Prohibited Sexual Conduct or against any person cooperating in the investigation of (including testifying as a witness to) any allegation of Prohibited Sexual Conduct. Retaliation should be reported promptly to the Title IX Coordinator (for cases involving students) or to the Sexual Harassment Policy Office (for cases involving faculty/staff and no students).



# Sexual Assault, Dating & Domestic Violence, and Stalking

## Safety Measures

### Students

In accordance with the Stanford Student Title IX Investigation and Hearing Process,<sup>13</sup> which is the University's Title IX grievance procedure, the University will take steps to prevent the recurrence of Prohibited Sexual Conduct (including sexual harassment, sexual assault, dating violence, domestic violence and stalking)<sup>14</sup> through safety measures. Additionally, the University will redress the effects of Prohibited Sexual Conduct through appropriate accommodations and will provide written notice of available options and assistance in protective measures or changes to academic, living, transportation, and working situations.

To the extent reasonable and feasible, the University will consult with the Complainant and Responding Student in determining accommodations and safety measures.

Appropriate actions may include:

- Housing reassignments
- Class reassignments
- No-contact directives
- Limitation on extracurricular or athletic activities
- Removal from the University community
- Referral to a University disciplinary process
- Review or revision of University policies or practices
- Assistance managing court-issued protective orders
- Academic accommodations
- Training

Even if the University decides not to confront the Responding Student because of the Complainant's request for confidentiality, the University may pursue other reasonable steps to limit the effects of the alleged harassment and prevent its recurrence, in light of the Complainant's request for confidentiality.

### Staff and Faculty

The Sexual Harassment Policy Office will evaluate the need for and recommend interim safety measures when faculty and staff have been subjected to or are alleged to have committed Prohibited Sexual Conduct. Interim safety measures may include:

- Work accommodations or reassignments
- No Contact directives
- Review or revision of University policies or practices
- Referral to a University disciplinary process
- Assistance with managing a court-issued protective or restraining order
- Training

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For more information about general violence prevention on campus, please see Stanford's Violence Prevention website at [safety.stanford.edu](https://safety.stanford.edu).

For information about relationship violence, go to [sexualviolencesupport.stanford.edu](https://sexualviolencesupport.stanford.edu).

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<sup>13</sup> The full text of the February 1, 2016 Stanford Student Title IX Investigation and Hearing Process at <https://stanford.app.box.com/v/student-title-ix-process>

<sup>14</sup> Ibid. Additional information in Administrative Guide 1.7.3.

## Education Programs

### Overview

Stanford University provides education and awareness programs to prevent the occurrence of dating violence, domestic violence, sexual assault, and stalking<sup>15</sup> (Prohibited Conduct). These comprehensive programs are responsive to community needs, culturally relevant, inclusive of diverse communities and identities, and informed by research. Programming initiatives are assessed for value, effectiveness, or outcome, and consider environmental risks and protective factors as they occur on the individual, relationship, institutional, community, and societal levels.

Programs to address Prohibited Conduct include both primary prevention and awareness programs directed at incoming students and new employees as well as ongoing prevention programs and awareness campaigns directed at all members of the campus community.

Primary prevention programs are aimed at reinforcing the university's declaration that dating violence, domestic violence, sexual assault, and stalking are Prohibited Conduct and in many instances also constitute criminal acts.<sup>16</sup>

Stanford's primary prevention programs and awareness campaigns include educational information on the causes and consequences of sexual violence, prevention strategies, and bystander intervention (see next section). Risk reduction behaviors that promote safety for individuals and the community are also discussed.

Additionally, Stanford provides ongoing prevention programs and awareness campaigns that include information on community building, bystander intervention, and risk reduction strategies.

Furthermore, these programs and campaigns reinforce to the community the procedures that the University will follow in response to a report of dating violence, domestic violence, sexual assault, and stalking. This includes the provision of accommodations and other resources for the impacted parties; resources, where appropriate, for the responding party; and the opportunity to pursue a criminal or administrative complaint.

Stanford's ongoing prevention programs and awareness campaigns include educational initiatives and sustainable strategies that are focused on increasing understanding and skills to prevent all forms of Prohibited Sexual Conduct. A range of strategies is utilized to engage audiences throughout the institution.

The University actively participates in the national "It's On Us" campaign, encouraging all students to recognize that everyone has a role in preventing sexual assault. Go to [www.itsonus.org](http://www.itsonus.org) for more information, and watch Stanford Athletes take a stance for prevention at <https://youtu.be/LUsqpiE6z8I>.

## Bystander Intervention

Bystander intervention is the use of safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.

There are several safe and effective options that a person can employ to intervene and stop inappropriate and potentially criminal behavior, including creating a distraction by using appropriate humor or interjecting in a conversation, directly confronting the potential perpetrator, or enlisting others to help intervene when you sense that someone may be at risk of harm. If you see or suspect that a crime has or is about to occur, seek help or call the police. Administrative Guide policy 1.7.3 provides more information about bystander intervention strategies.

<sup>15</sup> Specific definitions for each of these behaviors, as defined in the Violence Against Women Act (VAWA) Re-authorization of 2013, can be found on pages 43-45. These definitions are used in Stanford's prevention programs, in addition to California state definitions.

<sup>16</sup> The California statutory definitions of dating violence, domestic violence, sexual assault, and stalking are listed on pages 51-55.





# Sexual Assault, Dating & Domestic Violence, and Stalking

## Risk Reduction

Individual preventive measures are risk reduction behaviors designed to decrease perpetration and bystander inaction and to increase empowerment for those who may be at risk. These measures promote safety and help individuals and communities address conditions that may facilitate violence. For instance, consider strategies for safety and accountability when planning activities or attending events with friends. Establish an agreement that no one will attempt to intimately engage with someone who may have over-consumed alcohol or other substances. If there is a possibility that you might be separated, agree to periodically check in with each other either in person or via text message. You can also agree to not leave the event until everyone is accounted for and safe and that everyone will either leave together or continue to check in on anyone who remains at the event. If you become uncomfortable with a situation or the people involved, trust your instincts and take action or get help to increase your sense of safety and empowerment. For more information, see the *Bystander Tips* on the Title IX website at [titleix.stanford.edu/bystander-tips](http://titleix.stanford.edu/bystander-tips).

## Education Programs for Students

The **Stanford Office of Sexual Assault & Relationship Abuse Education & Response** (SARA) develops and contributes to a wide range of programs, projects, and events to increase awareness about interpersonal violence and meet the needs of Stanford students, faculty, and staff. Programs promote healthy sexuality and relationships, dispel myths about consent<sup>17</sup> and sexual and relationship violence, examine and critique traditional gender roles, provide guidance on risk reduction, advise students of the university response and available resources, and explore how each of us can become empowered to end sexual and relationship violence.

<sup>17</sup> See page 50 for the California statutory and university administrative definition of consent

Programming efforts include a wide range of related topics including:

- Sexual Misconduct and Sexual Assault
- Relationship Abuse
- Bystander Intervention
- Understanding Sexual Consent
- Defining Manhood & Masculinity from an Anti-Violence Perspective

For more information on these programs, go to [sara.stanford.edu/prevention-education-and-outreach](http://sara.stanford.edu/prevention-education-and-outreach).

In August of 2014, the University began providing online primary prevention<sup>18</sup> training to all incoming undergraduate and graduate students. This training covers the topics of sexual assault, dating and domestic violence<sup>19</sup>, bystander intervention, and making healthy choices on matters such as alcohol use. The online training is a supplement to the ongoing in-person trainings and campaigns featured throughout the academic year.

In 2017, SARA provided education and outreach to over 1,700 incoming first-year and transfer students and more than 200 members of the Greek life community. Additionally, training was provided to Resident Assistants, Residence and Graduate Life Deans, Row Managers, Peer Counselors, Residence Fellows, and Graduate Community Assistants.

In addition to programming and education, the SARA office provides consultations, advising, and resource referrals to Stanford students who have experienced sexual or relationship violence, regardless of the location where the incident(s) occurred.

<sup>18</sup> Primary prevention programs are programming, initiatives, and strategies implemented in an effort to stop dating and domestic violence, sexual assault, and stalking through positive and healthy behaviors.

<sup>19</sup> See pages 43-45 for the federal (VAWA) and state definitions of these crimes.

### Education Programs For Staff

In 2017, over 7,000 staff supervisors and faculty members completed at least two hours of AB1825 state-mandated sexual harassment awareness training administered online by the Sexual Harassment Policy Office (SHPO). The training program includes material required by the VAWA Reauthorization of 2013, covering forms of sexual violence, resources at Stanford, and our Responsible Employees' obligation to report sexual misconduct that occurs in the campus community. On September 9, 2014, Gov. Brown approved Assembly Bill No. 2053 that required AB1825 training to include the prevention of abusive conduct. For purposes of this training, "abusive conduct" means conduct of an employer or employee in the workplace, with malice, that a reasonable person would find hostile, offensive, and unrelated to an employer's legitimate business interests. The prevention of abusive conduct was included as part of the 2017 training program. Compliance with the biennial training requirement is tracked by this office.

Additionally, over 1,200 non-supervisory staff (including academic staff) received harassment prevention training administered by the SHPO. An interactive online course and instructor-led classroom sessions were offered. Both programs incorporated material on recognizing, reporting, and responding to sexual assault and other forms of prohibited sexual conduct in the campus community.

Since October 2014, all new employees are expected to complete an online course. This course includes information required by the VAWA Reauthorization of 2013 and covers forms of sexual violence, resources at Stanford, and how employees can prevent and report sexual misconduct that occurs in the campus community. More than 900 individuals completed the training in 2017.

### The Jeanne Clery Act and Higher Education Opportunity Act

The Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act and the Higher Education Opportunity Act require that institutions of higher education produce an annual report containing crime statistics, fire incident statistics, and safety policies. The safety policies and guidance contained in the annual report provide information to enable individuals to make informed decisions about their personal safety and enhance the safety of the community through their actions. Additionally, fire incident and safety systems information assists residents in emergency planning. The statistical information in this report allows members of the campus community to be informed about criminal activity occurring within and immediately surrounding the geographical boundaries of the campus and any related buildings owned or operated by the University.

### Gathering & Reporting Statistical Information

For each calendar year, an SUDPS committee gathers statistical crime data from its own records and from information provided by the Office of the Vice Provost for Student Affairs, Title IX, and other designated Campus Security Authorities (CSAs). Fire incident statistics are obtained from the Stanford University Fire Marshal's Office. Because they have local police jurisdiction over some locations where Stanford facilities are located, the Santa Clara County and San Mateo County Sheriff's Offices, the Palo Alto Police Department, and other law enforcement agencies are asked to provide Clery-reportable crime statistics for the required geographical areas. Crime statistics are requested annually from all jurisdictions in which Stanford University maintains property for educational purposes, whether it is owned, rented, or leased.

It is not uncommon for multiple sources, including CSAs, to report the same incident to the Clery Compliance Coordinator. To minimize the potential for counting an incident more than once and to ensure crimes and locations are properly categorized, the University requires



# Campus Crime Statistics

CSAs and other persons who provide information about Clery-reportable crimes to provide their name and contact information so that the Clery Compliance Coordinator can follow up, if needed. A victim may request confidentiality when making a report.

University officials at each of the separate campuses, including the foreign campuses,<sup>20</sup> gather the required crime statistics from their own records and from local law enforcement agencies. The statistics from foreign and branch campuses are forwarded to SUDPS. As required by federal law, SUDPS reports this information on an annual basis to the United States Department of Education Office of Postsecondary Education. A team of trained university staff review the information provided by CSAs to ensure incidents are properly classified and counted.

## Clery Act Definitions

### Locations<sup>21</sup>

**Campus:** “Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution’s educational purposes, including residence halls;” and “Any building or property that is within or reasonably contiguous to paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes.” (34 CFR § 668.46(a))

**Student Residences:** “Any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility.” (34 CFR § 668.41(a)) Reported statistics are from all student residences, including fraternity, sorority, and other row houses as a subset of the *campus* statistics.

**Non-campus:** “Any building or property owned or controlled by a student organization that is officially recognized by the institution; or any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution’s educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution” (34 CFR § 668.46(a)). A Stanford example of a non-campus area is off-campus graduate housing.

**Public property:** “All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus” (34 CFR § 668.46(a)). These statistics are provided by the law enforcement agency having jurisdiction where the property is located and Campus Security Authorities, where applicable.

## Clery Crime Statistics Definitions

This Safety, Security, and Fire Report includes crime statistics using updated definitions and categories as provided by the re-authorizations of the *Violence Against Women Act* and the *Higher Education Opportunity Act*. Data reported for calendar years 2015 through 2017 are based upon the definitions below.

Crime statistic definitions in this section are prescribed by the Clery Act and may differ from the California Penal Code sections. For a comparison of federal and state definitions, see pages 51-55.

**Murder / Non-negligent Manslaughter:** The willful (non-negligent) killing of one human being by another.

**Negligent Manslaughter:** The killing of another person through gross negligence.

**Sexual Assault:** An offense that meets the definition of rape, fondling, incest, or statutory rape (See also *sex offenses*).

<sup>20</sup> See corresponding note on page 49 for definitions.

<sup>21</sup> See note 20 on page 49.

**Sex Offenses:** Any sexual act directed against another person without the consent<sup>22</sup> of the victim, including instances where the victim is incapable of giving consent. These offenses are rape, fondling, incest and statutory rape (sometimes used interchangeably with sexual assault).

**Rape:** The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by the sex organ of another person, without the consent of the victim.<sup>23</sup>

**Fondling:** The touching of private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity. Private body parts are generally considered to be the genitals, breasts, and buttocks.

**Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

**Statutory rape:** Sexual intercourse with a person who is under the statutory age of consent. In California, the statutory age of consent is eighteen.

**Robbery:** The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

**Aggravated Assault:** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. *(The criminal act need not result in injury to be counted as aggravated assault when a gun, knife, or other weapon is used in the commission of the crime.)*

**Burglary:** The unlawful entry into a building or other structure with the intent to commit a felony or a theft.<sup>24</sup>

**Theft - Motor Vehicle:** The theft or attempted theft of a motor vehicle, including automobiles, trucks, motorcycles, golf carts, and mopeds.

**Arson:** Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling, house, public building, motor vehicle or aircraft, or personal property of another.

**Hate Crimes:** Any of the herein listed crimes and any other crime involving bodily injury, theft, intimidation, assault, or destruction/damage/vandalism, in which the victim was intentionally selected because of the perpetrator's bias against the victim. For the purposes of the Clery Act, the categories of bias that may serve to determine that a crime is a hate crime include the victim's actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, and disability.

**Liquor Laws:** The violation of laws prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages. Driving under the influence and drunkenness violations are excluded.

**Drug Laws:** Violations of laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

**Weapons Laws:** The violation of laws prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, knives, explosives, or other deadly weapons.

**Unfounded:** A statistical requirement beginning in 2015; an unfounded report is any Clery-reportable crime that was reported in good faith and determined, by a law enforcement investigation, to be false or baseless.

### VAWA Offenses

The following crimes are defined in the 2013 reauthorization of the Violence Against Women Act. Statistics for these crimes are incorporated into reporting for Clery Act compliance (see page 47).

<sup>22</sup> See corresponding note on page 49.

<sup>23</sup> See note 22 and 23 on page 49.

<sup>24</sup> See corresponding note on page 49.



# Campus Crime Statistics

**Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; where the existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Dating Violence is not limited to sexual or physical abuse or the threat of such abuse. (If an act of violence meets the definition of domestic violence, then the act is classified as Domestic Violence rather than Dating Violence).<sup>25</sup>

**Domestic Violence:** A felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of California, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of California.

**Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others or suffer substantial emotional distress.

For the purposes of the stalking definition—

**Course of conduct** means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about a person or interferes with a person's property.

**Reasonable person** means a reasonable person under similar circumstances and with similar identities to the victim.

**Substantial emotional distress** means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

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<sup>25</sup> See corresponding note on page 49.

## Campus Crime Statistics

### Crimes Reported to the Police and Campus Security Authorities 2015-2017

Statistics in the following table are based upon the definitions stated in the reauthorizations of the Higher Education Opportunity Act and Violence Against Women Act in 2013. See pages 39-41 for the applicable definitions. Refer to the next page for the individual sex offense statistics.

| Crime                                       | Year | Student Residences<br><small>A subset of Campus</small> | Campus<br><small>Incl. Student Residences</small> | Non-Campus | Public Property | Total<br><small>Campus+Non-Campus+Public Property</small> | Unfounded<br><small>See page 40 for details</small> |
|---|------|---|---|------------|-----------------|---|---|
| <i>Murder / Non-negligent manslaughter</i>  | 2015 | 0   | 0   | 0          | 0               | 0   | 0   |
|   | 2016 | 0   | 0   | 0          | 0               | 0   | 0   |
|   | 2017 | 0   | 0   | 0          | 0               | 0   | 0   |
| <i>Negligent manslaughter</i>               | 2015 | 0   | 0   | 0          | 0               | 0   | 0   |
|   | 2016 | 0   | 0   | 0          | 0               | 0   | 0   |
|   | 2017 | 0   | 0   | 0          | 0               | 0   | 0   |
| <i>Total Sex Offenses</i>                   | 2015 | 0   | 0   | 0          | 0               | 0   | 0   |
|   | 2016 | 0   | 0   | 0          | 0               | 0   | 0   |
|   | 2017 | 0   | 0   | 0          | 0               | 0   | 0   |
| <i>Robbery</i>                              | 2015 | 0   | 0   | 0          | 0               | 0   | 0   |
|   | 2016 | 0   | 0   | 0          | 0               | 0   | 0   |
|   | 2017 | 0   | 0   | 0          | 0               | 0   | 0   |
| <i>Aggravated Assault</i>                   | 2015 | 0   | 0   | 0          | 0               | 0   | 0   |
|   | 2016 | 0   | 0   | 0          | 0               | 0   | 0   |
|   | 2017 | 0   | 0   | 0          | 0               | 0   | 0   |
| <i>Burglary</i>                             | 2015 | 0   | 0   | 0          | 0               | 0   | 0   |
|   | 2016 | 0   | 3   | 0          | 0               | 3   | 0   |
|   | 2017 | 0   | 0   | 0          | 0               | 0   | 0   |
| <i>Theft- Motor Vehicles and Golf Carts</i> | 2015 | 0   | 0   | 0          | 0               | 0   | 0   |
|   | 2016 | 0   | 0   | 0          | 0               | 0   | 0   |
|   | 2017 | 0   | 0   | 0          | 0               | 0   | 0   |
| <i>Arson</i>                                | 2015 | 0   | 0   | 0          | 0               | 0   | 0   |
|   | 2016 | 0   | 0   | 0          | 0               | 0   | 0   |
|   | 2017 | 0   | 0   | 0          | 0               | 0   | 0   |

\*No crime information was returned in response to our request for statistics.



# Campus Crime Statistics

## VAWA Crimes 2015-2017

| Crime  | Year | Student Residences<br><small>A subset of Campus</small> | Campus<br>Incl. Student Residences | Non-Campus | Public Property | Total<br>On-Campus+Non-Campus+Public Property | Unfounded<br><small>See page 40 for details</small> |
|--|------|---|------------------------------------|------------|-----------------|---|---|
| <i>Rape (including sodomy, sexual assault w/object, oral copulation)</i> | 2015 | 0   | 0                                  | 0          | 0               | 0   | 0   |
|  | 2016 | 0   | 0                                  | 0          | 0               | 0   | 0   |
|  | 2017 | 0   | 0                                  | 0          | 0               | 0   | 0   |
| <i>Fondling</i>  | 2015 | 0   | 0                                  | 0          | 0               | 0   | 0   |
|  | 2016 | 0   | 0                                  | 0          | 0               | 0   | 0   |
|  | 2017 | 0   | 0                                  | 0          | 0               | 0   | 0   |
| <i>Incest</i>  | 2015 | 0   | 0                                  | 0          | 0               | 0   | 0   |
|  | 2016 | 0   | 0                                  | 0          | 0               | 0   | 0   |
|  | 2017 | 0   | 0                                  | 0          | 0               | 0   | 0   |
| <i>Statutory Rape</i>  | 2015 | 0   | 0                                  | 0          | 0               | 0   | 0   |
|  | 2016 | 0   | 0                                  | 0          | 0               | 0   | 0   |
|  | 2017 | 0   | 0                                  | 0          | 0               | 0   | 0   |
| <b>Total Sex Offenses</b>  | 2015 | 0   | 0                                  | 0          | 0               | 0   | 0   |
|  | 2016 | 0   | 0                                  | 0          | 0               | 0   | 0   |
|  | 2017 | 0   | 0                                  | 0          | 0               | 0   | 0   |
| <i>Dating Violence</i>   | 2015 | 0   | 0                                  | 0          | 0               | 0   | 0   |
|  | 2016 | 0   | 0                                  | 0          | 0               | 0   | 0   |
|  | 2017 | 0   | 0                                  | 0          | 0               | 0   | 0   |
| <i>Domestic Violence</i>   | 2015 | 0   | 0                                  | 0          | 0               | 0   | 0   |
|  | 2016 | 0   | 0                                  | 0          | 0               | 0   | 0   |
|  | 2017 | 0   | 0                                  | 0          | 0               | 0   | 0   |
| <i>Stalking</i>  | 2015 | 0   | 0                                  | 0          | 0               | 0   | 0   |
|  | 2016 | 0   | 0                                  | 0          | 0               | 0   | 0   |
|  | 2017 | 0   | 0                                  | 0          | 0               | 0   | 0   |

\*No crime information was returned in response to our request for statistics.

## Arrests 2015-2017

| Crime                    | Year | Student Residences<br><small>A subset of Campus</small> | Campus<br>Incl. Student Residences | Non-Campus | Public Property | Total<br>On-Campus+Non-Campus+Public Property | Unfounded<br><small>See page 40 for details</small> |
|--------------------------|------|---|------------------------------------|------------|-----------------|---|---|
| <i>Liquor Law ^</i>      | 2015 | 0   | 0                                  | 0          | 0               | 0   | 0   |
|                          | 2016 | 0   | 0                                  | 0          | 0               | 0   | 0   |
|                          | 2017 | 0   | 0                                  | 0          | 0               | 0   | 0   |
| <i>Drug Violations</i>   | 2015 | 0   | 0                                  | 0          | 0               | 0   | 0   |
|                          | 2016 | 0   | 0                                  | 0          | 0               | 0   | 0   |
|                          | 2017 | 0   | 0                                  | 0          | 0               | 0   | 0   |
| <i>Weapon Possession</i> | 2015 | 0   | 0                                  | 0          | 0               | 0   | 0   |
|                          | 2016 | 0   | 0                                  | 0          | 0               | 0   | 0   |
|                          | 2017 | 0   | 0                                  | 0          | 0               | 0   | 0   |

^ If both an arrest and disciplinary referral are made, only the arrest is counted.

**Disciplinary Actions 2015-2017**

| Violation                     | Year | Student Residences<br><small>A subset of Campus</small> | Campus<br><small>Incl. Student Residences</small> | Non-Campus | Public Property | Total<br><small>On-Campus+Non-Campus+Public Property</small> |
|-------------------------------|------|---|---|------------|-----------------|--|
| <i>Liquor Law<sup>^</sup></i> | 2015 | 0   | 0   | 0          | 0               | 0  |
|                               | 2016 | 0   | 0   | 0          | 0               | 0  |
|                               | 2017 | 0   | 0   | 0          | 0               | 0  |
| <i>Drug Violation</i>         | 2015 | 0   | 0   | 0          | 0               | 0  |
|                               | 2016 | 0   | 0   | 0          | 0               | 0  |
|                               | 2017 | 0   | 0   | 0          | 0               | 0  |
| <i>Weapon Possession</i>      | 2015 | 0   | 0   | 0          | 0               | 0  |
|                               | 2016 | 0   | 0   | 0          | 0               | 0  |
|                               | 2017 | 0   | 0   | 0          | 0               | 0  |

<sup>^</sup> If both an arrest and disciplinary referral are made, only the arrest is counted.

**Hate Crimes (2015-2017)**

2015- No hate crimes information was received in response to our request for statistics.

2016- No hate crimes information was received in response to our request for statistics.

2017- No hate crimes information was received in response to our request for statistics.

**Unfounded Crimes**

No unfounded crime information was received in response to our request for statistics.

There are a number of considerations surrounding the issue of consent in the investigation and reporting of sex offenses. In procedures convened by the Office of Community Standards or the Title IX Office, the definition from the Stanford University Administrative Guide, in compliance with California Education Code § 67386, applies. The California Penal Code definition of consent is the standard used for criminal investigations and prosecutions in the state of California.





# Campus Crime Statistics

## Crime Statistics Notes

20. *A separate campus is a Clery term that defines a location owned or controlled by the institution, which is not reasonably contiguous to the main campus, has an organized program of study and has on-site administrators. A branch campus is a type of separate campus. To be considered a branch campus, the location must be geographically apart and independent from the main campus. Further, it must be permanent in nature, have its own faculty and administrative organization and offer courses leading to a degree or credential. A foreign campus is another type of separate campus. A location will be classified as a foreign campus if the location is in a country other than the U.S.; a U.S. based institution owns or controls the property or facility; there is an organized program of study; and there are administrative personnel on site.*
22. *The Clery Act does not provide a federal definition of consent. See page 50 for the California Penal Code definition of consent as well the California Education Code definition that Stanford has adopted for university proceedings.*
23. *According to the FBI Uniform Crime Reporting System, Part 1 Crimes are crimes against persons or property. In situations in which more than one crime is committed, the hierarchy rule of the FBI Uniform Crime Reporting system requires only that the most serious offense be recorded for a single incident. As an exception to this rule, a sexual assault will always be recorded in the institution's annual statistics when a murder occurs in the same single incident. Furthermore, beginning in 2013 with the passage of the Violence Against Women Act, crimes that meet the definitions of dating violence, domestic violence, stalking, arson, and hate crimes will always be counted separately.*
24. *The Burglary of each room is a separate offense. This means that if an offender unlawfully enters five dorm rooms on one floor of a student housing facility for the purpose of taking something, this incident counts as five Burglaries. Similarly, if a burglar enters five separate bedrooms accessible from a single point of entry, such as a suite, then this single incident counts as five burglaries.*
25. *Most incidents of Dating Violence are subsumed by the definition of Domestic Violence, if both state and federal definitions are considered. When an incident satisfies both definitions, it will be classified as Domestic Violence only. For statistical recording, each incident is counted once.*

Consent

There are a number of considerations surrounding the issue of consent in the investigation and reporting of sex offenses. In procedures convened by the Office of Community Standards or the Title IX Office, the definition from the Stanford University Administrative Guide, in compliance with California Education Code § 67386, applies. The California Penal Code definition of consent is the standard used for criminal investigations and prosecutions in the state of California.

| Stanford University Administrative Guide 1.7.3  | CA Penal Code  |
|---|--|
| <p><b>"Yes Means Yes":</b> 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.</p> <p><i>This consent definition is compliant with California Education Code § 67386.</i></p> | <p><b>§ 261.6</b><br/>           In prosecutions under Section 261 [<i>rape</i>], 262 [<i>spousal rape</i>], 286 [<i>sodomy</i>], 288a [<i>oral copulation</i>] or 289 [<i>penetration by a foreign object</i>], in which consent is an issue, "consent" shall be defined to mean positive cooperation in an act or attitude pursuant to an exercise of free will. The person must act freely and voluntarily and have knowledge of the nature of the act or transaction involved.</p> <p>A current or previous dating or marital relationship shall not be sufficient to constitute consent where consent is at issue in a prosecution under Section 261, 262, 286, 288(a) or 289.</p> <p>Nothing in this section shall affect the admissibility of evidence or the burden of proof on the issue of consent.</p> <p><b>§ 261.5</b><br/>           (a) Unlawful sexual intercourse is an act of sexual intercourse accomplished with a person who is not the spouse of the perpetrator, if the person is a minor. For the purposes of this section, a "minor" is a person under the age of 18 years and an "adult" is a person who is at least 18 years of age.<br/>           (b) Any person who engages in an act of unlawful sexual intercourse with a minor who is not more than three years older or three years younger than the perpetrator, is guilty of a misdemeanor.<br/>           (c) Any person who engages in an act of unlawful sexual intercourse with a minor who is more than three years younger than the perpetrator is guilty of either a misdemeanor or a felony, and shall be punished by imprisonment in a county jail not exceeding one year....</p> |



# Comparison: Federal (Clery) Laws and California Penal Codes

Crime definitions provided by the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act and the Violence Against Women Act can differ from the California Penal Code statutes that are enforced by California agencies. The following table compares the federal definitions, codified for Clery Act purposes in C.F.R § 668.46(c), with the California statutes for similar crimes. This list is intended to be illustrative, not exhaustive.

| Clery Act / VaWA  | CA Penal Code   |
|---|---|
| <p><b>Aggravated Assault</b> is an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. <i>(The criminal act need not result in injury when a gun, knife, or other weapon is used in the commission of the crime.)</i></p> | <p><b>§ 245(a) - “Assault with a deadly weapon or by force likely to cause great bodily injury”</b><br/>           (1) Any person who commits an assault upon the person of another with a deadly weapon or instrument other than a firearm [...].<br/>           (2) Any person who commits an assault upon the person of another with a firearm [...].<br/>           (4) Any person who commits an assault upon the person of another by any means of force likely to produce great bodily injury [...].</p> |
| <p><b>Arson</b> is any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling, house, public building, vehicle or aircraft, or personal property of another.</p>  | <p><b>§ 451</b> - A person is guilty of <b>arson</b> when he or she willfully and maliciously sets fire to or burns or causes to be burned or who aids, counsels, or procures the burning of, any structure, forest land, or property.</p>  |
| <p><b>Burglary (structure)</b> is the unlawful entry into a building or other structure with the intent to commit a felony or theft.</p>  | <p><b>§ 459</b> - Every person who enters any house, room, apartment, tenement, shop, warehouse, store, [...] vehicle as defined by the Vehicle Code, [...] with the intent to commit a grand or petit larceny or any felony is guilty of a <b>burglary</b>.</p>  |

Comparison: Federal (Clery) Laws  
and California Penal Codes

| Clery Act / VaWA   | CA Penal Code   |
|--|---|
| <p><b>Dating Violence:</b> Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; where the existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship; Dating Violence is not limited to sexual or physical abuse or the threat of such abuse. If an act of violence meets the definition of domestic violence (below), then the act is classified as Domestic Violence rather than dating violence.</p> <p><b>Domestic Violence:</b> A felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of California, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of California.</p> | <p><b>§ 242</b> - A <b>battery</b> is any willful and unlawful use of force or violence upon the person of another.</p> <p><b>§ 243(e)(1)</b> - A <b>battery</b> committed against a spouse, a person with whom the defendant is cohabiting, a person who is the parent of the defendant's child, former spouse, fiancé, or fiancée, or a person with whom the defendant currently has, or has previously had, a dating or engagement relationship.</p> <p><b>§ 273.5(a)</b> - Any person who willfully inflicts corporal injury resulting in a traumatic condition upon a victim described in subdivision (b) is guilty of a felony [...].</p> <p>(b) Subdivision (a) shall apply if the victim is or was one or more of the following:</p> <ol style="list-style-type: none"> <li>(1) The offender's spouse or former spouse.</li> <li>(2) The offender's cohabitant or former cohabitant.</li> <li>(3) The offender's fiancé or fiancée, or someone with whom the offender has, or previously had, an engagement or dating relationship.</li> </ol> <p><b>§ 13700(b)</b> - "<b>Domestic violence</b>" means abuse committed against an adult or a minor who is a spouse, former spouse, cohabitant, former cohabitant, or person with whom the suspect has had a child or is having or has had a dating or engagement relationship. For purposes of this subdivision, "cohabitant" means two unrelated adult persons living together for a substantial period of time, resulting in some permanency of relationship. Factors that may determine whether persons are cohabiting include, but are not limited to, (1) sexual relations between the parties while sharing the same living quarters, (2) sharing of income or expenses, (3) joint use or ownership of property, (4) whether the parties hold themselves out as husband and wife, (5) the continuity of the relationship, and (6) the length of the relationship.</p> |
| <p><b>Fondling</b> is the touching of private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.</p>  | <p><b>§ 243.4(b)</b> - Any person who touches an intimate part of another person who is institutionalized for medical treatment and who is seriously disabled or medically incapacitated, if the touching is against the will of the person touched, and if the touching is for the purpose of sexual arousal, sexual gratification, or sexual abuse, is guilty of <b>sexual battery</b> [...].</p> <p><b>§ 243.4(e)(1)</b> - Any person who touches an intimate part of another person, if the touching is against the will of the person touched, and is for the specific purpose of sexual arousal, sexual gratification, or sexual abuse, is guilty of misdemeanor <b>sexual battery</b> [...].</p>   |



# Comparison: Federal (Clery) Laws and California Penal Codes

| Clery Act / VaWA   | CA Penal Code  |
|--|--|
| <p>A <b>hate crime</b> is any crime involving bodily injury, theft, intimidation, assault or destruction/damage/vandalism reported to the police or a campus security authority in which the victim is intentionally selected because of the actual or perceived race, gender, gender identity, religion, sexual orientation, ethnicity, national origin, or disability of the victim.</p> | <p>§ 422.55(a) - “<b>Hate crime</b>” means a criminal act committed, in whole or in part, because of one or more of the following actual or perceived characteristics of the victim:</p> <ol style="list-style-type: none"> <li>(1) Disability.</li> <li>(2) Gender.</li> <li>(3) Nationality.</li> <li>(4) Race or ethnicity.</li> <li>(5) Religion.</li> <li>(6) Sexual Orientation.</li> <li>(7) Association with a person or group with one or more of these perceived or actual characteristics.</li> </ol> |
| <p><b>Incest</b> is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.</p>   | <p>§ 285 - Persons being within the degrees of consanguinity within which marriages are declared by law to be incestuous and void, who intermarry with each other, or who being 14 years of age or older, commit fornication or adultery with each other, are punishable by imprisonment in the state prison.</p>  |
| <p><b>Murder</b> is the willful killing of one human being by another.</p>   | <p>§ 187(a) - <b>Murder</b> is the unlawful killing of a human being, or a fetus, with malice forethought.</p>   |
| <p><b>Negligent manslaughter</b> is the killing of another person through gross negligence.</p>  | <p>§ 192 - <b>Manslaughter</b> is the unlawful killing of a human being without malice.</p> <p>§ 192(b) Involuntary - in the commission of an unlawful act, not amounting to a felony; or in a commission of a lawful act which might produce death, in an unlawful manner, or without due caution and circumspection.</p>   |

Comparison: Federal (Clery) Laws and California Penal Codes

| Clery Act / VAWA  | CA Penal Code  |
|---|--|
| <p><b>Rape</b> is the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by the sex organ of another person, without the consent of the victim.</p> | <p><b>§ 261(a) - Rape</b> is an act of sexual intercourse accomplished with a person not the spouse of the perpetrator, under any of the following circumstances:</p> <ol style="list-style-type: none"> <li>(1) Where a person is incapable, because of mental disorder or developmental or physical disability, of giving legal consent, and this is known or reasonably should be known to the person committing the act. [...]</li> <li>(2) Where it is accomplished against a person's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the person or another.</li> <li>(3) Where a person is prevented from resisting by any intoxicating or anesthetic substance, and this condition was known, or reasonably should have been known by the accused.</li> <li>(4) Where a person is at the time unconscious of the nature of the act, and this is known to the accused. [...]</li> <li>(5) Where the person submits under the belief that the person committing the act is someone known to the victim other than the accused, and this belief is induced by any artifice, pretense, or concealment practiced by the accused, with the intent to induce the belief.</li> <li>(6) Where the act is accomplished against the victim's will by threatening to retaliate in the future against the victim or another person, and there is reasonable belief that the perpetrator will execute the threat. [...]</li> <li>(7) Where the act is accomplished against the victim's will by threatening to use the authority of a public official to incarcerate, arrest, or deport the victim or another, and the victim has a reasonable belief that the perpetrator is a public official. [...]</li> </ol> <p><b>§ 263</b> - The essential guilt of <b>rape</b> consists in the outrage to the person and feelings of the victim of the rape. Any sexual penetration, no matter how slight, is sufficient to complete the crime.</p> <p>Pursuant to Penal Code 263.1, as of January 1, 2017, all forms of non-consensual sexual assault may be considered rape for the purposes of the gravity of the offense and support of survivors. Some of the crimes which would be classified as rape pursuant to Violence Against Women Act include (list is illustrative not exhaustive):</p> <p><b>§ 286(a) - Sodomy</b> is sexual conduct consisting of contact between the penis of one person and the anus of another person. Any sexual penetration, however slight, is sufficient to complete the crime of sodomy.</p> <p><b>§ 288a - Oral copulation</b> is the act of copulating the mouth of one person with the sexual organ or anus of another person.</p> <p><b>§ 289(a)(1)(A) - Penetration by foreign object.</b> Any person who commits an act of sexual penetration when the act is accomplished against the victim's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person [...]</p> <p>(k)(2)"Foreign object, substance, instrument, or device" shall include any part of the body, except a sexual organ.</p> <p>(k)(3) "Unknown object" shall include any foreign object, substance, instrument, or device, or any part of the body, including a penis, when it is not known whether penetration was by a penis or by a foreign object, substance, instrument, or device, or by any other part of the body.</p> |
| <p><b>Statutory rape</b> is sexual intercourse with a person who is under the statutory age of consent.</p>   | <p><b>§ 261.5(a) - Unlawful intercourse</b> is an act of sexual intercourse accomplished with someone who is not the spouse of the perpetrator, if the person is a minor. For the purposes of this section, a "minor" is a person under the age of 18 years and an "adult" is a person who is at least 18 years of age.</p>  |



# Comparison: Federal (Clery) Laws and California Penal Codes

| Clery Act / VAWA   | CA Penal Code  |
|--|--|
| <p><b>Sexual assault:</b> a forcible or non-forcible sex-offense that meets the (Clery/federal) definition of rape, fondling, incest, or statutory rape.</p>   | <p>The definition of sexual assault in the CA Penal Code can vary depending on the Title, Chapter, and Section within the Penal Code. Penal Code sections that match the Clery/VAWA definition of sexual assault include, but are not limited to, the following (this list is intended to be illustrative not comprehensive):</p> <ul style="list-style-type: none"> <li>§ 220- Assault with intent to commit mayhem or specified sex offenses; assault of a person under 18 years of age with intent to commit specified sex offenses</li> <li>§ 261- Rape</li> <li>§ 261.5- Unlawful Sexual Intercourse with a minor</li> <li>§ 262- Spousal Rape</li> <li>§ 264.1- Punishment for aiding or abetting rape</li> <li>§ 266c- Inducing consent to a sexual act by fraud or fear</li> <li>§ 269- Aggravated sexual assault of a child</li> <li>§ 285- Incest</li> <li>§ 286- Sodomy</li> <li>§ 288- Lewd or lascivious acts involving children</li> <li>§ 288.5- Continuous sexual abuse of a child</li> <li>§ 288a- Oral Copulation</li> <li>§ 289- Penetration by foreign object</li> <li>§ 647.6- Annoying or molesting children</li> <li>§ 243.4(b) - Any person who touches an intimate part of another person who is institutionalized for medical treatment and who is seriously disabled or medically incapacitated, if the touching is against the will of the person touched, and if the touching is for the purpose of sexual arousal, sexual gratification, or sexual abuse, is guilty of <b>sexual battery</b> [...].</li> </ul> <p>Per § 263.1, all forms of nonconsensual sexual assault may be considered rape for the purposes of the gravity of the offense and the support of survivors.</p> |
| <p><b>Stalking:</b> Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others or suffer substantial emotional distress.</p> <p>For the purposes of this definition—</p> <p><b>Course of conduct</b> means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person’s property.</p> <p><b>Reasonable person</b> means a reasonable person under similar circumstances and with similar identities to the victim.</p> <p><b>Substantial emotional distress</b> means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.</p> | <p>§ 646.9(a) - Any person who willfully, maliciously, and repeatedly follows or willfully and maliciously harasses another person and who makes a credible threat with the intent to place that person in reasonable fear for his or her safety, or the safety of his or her immediate family is guilty of the crime of <b>stalking</b>...</p>  |