

Stanford University



STANFORD IN NEW YORK

**SAFETY, SECURITY, AND FIRE REPORT
2023**

Stanford in New York program is under the jurisdiction of the 13th Precinct of the NYPD. All statistics at the close of this document are supplied by the Director of Stanford in New York program. Crime statistics for New York are available at <https://www1.nyc.gov/site/nypd/stats/crime-statistics/crime-statistics-landing.page>. Note that there are no statistics in this report prior to 2015, as that was the first year of the Stanford in New York program.

Local Law Enforcement Agency:

New York Police Department
13th Precinct
230 East 21st Street
New York, NY 10010
Phone: 212-477-7411

Stanford Program in New York:

915 Broadway, Suite 1801
New York, NY 10010
Phone: 212-768-2905
Fax: 212-228-7260

Local Law Enforcement Agency (for FOUND Study residences):

New York Police Department
84th Precinct
301 Gold Street
Brooklyn, NY 11201

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

- **In person** at the Public Safety Building at 233 Bonair Siding Road, Monday through Friday, 8 a.m. to 5 p.m.
- **By mail** to 233 Bonair Siding Road, Stanford, CA 94305
- **By email** to publicsafety@lists.stanford.edu
- **By phone** at **+1 650-723-9633**

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. 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 65-66.

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), 233 Bonair Siding Road, 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
233 Bonair Siding Road
Stanford, CA 94305
Phone: **+1 650-723-9633**
24-Hour non-emergency line: **+1 650-329-2413**

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 Stanford in New York 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

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 a constant dedication to the principles of honesty, integrity, fairness, courage, and courtesy.

The members of DPS care about the safety of all persons who live, work and visit the Stanford University campus. If you witness or hear about actions that do not reflect the values we have espoused, I encourage you to contact the department and provide us with specific information so that we can take corrective steps. We also welcome feedback about service and conduct that meets or exceeds your expectations.

I hope you will take a few minutes to review the content of this report. It contains a wealth of information about safety intended to help you avoid being the victim of crime; options for responding to threats and crimes; and how to prepare to minimize the impact of an emergency.

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 22.

| Police / Fire / Medical Emergencies | 9-1-1 |
|-------------------------------------|--------------|
| Police non-emergency phone | |
| Stanford In New York | 212-477-7411 |
| FOUND Study residences | 718-875-6811 |
| New York Program Director | 212-768-2905 |
| New York Program Administrator | 212-768-2905 |
| Student Ambassadors | |
| NewYorks@lists.stanford.edu | |

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."

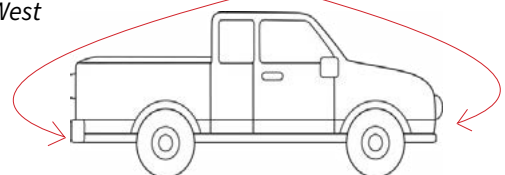
-Mode & direction of travel, such as car color, make/model, and most importantly- license plate.

"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.*

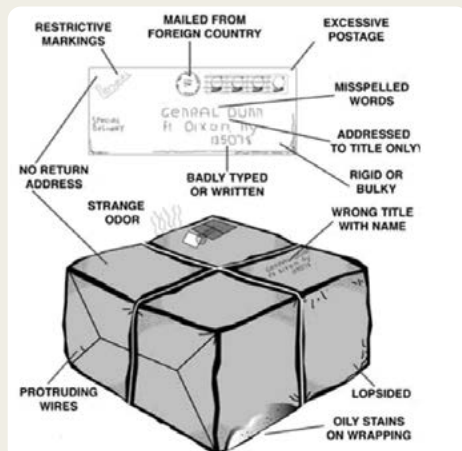
- Write down the apparent gender, age, and unique speech attributes of the caller.
- Note if anything can be heard in the background.
- If they do not tell you, ask the caller where the device is located and when it is set to detonate.
- Call **911** immediately and provide the details.

If you receive a suspicious package ► *Call 9-1-1 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 9-1-1 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 director or administrator at **212-768-2905** 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 **650-723-9633**. 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.

Reporting Emergencies and Crimes Campus Security Authorities

The accurate reporting of crimes helps keep the community informed and ensures institutional compliance with state and federal law. Anyone who experiences Prohibited Conduct ¹ 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 (see page 10).

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 Sr. Associate Vice Provost of Residential and Dining Enterprises
- The Vice Provost for Student Affairs
- The Dean of Students
- The Director of Vaden Health Center
- Resident Directors and Resident Fellows
- Resident Assistants and Community Assistants
- Athletic Coaches
- Vice Provost For Institutional Equity, Access, and Community, SHARE Title IX professional staff
- Office of Community Standards staff
- Study Abroad Directors
- Department of Athletics Red Coat staff
- Fraternity and sorority life professional staff
- Assoc. Vice Provost for Inclusion, Community, and Integrative Learning; Community Ctr. Directors
- Office of Student Engagement professional staff
- The Haas Center professional staff
- Graduate Life Office professional staff
- 5-SURE safety escorts

¹ See page 22 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 under the heading 'CSA Resources.'

CSA Reporting Obligations - Reporting Clery Crimes to the Clery Compliance Coordinator

Federal Law (34 CFR 668.46 (c))

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 locations of 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 for the purpose of statistical reporting. The way to notify the Clery Compliance Coordinator is to complete the online form at CSAforms.stanford.edu or by completing the PDF form available at police.stanford.edu/pdf/CSA-Report-Form.pdf. Email the completed PDF to:

Lucia Wade

Clery Compliance Coordinator
secure-clerycsa@lists.stanford.edu

Reporting Emergencies and Crimes Campus Security Authorities

The Clery reportable² 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 59-60.

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

Coordinator in a timely manner and as soon as practicably possible 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.

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

² 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 to 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.



Reporting Emergencies and Crimes

Campus Security Authorities

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 or other forms of Prohibited Sexual Conduct to both 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 offices.

Lucia Wade

Clery Compliance Coordinator

secure-clerycsa@lists.stanford.edu

Emergency Notifications and Timely Warnings

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, Stanford in New York will initiate, without delay, use of Stanford in New York 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 cardinalready.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.

Location of Registered Sex Offender Information

New York Maintains a publicly available sex offender registry that can be accessed at <http://www.criminaljustice.ny.gov/nsor/>.

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 by dialing 9-1-1.

► **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 dorm rooms, hallways, student lounge, and the Center's computer room.

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 2.2.4](#)

See Something Suspicious, Say Something Specific

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 Not To 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-harm³ 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

³ 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 Management Team

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 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

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.



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

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

dhs.gov/active-shooter-preparedness

International Travel Assistance

Local systems and practices – such as filing a police report, medical services, and court proceedings – may differ from those in the United States, as noted at the U.S. Department of State website. Refer to their guidance at

travel.state.gov/content/travel/en/international-travel/emergencies/crime.html

If you are traveling internationally and you find yourself in need of immediate assistance, including situations in which you experience a medical, security, or travel emergency,

Stanford may have resources to assist you. For a list of contact numbers for Stanford international travel assistance providers, visit

internationaltravel.stanford.edu/emergencies

A range of resources, including those listed below, may be available to Stanford travelers. Note that charges may apply or some services. General international travel preparation resources can be found at the Office of International Affairs' website, international.stanford.edu/travelers

Personal Travel Locator & Emergency Record

- As required by policy, all Stanford travel must be booked via **Stanford Travel**. In particular, this allows you to 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

- Receive itinerary-specific medical and security guidance and advice before traveling on university-sponsored business.
- 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

- Access clinics and doctor referrals around the world

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 substances⁴) 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 Substance Use Policy Education & Resources 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 Substance Use Policy Education & Resources (SUPER) oversees, manages, and holds authority for the application of the University's Student Alcohol and Other Drugs Policy (super.stanford.edu). 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 SUPER website, super.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.

⁴ 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 Alcohol & Drug Info section at https://alcohol.stanford.edu/alcohol-and-other-drugs</p> <p>The Faculty Staff Help Center provides employees information on health risks and the effects of alcohol and drugs in the workplace on their Preventing Alcohol and Drug Abuse website.</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>University Administrative Guide Memo (AGM) 2.2.8 Controlled Substances and Alcohol https://adminguide.stanford.edu/chapter-2/subchapter-2/policy-2-2-8</p> <p>The Fundamental Standard, a student policy https://communitystandards.stanford.edu/student-conduct-process/honor-code-and-fundamental-standard</p> <p>The SU Student Alcohol and Other Drugs Policy has additional policies at https://alcohol.stanford.edu/home/stanford-university-student-alcohol-policy</p> <p>This document clarifies the University's expectations and approach related to the use of alcohol by students.</p> <p><i>Preamble</i> <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, https://alcohol.stanford.edu/students , includes a list of on-campus and off campus resources. |
| A disciplinary sanction may include the completion of an appropriate rehabilitation program. | AGM 2.2.8 , 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." |

Controlled Substances & Alcohol

| 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 AGM 2.2.8, section 5. Legal Sanctions 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 https://adminguide.stanford.edu/chapter-2/subchapter-2/policy-2-2-8#anchor-23 https://alcohol.stanford.edu/home/stanford-university-student-alcohol-policy 403</p> <p>NY ABC § 65-c. Unlawful possession of an alcoholic beverage with the intent to consume by persons under the age of 21 years.</p> <p>Penal Code §220.00 - 220.77 - Possession or sale of controlled substances. Full text at http://public.leginfo.state.ny.us/lawssrch.cgi?NVLWO:</p> <p>Penal Code §240.4 - Appearance in public under the influence of narcotics or drugs other than alcohol</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>AGM 2.2.8, 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 SU Student Alcohol and Other Drugs Policy, section Alcohol Policy Violations, the Office of Substance Use Programs Education & Resources 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 | |
| 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>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, SUPER 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 | |
| A biennial review by the Institution of its program to determine its effectiveness and implement changes to the program if they are needed. | <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 DPS, 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>All alcohol and drug initiatives run out of the Office of Substance Use Programs Education & Resources 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 & 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 Overdose Accidents Death |
| Cannabis | Marijuana products (joints, blunts, edibles, tinctures, wax, etc.) | Distorted sense of time, space, memory and impaired coordination | Dependency Accidents |
| Stimulants | Cocaine, methamphetamine, nicotine | Increase central nervous system functioning. Elevated heart rate, hyperactivity, agitation, exhaustion, anxiety and depression | Dependency Overdose Death Accidents |
| Hallucinogens | LSD, acid, mushrooms | Distorted sense of reality, time, space, perceptions and sensations. | Dependency Psychosis 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 Overdose Accidents Death |



Photo: Linda A. Cicero / Stanford News Service

Prohibited Sexual Conduct



Acts of sexual assault, sexual harassment, dating violence, domestic violence, stalking, and retaliation are unacceptable and will not be tolerated at Stanford University (Administrative Guide 1.7.1). Hereafter, matters prohibited by Administrative Guide 1.7.1 will be referred to collectively as “Prohibited Sexual Conduct.” Included within Prohibited Sexual Conduct is conduct prohibited by Title IX, state laws, and university standards.

The university will continue to evaluate Prohibited Sexual Conduct policy, procedures 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 for updates.

The university has designated procedures to respond and investigate allegations of Prohibited Sexual Conduct. The Title IX Procedure applies to all respondents under circumstances in which the misconduct meets the jurisdictional threshold of the federal regulations implementing Title IX. Title IX jurisdiction exists when:

- The conduct falls within a Title IX definition of Prohibited Sexual Conduct
- The conduct happened in the United States
- The conduct happened on campus or was connected to a university program or activity
- The complainant (the victim) was accessing a university program or activity at the time of the report
- The conduct occurred on or after August 14, 2020

The university has additional procedures to address conduct that is not covered by Title IX but that otherwise is subject to Administrative Guide 1.7.1. One procedure applies to faculty and student respondents, the SHARE Hearing Procedure, and one procedure applies when a student complainant brings forward a complaint against a staff or postdoctoral scholar, SHARE Investigation Procedure. All investigation and hearing procedures for Prohibited Sexual Conduct violations will provide a prompt, fair, and impartial process from the initial investigation to the final result.

Federal and state laws, regulations, and university policies each provide definitions for sexual assault, dating violence, domestic violence, and stalking (collectively “Prohibited Sexual Conduct”). Definitions can vary between federal and state law. State definitions are used by police and prosecutors to determine if a crime has been committed. 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. Many definitions are prescribed by Title IX and the Clery Act, federal laws. Definitions from the Clery Act 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 66-67. It is important to note the definitions in order to better understand how to interpret the statistical data.



Stanford Policies Reference Guide

Conduct Expectations

- Fundamental Standard (students only) - communitystandards.stanford.edu/policies-guidance/fundamental-standard
- Code of Conduct - adminguide.stanford.edu/chapter-1/subchapter-1/policy-1-1-1
- Prohibited Sexual Conduct, Sexual Assault, and Sexual Harrassment Policy - 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
- Violence in the Workplace - adminguide.stanford.edu/chapter-2/subchapter-2/policy-2-2-4

Disciplinary Processes

- Stanford Student Title IX Investigation & Hearing drive.google.com/file/d/1x2iXJc8UgejHexkgzgeL_NnnFLAZCKMz/
- Stanford SHARE Hearing drive.google.com/file/d/1XwpQQI4WiMRJTU_-8ltuGdtpluHuaG_t/
- Stanford SHARE Investigation (for staff and post-doctoral scholars) drive.google.com/file/d/1adRI8x5WKsT5rZjXBhakykDDPgXt1xp0R/view
- Addressing Conduct and Performance Issues (staff) - adminguide.stanford.edu/chapter-2/subchapter-1/policy-2-1-16

STATEMENT OF VALUES

Stanford University and the 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 a victim's privacy.

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 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 violent crimes, hate crimes, and sexual assaults, their outcomes, and processes, while maintaining confidentiality where the law requires confidentiality.



WHAT TO DO IF YOU HAVE EXPERIENCED A SEXUAL ASSAULT OR OTHER PROHIBITED SEXUAL CONDUCT

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** or **9-9-1-1** from a campus phone.

Seek Support and Explore Options

The university strongly encourages persons who have been subjected to Prohibited Sexual Conduct to seek support from professional resources, either on- or off-campus. University staff responding to prohibited conduct will provide written notification about on- and off-campus resources to persons reporting incidents of Prohibited Sexual Conduct. For a list of resources, see the "Resources" section on page 26, or see the resources listed at equity.stanford.edu/sexual-harassment-support. When determining which resource to consult, be aware that some university staff, including faculty and residence staff, are obligated to report acts of Prohibited Sexual Conduct to the university and/or local police. There are confidential resources on- and off-campus to help individuals decide their next steps.

Individuals who wish to report a concern to the university may contact the Title IX Coordinator (titleix@stanford.edu) or seek assistance from resources not listed as confidential. These staff will protect your privacy by limiting the people with whom they share what is told to them, to the extent permitted by law.

Collect & Preserve Evidence / Obtain a SAFE Exam⁵

Individuals who have experienced a sexual assault are encouraged to have a Sexual Assault Forensic Exam (SAFE) 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. 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.

Individuals who are uncertain about whether they want to pursue criminal or other remedies are encouraged to obtain a SAFE exam because participating in the exam allows for the collection and preservation of evidence that might be useful should individuals decide they want to pursue any type of action at a later date. In Santa Clara County, SAFE exams are performed at Stanford Hospital, through the Emergency Department, or at the Santa Clara Valley Medical Center (SCVMC) in San Jose. SAFE exams will be performed at no cost to a victim of sexual assault. A victim does not need to file a police report in order to obtain a SAFE exam. By law, hospitals are required to notify the police if a person reports having been sexually assaulted or the victim of any crime in which a physical injury has been sustained.⁶ Hospitals will notify the police agency that has jurisdictional responsibility where the assault took place. Victims have the option to speak with the police or not. The ability to have a SAFE exam performed is not dependent upon speaking with the police or filing a police report. If a victim needs transportation assistance, a university staff person will provide it.

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

⁵ A Sexual Assault Forensic Exam may also be referred to as a medical-legal exam, a SART (Sexual Assault Response Team) exam, or a Sexual Assault Nurse Exam (SANE).

⁶ California Penal Code § 11160

RESOURCES

Stanford is committed to providing information regarding on- and off-campus services and resources to all involved parties. The university has a comprehensive website dedicated to sexual violence awareness, prevention, and support at equity.stanford.edu/sexual-harassment-support. 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. Additionally, written notification of rights and options for reporting, including the option to notify or decline notification to law enforcement for the purposes of an investigation, shall be provided.

Confidential Campus Resources

The six resources below have the ability to keep a victim's name confidential and anonymous. If you are unsure where to go, start with the Stanford Confidential Support Team. Reporting an incident of Prohibited Sexual Conduct to one of these resources will not lead to a university or police investigation.⁷

- | | |
|--|-------------------------------|
| • Stanford Confidential Support Team | 650-725-9955 |
| • YWCA Silicon Valley domestic violence and sexual assault hotline | 408-295-4011 ext. 3667 |
| • Counseling and Psychological Services (CAPS, for students) | 650-723-3785 |
| • Faculty Staff Help Center (for faculty, staff, and post-docs) | 650-723-4577 |
| • Office for Religious Life | 650-723-1762 |
| • University Ombuds | 650-497-1542 |
| • School of Medicine Ombuds | 650-498-5744 |

The remainder of the campus resources listed below and on the following page may have specific requirements for reporting and cannot guarantee confidentiality. See the individual footnotes for details.

Medical Resources⁸

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

⁷ 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 years of age is considered to be a child.

⁸ 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.

⁹ See pages 27 and 31 for additional information.



General Campus Resources:¹⁰

If you are unsure of where to go, start with the SHARE Title IX Office.

- SHARE Title IX Office/Title IX Coordinator
titleix.stanford.edu **650-497-4955**, titleix@stanford.edu
- Residential Education/House Staff
(Resident Directors, Resident Assistants, Residence Fellows)
*If there is no answer or if you have an urgent, after-hours issue, contact the campus operator at **650-723-2300** and ask to be connected to the Undergraduate Residence Director on call.*
- Graduate Life Office Deans
*If there is no answer or if you have an urgent, after-hours issue, call the 24-hour pager: **650-723-8222**, pager ID **25085** or send a message to 25805@pageme.stanford.edu*
- Office of Community Standards **650-725-2485**
- Bechtel International Center (for international students)
Shalini Bhutani, Asst. Vice Provost, Executive Director sbhutani@stanford.edu
- ASSU Legal Counseling Office
assu.stanford.edu/services/legal-counsel-office **650-375-2481**
- Human Resources (Individual school and department contact list at stanford.app.box.com/v/HRM-List)
hr.stanford.edu or cardinalatwork.stanford.edu
- The Department of Public Safety
police.stanford.edu **650-723-9633**
- University Ombuds **650-497-1542**
- School of Medicine Ombuds **650-498-5744**

Off-Campus Resources

- YWCA Support Line for Domestic Violence, Sexual Assault, and Human Trafficking **800-572-2782**
- Planned Parenthood Mountain View **650-948-0807**
- Next Door Solutions to Domestic Violence **408-279-2962**
- Community Solutions **877-363-7238**
- Santa Clara County District Attorney's Office Sexual Assault Investigations Team **408-792-2793**
- Santa Clara County District Attorney's Office Domestic Violence Investigations Team **408-792-2537**
- National Domestic Violence Hotline **1-800-799-SAFE (7233)**
- Rape, Abuse & Incest National Network Hotline **1-800-656-HOPE (4673)**

¹⁰ 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.

REPORTING TO THE POLICE

Sexual assault, violence in any form, violation of a court order, and stalking (as defined by the Penal Code) are crimes. The Department of Public Safety encourages an individual who has been subjected to Prohibited Sexual Conduct, especially criminal misconduct, to report the incident to the police department of jurisdiction where the incident occurred.

The university will assist victims in reporting incidents of criminal Prohibited Sexual Conduct to the local law enforcement agency, if the victim chooses to report the matter to the police. A person who has been subjected to Prohibited Sexual Conduct is not obligated to report to the police and may choose not to file a report with the police.

The Stanford University Department of Public Safety (SUDPS) is a multi-service agency providing law enforcement, security, safety, crime prevention, and emergency services on the main campus. If you have an emergency, call **9-1-1**, or **9-9-1-1** from a campus telephone. During normal business hours, the department can be reached at **650-723-9633**. After hours, the non-emergency phone number is **650-329-2413**. Tell the dispatcher that you need to speak to the Watch Commander for a personal matter.

If you have been sexually assaulted and are uncertain about whether you want to report the crime for purposes of criminal prosecution, you may discuss the process and ask questions over the phone with a SUDPS deputy without providing personally identifying information about yourself or the alleged perpetrator. If the crime occurred in the university's Clery geography,¹¹ this discussion may result in the crime being counted for purposes of a Clery statistical report but does not constitute the filing of a police report for the purposes of investigation and prosecution.

If a victim would like support in filing a police report for a crime that occurred in a different jurisdiction, SUDPS will assist to the extent possible. SUDPS submits investigative reports for crimes that occurred on the main campus to the Santa

Clara County District Attorney's Office, which is responsible for prosecution. Information about the criminal investigations process is on page 29.

Victims' Rights

The California Constitution confers certain rights to victims of crime in the state (*Marsy's Law, California Constitution article I, § 28, section (b)*). Examples of these rights include, but are not limited to:

Fairness and Respect- To be treated with fairness and respect for one's privacy and dignity, and to be free from intimidation, harassment, and abuse throughout the criminal or juvenile justice process.

Protection from the Defendant- To be reasonably protected from the defendant and persons acting on behalf of the defendant.

Prevention of Disclosure of Confidential Information- To prevent the disclosure of confidential information or records to the defendant, the defendant's attorney, or any other person acting on behalf of the defendant, which could be used to locate or harass the victim or the victim's family or which disclose confidential communications made in the course of medical or counseling treatment, or which are otherwise privileged or confidential by law.

To refuse an interview, deposition, or discovery request by the defendant, the defendant's attorney, or any person acting on behalf of the defendant, and to set reasonable conditions on the conduct of any such interview to which the victim consents.

For a full list of these rights as well a victim resources for many different types of crime, refer to sccgov.org/sites/da/VictimServices/VSU/Pages/default.aspx.

Other states have passed similar legislation providing rights for victims of crime. Also refer to page 34 for additional information of written rights and resources provided to Impacted Parties and other participants in administrative or criminal investigations. Each investigation will require its own course of action.

¹¹ See pages 65 for definitions of geographic categories for which crime statistics must be recorded under the Clery Act.



POLICE / CRIMINAL INVESTIGATION

In general, when a person reports Prohibited Sexual Conduct to a police department, an on-duty deputy or police officer will obtain a preliminary statement from the victim in order to ascertain the type of crime that occurred. In California, if the crime being reported is a sexual assault, the deputy or police officer must offer the victim the opportunity to have a trained advocate present for the interview.¹²

If the crime is a sexual assault and the assault occurred within 72-96 hours of the report being made to the police, the officer or deputy will offer the victim the opportunity to participate in a SAFE¹³ exam to collect and preserve evidence (see section on page 25 “What To Do If You Have Experienced a Sexual Assault...”). This exam is performed at a hospital and will be administered by a trained health care professional. SAFE exams are comprehensive and can take several hours to perform. The medical practitioner will explain each step of the process to the victim. Police officers are not present in the exam room during the exam. The police will drive a victim to and from the hospital for the SAFE exam, if requested.

Due to the length of time required to complete a SAFE exam, most victims will want to go home or to a place that feels safe after the exam. To support the victim’s wishes, the in-depth investigatory interview, to be conducted by a deputy with trauma-informed interview training, will be scheduled for a later date and time. Some victims choose to provide a more in-depth statement immediately after the SAFE exam and some prefer to give an in-depth statement before the exam. Police will adjust the interview schedule according to the victim’s level of comfort and expressed preferences. In order to conduct a thorough and comprehensive investigation, multiple interviews may need to take place.

¹² There are a number of statutory provisions related to the presence of an advocate to support victims of sexual assault: California Penal Code § 264.2 provides a victim with the right to have an advocate and a support person present at any evidentiary, medical or physical exam, or interview conducted by law enforcement authorities or district attorneys. Additionally, § 264.2 requires the notification of a local rape crisis center whenever a victim is transported to the hospital for a medical-legal exam. California Evidence Code § 1035.4 provides confidentiality for communications between the victim and a sexual assault counselor in the course of their relationship in consultation; however, disclosure may be compelled by the court when relevant to a legal proceeding.

¹³ Also referred to as a medical-legal exam, SART exam, or SANE exam.

Additionally, Stanford and the County of Santa Clara have entered into a memorandum of understanding to support victims of sexual violence and to provide mutual cooperation. If a victim prefers, a joint interview with SUDPS and Title IX can be arranged.

At the conclusion of the investigation, reports that occur within the jurisdiction of the SUDPS will be forwarded to the Santa Clara County District Attorney’s Office for review. The District Attorney’s Office determines if criminal charges will be filed.



Advocates

Advocates have one sole purpose: to support the victim. The victim may accept or decline having an advocate present for support. At Stanford, the advocate is provided by the YWCA Silicon Valley Rape Crisis Department. If a victim requests to have an advocate present, the advocate will be called and will respond to the police department or the location of the interview or SAFE exam. It can take up to an hour for an advocate to arrive. 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 SHARE Title IX Office. Additionally, Campus Security Authorities, per state law, must notify local law enforcement about a sexual assault. The name of the victim may be withheld, except under certain circumstances. For more information about the state law requirements for law enforcement notification, see pages 6-9.

PRIVACY AND CONFIDENTIALITY

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 resources on page 26).

In this context, privacy means that information related to a complaint will be shared with only a limited number of University employees who "need to know" in order to assist in the assessment, investigation, and resolution of the report. All employees who are responsible for the University's response to Prohibited Sexual Conduct receive specific training and guidance about sharing and safeguarding private information in accordance with state and federal law. The privacy of student education records will be protected in accordance with the Family Educational Rights and Privacy Act ("FERPA"), and the privacy of employee records will be protected in accordance with California law and University policy.

Confidentiality exists in the context of laws that protect certain relationships, including those who provide services related to medical and clinical care, mental health providers, counselors, and ordained clergy. The law creates a privilege between certain health care providers, mental health care providers, attorneys, clergy, spouses, and others, with their patients, clients, parishioners, and spouses. The University has designated individuals who have the ability to have privileged communications as Confidential Resources.

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 other factors. 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.

During university investigations, the identities of impacted parties and witnesses are generally shared with the accused. Should a Complainant make a request that the University not disclose the Complainant's identity to the Respondent, the Title IX Coordinator will inform the Complainant that the University's ability to respond to the allegations and Investigate may therefore be limited if the request is granted. A Complainant who initially requests Confidentiality is not prohibited from later requesting that the University conduct a full Investigation.

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.

Except for Confidential Resources, information shared with other individuals is not legally protected from being disclosed. However, the University takes requests for Privacy and Confidentiality seriously, to the extent it can do so while at the same time fulfilling its responsibility to provide a safe and nondiscriminatory environment for all students and the University community. The University in such circumstances will make sure the Complainant is aware he/she/they are protected from Retaliation.

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 the victim wants their name to remain confidential. If a victim elects to have their 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.

UNIVERSITY TITLE IX INVESTIGATION AND HEARING

OVERVIEW

All students, faculty, staff, postdoctoral scholars affiliates and others participating in University programs and activities in the United States are subject to this Title IX Procedure. This Procedure applies to conduct occurring on or after August 14, 2020.

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 (or 9-9-1-1 from a campus phone).

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 26-27 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 the Title IX Coordinator. 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 in the jurisdiction where the crime took place. For more information about CSA obligations, refer to pages 6-9.¹⁴

Reports of Prohibited Sexual Conduct should be submitted in person, on the phone, or via email to the Title IX Coordinator / SHARE Director:

Stephen Chen
Kingscote Gardens (2nd Floor), 419 Lagunita Drive
Stanford, CA 94305
(650) 487-4955 or titleix@stanford.edu

The Title IX Coordinator or their delegate within the SHARE Office will offer supportive measures, 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.

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 “Privacy and Confidentiality” on page 30).

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. 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) may be limited if a victim elects to not participate in the university's disciplinary process. After an alleged act of Prohibited Sexual Conduct, if requested by the victim and reasonably available, the university will provide supportive 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. Refer to the Court Issued Protective/Restraining Orders & University No Contact/Stay Away Letters section on pages 62 for more information.

¹⁴ 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).



PROCEDURE

The following summary does not include all the detailed provisions of the Title IX Investigation and Hearing Procedure. The full document is available at drive.google.com/file/d/1x2iXJc8UgejHexkgzgeL_NnnFLAZCKMz/

Receipt of Report

Upon receipt of notice of an Initial Report of Title IX Prohibited Conduct (which may come from any individual), the Title IX Coordinator or Deputy Title IX Coordinator (or their designee) will promptly contact the Complainant and inform the Complainant:

- of the availability of Supportive Measures, including that the Supportive Measures are available with or without filing a Formal Complaint;
- of the availability of confidential counseling resources both on and off campus;
- how to file a Formal Complaint;
- that, if the reported conduct could be a crime, the Complainant has the right but not the obligation to file a police report, and that if there is a police investigation, the Title IX Coordinator will coordinate with law enforcement; and
- of the importance of preserving evidence and identification and location of Witnesses.

If on the face of the Initial Report, the Title IX Coordinator determines that the conduct alleged does not fall within the scope of Title IX, the Title IX Coordinator may also inform the Complainant that the matter may be referred to another University process. Even if the matter is referred, the Complainant will still receive an offer of Supportive Measures.

Supportive Measures will be different for every matter and will be based on individualized review. Stanford offers confidential counseling to community members, through the Confidential Support Team for students, and through the Faculty/Staff HELP Center for others. The University will maintain as Private any Supportive Measures provided to the Complainant or Respondent, to the extent that maintaining such confidentiality would not impair the ability of the University to provide the Supportive Measures.

The Title IX Coordinator or Deputy Title IX Coordinator is responsible for coordinating the effective implementation

of Supportive Measures. The Title IX Coordinator or Deputy Title IX Coordinator will consider the Complainant's wishes with respect to Supportive Measures.

Based on an Initial Report or Formal Complaint of Title IX Prohibited Conduct, the Title IX Coordinator, in consultation with the Threat Assessment Team or others as appropriate, may undertake an individualized safety and risk analysis to determine whether the allegations indicate the Respondent poses an immediate threat to the physical health or safety of any student or other individual arising from the allegations of Title IX Prohibited Conduct. If the University determines removal is appropriate, the Respondent will be provided with notice and an opportunity to challenge the decision immediately following the removal. The University may place a non-student Respondent on administrative leave after notice of a report of Title IX Prohibited Conduct and during the pendency of resolution of the matter.

The Formal Complaint

A Complainant may complete and sign a Formal Complaint alleging Title IX Prohibited Conduct against a Respondent and requesting that the University Investigate the allegation of Title IX Prohibited Conduct.

At the time of filing a Formal Complaint, a Complainant must be participating in or attempting to participate in one of the University's Programs or Activities. Attempting to participate includes circumstances where the Complainant has taken a leave of absence or has otherwise discontinued participation in University Programs or Activities, but intends to return to their University affiliation.

The Title IX Coordinator will determine whether to proceed with the formal complaint. A Complainant may request that the University not proceed with an Investigation or further resolution under this Procedure. A Complainant's wishes with respect to whether the University Investigates will be respected unless the Title IX Coordinator determines that signing a Formal Complaint over the wishes of the Complainant is not clearly unreasonable in light of the known circumstances. The Title IX Coordinator will inform the Complainant that due to various federal and state laws and/or in order to protect the safety of the campus community some circumstances require the University to move forward with an Investigation, even if the Complainant requests otherwise.

The University's decision is subject to a balancing test that requires the University to consider a range of factors, including:

- The status of the Respondent and whether the Respondent has authority over students and/or staff.
- Whether there have been multiple reports of Title IX Prohibited Conduct (or other violations of Administrative Guide section 1.7.1) relating to a single Respondent;
- The seriousness of the alleged Title IX Prohibited Conduct (e.g., whether the alleged conduct involved a weapon, physical restraints or battery);
- Whether there is a likelihood that the Respondent would be a danger to the Complainant or the Stanford community;
- The age of the Complainant;
- Whether the report of Title IX Prohibited Conduct can be effectively addressed through another type of intervention; and
- The ability of the University to obtain relevant evidence.

Upon receipt of a Formal Complaint, the University will provide a Notice of Formal Complaint to the Parties for whom the University knows their identity, including the following details:

- A description of the University's Title IX Procedure, including any Informal Resolution process.
- A description of the allegations including sufficient details known at the time such as:
- the identities of the Parties involved in the incident;
- the conduct allegedly constituting Title IX Prohibited Conduct; and
- the date and location of the alleged incident. A statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of a Hearing.
- A statement that the Parties may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence as described herein.

The Notice of Formal Complaint will be provided with sufficient time to respond and prepare for any investigative

interviews. Once a Notice of Formal Complaint is issued, a Respondent student's ability to receive a degree is placed on hold.

After receiving Notice of Formal Complaint, both the Complainant and the Respondent will be asked to identify any academic, employment, or other significant conflicts that would affect the timing of the Investigation and potential Hearing. The Hearing Coordinator will consider this input in finalizing any Hearing Schedule.

An ongoing notice may be required if the scope of investigation changes. If, in the course of an Investigation, the University decides to investigate allegations about the Complainant or Respondent that are not included in the initial Notice of Formal Complaint provided, the University will provide notice of the additional allegations to the Parties whose identities are known.

Rights and Responsibilities of Parties and Witnesses

During an Investigation and Hearing under this Title IX Procedure, the Parties and Witnesses have the following responsibilities.

1. The responsibility to be truthful, to cooperate with the process, and to follow the directions of University staff and agents responsible for administering this process;
2. The responsibility not to Retaliate against or Intimidate (see page 42) any individual who has reported Title IX Prohibited Conduct or who has participated as a Party or Witness in the process; and
3. The responsibility to keep private (by not disseminating beyond Support Persons) documents, materials, and information received from the University during this process; and
4. The responsibility to destroy, when so directed by the University, evidentiary materials and/or writings submitted by the other Party as part of the process.

During an Investigation and Hearing under this Title IX Procedure, the Parties and Witnesses have the following rights.

1. The right to be protected from Retaliation and Intimidation where one has reported Title IX Prohibited Conduct or participated as a Party or Witness in the process;



2. The right to exercise First Amendment rights and not be subject to investigation for Retaliation for the exercise of such rights;
3. The right to receive information regarding consequences for knowingly making false statements or knowingly submitting false information during the Title IX Procedure under the Code of Conduct and/or Fundamental Standard;
4. The right to take breaks during cross-examination at a Hearing, as needed and as permitted by the Hearing Officer.

Student Complainants and Respondents and faculty Complainants and Respondents may opt to work with a University-Identified Attorney for pre- Hearing preparation after a matter has been set for Hearing, plus actual time required for the Hearing, plus up to two additional hours for any Appeal, at no cost to the Party. Student parties and witnesses maintain 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.

Parties or witnesses may request disability-related accommodations from the Diversity and Access Office to assist with their ability to participate in any service or process that SHARE Title IX administers. Diversity and Access will work with the party or witness, as well as the SHARE Title IX Office, to determine the appropriate accommodation(s) for that individual.

During an Investigation and Hearing under this Title IX Procedure, all parties have the following rights.

1. The right to be treated equitably and receive the same equitable access to Supportive Measures;
2. The right to have each phase of the Title IX Procedure completed within a reasonably prompt timeframe (as set forth in Appendix C);
3. The right to a Process Support Person to support and/or advise the Party;
4. The right to receive a Notice of Formal Complaint that provides sufficient detail about the allegations and the applicable University policies for the Respondent to be able to respond and for both Parties to understand the scope of the Investigation;

5. The right to decline to give a statement about the allegations or attend a Hearing;
6. The right to participate in the Investigation, including by identifying fact Witnesses and Expert Witnesses and identifying and/or providing inculpatory, exculpatory and other relevant information and evidence to the Investigator;
7. The right to receive and appeal any Notice of Dismissal;
8. The right to review all evidence directly related to the allegations, in electronic format or hard copy, with at least 10 days for the Parties to inspect, review, and respond.
9. The right to receive an Investigative Report that fairly summarizes relevant evidence, in electronic format or hard copy, with at least 10 days for the Parties to respond;
10. For all Complainants and Respondents, the right to up to three hours of consultation time with a University-Identified Attorney for pre-Hearing preparation after a matter has been set for Hearing, plus actual time required for the Hearing, plus up to two additional hours for any Appeal, at no cost to the Party. For student Complainants and Respondents, this time is in addition to the pre-Hearing consultation time
11. The right to have the matter heard at a live Hearing by a neutral Hearing Officer who will determine the matter using a Preponderance of the Evidence standard and who will not prejudge the outcome of a case;
12. The right to a Hearing Support Person who will conduct oral cross-examination at the live Hearing on behalf of the Party;
13. The right to jointly agree with the other Party to waive cross- examination through the Hearing Support Persons and instead submit written cross-examination questions to the Hearing Officer to conduct the examination.
14. The right to receive a Written Determination Regarding Responsibility (if any);
15. The right to appeal the Written Determination Regarding Responsibility to a neutral Appeal Officer; and
16. The right to receive a Notice of Outcome of Appeal.

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.

The Respondent has the right not to have any disciplinary Sanctions imposed before a finding of responsibility in accordance with this Title IX Procedure and the right to be presumed not responsible for the alleged Title IX Prohibited Conduct until a determination regarding responsibility is made at the conclusion of the Hearing.

The Title IX Coordinator shall make an initial assessment as to whether a Formal Complaint submitted by a Complainant contains sufficient allegations on its face to describe an act of Title IX Prohibited Conduct covered by this Title IX Procedure. If it does not, the University may seek new or additional information from the Complainant, and may inform the Complainant about other University procedures that may be more applicable to the alleged conduct.

Informal Resolution

At any time after a Formal Complaint is filed, the Title IX Coordinator or Deputy Title IX Coordinator may, in their discretion, choose to offer and facilitate an Informal Resolution process, so long as both Parties give voluntary, informed, written consent to attempt Informal Resolution. The University may not require the Parties to participate in an Informal Resolution process or require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, and election to participate in an Informal Resolution does not constitute a waiver of the right to reinstate a formal Investigation and adjudication of Formal Complaints of Title IX Prohibited Conduct. Upon agreement to an Informal Resolution by the parties and the university, an Informal Resolution is a final outcome of the matter and is not subject to appeal. Any person who facilitates an Informal Resolution will be experienced and trained in dispute resolution and trained on this Title IX Procedure.

At any time prior to agreeing to an Informal Resolution, any Party has the right to withdraw from the Informal Resolution process and resume the process with respect to the Formal Complaint.

No Informal Resolution process will be offered before a Formal Complaint is filed. No Informal Resolution process will be offered to resolve Formal Complaints involving a

student as Complainant and a staff or faculty member as Respondent. For any allegations in any Formal Complaint not subject to dismissal under this Title IX Procedure, the matter will proceed to an Investigation. The formal Investigation phase is the period during which the Investigator gathers information about the allegations. This period of time is the Parties' opportunity to provide input regarding the collection of evidence, but the burden of gathering evidence and the burden of proof is on the University. The University may, in its discretion, consolidate the Investigation of multiple Formal Complaints where the allegations arise out of the same facts.

Process Support Person

The Process Support Person serves as an advisor to the Party and may assist a Party on written submissions provided they are verified by the Party. The Process Support Person does not speak or advocate on behalf of the Party in University proceedings, except in the case of university provided attorneys, as described below. Any Process Support Person who violates these expectations may not be permitted to participate further in the process or as a Hearing Support Person. Only one Process Support Person will be allowed to accompany a Party to meetings with Investigators (including meetings that occur using technology, such as Zoom).

The University has identified local attorneys who are available to provide student Parties with up to six hours of consultation time once a Notice of Formal Complaint is issued and prior to a matter being set for Hearing. The consultation services of the University- Identified Attorneys are intended to provide student Parties the opportunity to discuss legal issues related to the Formal Complaint and assist with the Investigation phase and any Informal Resolutions offered prior to a Hearing. Student Parties are not obligated to use this resource or to follow any guidance provided by an attorney. Stanford will directly pay for up to six hours of consultation for student Parties prior to a matter being set for Hearing; student Parties will not be billed for this time. The student Parties will be informed of this resource, and the Title IX Office will provide a list of the University-Identified Attorneys available for consultation services for student Parties upon request. The student Parties are responsible for selecting their own University-Identified Attorney from this list.

A student Party may elect to use this resource at any time after a Notice of Formal Complaint is issued, and the six



hours of pre-Hearing consultation will be in addition to any services provided by a University-Identified Attorney

as a Hearing Support Person. While student Parties are not required to use a University- Identified Attorney and are otherwise permitted to engage another attorney, the University will not reimburse student Parties for such services or for any hours that exceed the allotted times for University-Identified Attorneys.

In the event a matter proceeds to a Hearing, University-Identified Attorneys will be made available to all Parties (students, faculty, staff, and postdoctoral scholars) for up to three hours of assistance with the pre-Hearing stage, plus time for the actual Hearing, plus up to two hours for any appeals. The University-Identified Attorney will provide guidance around Hearing preparation, conduct cross-examination during a Hearing, and may provide assistance during an appeal period or with any Informal Resolutions that are offered after a matter has been set for Hearing. Parties are not obligated to use this resource or to follow any guidance provided by an attorney. Attorneys owe a duty of loyalty to their Party clients, not to the University. The services provided by these attorneys are for the purpose of the resolution of the matter under this process only.

INVESTIGATION

The Title IX Coordinator or Deputy Title IX Coordinator will designate an individual to conduct the Investigation of a Formal Complaint.

The University will send the Parties advance written notice of any investigative interviews, meetings, or Hearings at which the Party is expected to be present.

The Investigator may gather information in multiple ways. The Investigator may collect relevant documents and other information and may also interview Parties and/or Witnesses. In addition, a Complainant or Respondent 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.

For purposes of this Title IX Procedure, the University will not access, consider, disclose, or otherwise use a Party's

records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the Party, unless the University obtains that Party's voluntary, written consent to do so.

Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove Affirmative Consent.

After the Investigator has concluded the collection of evidence, the Investigator will send the Parties and their Support Persons all evidence directly related to the allegations, in electronic format or hard copy, with at least ten (10) calendar days for the Parties to inspect, review, and respond to the evidence.

This is the opportunity for the Parties to identify New Evidence or Rebuttal Evidence. New Evidence is evidence that was not available earlier in the process, could not have been available based on reasonable and diligent inquiry, and is relevant to the matter. Rebuttal Evidence is evidence presented to contradict other evidence in the file, which could not have been reasonably anticipated by a Party to be relevant information at the time of the Investigation.

After the Investigator has received and considered the Parties' responses to the evidence, the Investigator will complete an Investigative Report that fairly summarizes the relevant evidence. The Title IX Coordinator will make the Investigative Report available to the Parties and their Support Persons in electronic format or hard copy, with at least ten (10) calendar days for the Parties to respond in writing to the Investigative Report. After the Title IX Coordinator has reviewed the Parties' responses to the Investigative Report, the Title IX Coordinator will make the determination whether to dismiss the Formal Complaint or proceed to a Hearing. After reviewing the investigative report and the parties' responses, the Title IX Coordinator will determine how to proceed.

The University must dismiss the Formal Complaint if after the Investigation it is determined by the Title IX Coordinator that the conduct alleged in the Formal Complaint does not constitute Title IX Prohibited Conduct or did not occur against a person in the United States.

Any conduct dismissed under this Title IX Procedure that could constitute a violation of Administrative Guide section 1.7.1 or any other University policy may be referred to another applicable University process. If the Formal Complaint alleges multiple claims that arise out of the same facts and circumstances, and the Title IX Coordinator determines that some conduct is covered under Title IX and some is not, all claims may proceed together to be resolved under this Title IX Procedure. If, however, the Title IX Coordinator determines some claims do not arise out of the same facts and circumstances, are not covered by Title IX, and could violate other University policy, that conduct will be dismissed and referred to another University process, and the Title IX Procedure will proceed with respect to the covered conduct only.

The university may exercise discretion in dismissing the Formal Complaint if the Respondent is no longer enrolled or employed by the University, specific circumstances prevent the University from gathering sufficient evidence to reach a determination, or the Complainant informs the Title IX Coordinator in writing that the Complainant desires to withdraw the Formal Complaint or allegations therein.

In the event of dismissal after the Investigation (mandatory or discretionary), the Title IX Coordinator may refer some or all of the matter for consideration under another applicable University policy or procedure, if any.

Upon dismissal, the University shall promptly send a Notice of Dismissal (mandatory or discretionary) and reason(s) for the dismissal simultaneously to the Parties. If the matter is being referred to another University procedure because it does not constitute Title IX Prohibited Conduct, but could violate other University policy, that information will be included in the notice as well.

The Parties may appeal a Notice of Dismissal. 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 Title IX Office, generally ten calendar days from the receipt of the Notice of Dismissal. The appeal is submitted to an External

Sexual Harassment/Assault Process Specialist and will be limited to the following grounds:

1. Were there any procedural irregularities that substantially affected the outcome of the matter to the detriment of the Complainant?
2. Was there any substantive new evidence that was not available at the time of the decision that could not have been available based on reasonable and diligent inquiry that would substantially affect the outcome of the decision?
3. Is the decision one that a reasonable person might have made?

Upon receipt of a Party's appeal, the Hearing Coordinator will share it with the other Party. Each Party may submit a response to the other Party's appeal (no more than 3,000 words). Each Party must submit this response by the date determined by the Hearing Coordinator, generally seven (7) calendar days after the other Party's appeal has been shared.

The Title IX Coordinator is permitted, but not required, to file a response to a Party's appeal to respond to concerns relating to procedural irregularities including the Investigation. The Title IX Coordinator may submit one response for each Party that files an appeal (that raises a procedural irregularity).

The Title IX Coordinator may offer an Informal Resolution for eligible matters at any time after a Formal Complaint is filed, including after the Investigation has concluded.

For any Formal Complaints not subject to Dismissal or Informal Resolution after Investigation, the matter will proceed to a Hearing. The Title IX Coordinator will notify both the Complainant and the Respondent in writing that the matter has been charged and referred to a Hearing Officer to decide the matter. The Hearing Coordinator will promptly set the Hearing based on the availability of the Parties and Witnesses.

Pre-Hearing Process

The Hearing Coordinator (working with the Investigator) will create the initial Hearing File within seven (7) calendar days after the issuance of the Notice of Hearing. However, in more complex cases involving, for instance, multiple allegations and/or Witnesses, the creation of the Hearing File may take longer. Before the Hearing File is made available to the



Parties, the Investigator/Hearing Coordinator will redact personally identifying information from the Hearing File, such as phone numbers, addresses, and medical information. The Investigator/Hearing Coordinator will also propose redactions of non-permissible and unrelated information in the Hearing File, and highlight those proposed redactions to the Parties. The Parties will receive electronic access to view the Hearing File and a log describing gathered materials that were not included in the Hearing File.

Expert Witnesses may be permitted only if the Hearing Officer needs special expertise in order to understand a technical matter, such as relevant forensic evidence; an understanding of that technical matter is likely to affect the Hearing Officer's finding; and/or there is not a more efficient method of obtaining the information necessary to resolve that technical matter. If allowed, an Expert Witness may be retained by a Party or by the Title IX Office. If an Expert Witness is retained by a Party, that Party will be responsible for any costs incurred, and the other Party will be allowed to respond to that Expert's written or oral testimony. If an Expert Witness is consulted by the Title IX Office and the expert's opinion or testimony is included in the Hearing File or offered to the Hearing Officer, the Parties will be allowed to respond to that Expert's written or oral testimony.

After reviewing the Hearing File, a Party is permitted to make a written request to have evidentiary concerns considered by the Hearing Officer, including any objections to proposed redactions in the Hearing File. Requests to review evidentiary concerns should include all evidentiary issues in one document, which should be no more than 1,500 words in length. The requests should

be submitted to the Hearing Coordinator, who will forward all information from the Parties to the Hearing Officer. In order to consider evidentiary concerns to the Hearing File, the Hearing Officer will have access to all materials gathered by the Investigator during the investigation. The Parties must submit the written request by the date set in the Hearing Schedule, generally five (5) calendar days after the date the Hearing File is made available to the Parties. The Title IX Coordinator is permitted, but not required, to submit responses to the Parties' evidentiary objections to the Hearing Officer. The Hearing Officer has the authority to make all evidentiary decisions relating to what information is relevant; that is, what information should be admitted at the Hearing.

During the Hearing, Parties, Support Persons, and Witnesses

must comply with the evidentiary decisions that have been made by the Hearing Officer. Objections to the inclusion or exclusion of evidence cannot be the basis for appeal unless they were made through the Evidentiary Review process before the Hearing. The standard for review of evidentiary decisions on appeal will be whether the evidentiary decision was clearly erroneous and substantially affected the Hearing Officer's decision to the detriment of the appealing Party.

Each Party may submit a written statement of their position to the Hearing Coordinator that is no more than 1,500 words in length. This statement is each Party's opportunity to respond to the Hearing File and the charges made and to provide a statement to the Hearing Officer about what the Party believes the evidence shows. No attachments will be accepted; references to evidence should be made to material in the Hearing File. No New and/or Rebuttal Evidence may be submitted, and no information may be submitted that goes beyond the scope of the matter that is charged.

The Parties must submit this statement by the date set in the Hearing Schedule), but generally five (5) calendar days from the date the Hearing File is made available to the Parties.

The Hearing Coordinator, in consultation with the Investigator, will remove information from a position statement that goes beyond the scope of the charge.

Within seven (7) days of when the Notice of Hearing is issued, the Hearing Coordinator will reach out to all Parties, Witnesses, and the Hearing Officer to schedule key dates for the matter (Hearing Schedule). The Hearing Schedule will take into consideration the academic and other conflicts identified in response to the Written Notice of Formal Complaint. Unless an extension is granted based on a showing of good cause, the Parties are obligated to follow the Hearing Schedule.

Hearings

Hearings may be conducted with any or all Parties, Witnesses, and other participants appearing at the live Hearing virtually, with technology enabling participants simultaneously to see and hear each other, or with all Parties physically present in the same geographic location. The presumption will be that the Hearing will take place virtually, unless both Parties request otherwise or the University otherwise determines that an in-person Hearing is appropriate. If the Hearing takes place with all Parties physically present, the University will provide for the option for the Hearing to occur with the

Parties located in separate rooms with technology enabling the Hearing Officer and Parties to simultaneously see and hear the Party or the Witness answering questions.

If a Party does not have a Hearing Support Person present at the Hearing, the University will provide without fee or charge to that Party, a Hearing Support Person of the University's choice, who may be, but is not required to be, an attorney, to conduct cross-examination on behalf of that Party. The Hearing Support Persons must at all times follow the instructions of the Hearing Officer, including abiding by all relevance and evidentiary determinations made. The Hearing Support Persons must conduct themselves in a professional and courteous manner.

The Hearing Officer will be a non-Stanford professional neutral decision-maker (such as a retired judge) experienced and trained annually in adjudicating matters of civil rights, sexual harassment and/or sexual violence and trained on this Title IX Procedure and on trauma-informed decision-making, as required by California law. The Hearing Officer will preside over the Hearing and will issue the Written Determination Regarding Responsibility.

The Hearing Officer will be identified to the Parties before the Hearing at least three days prior to the Hearing. No person who has a conflict of interest may serve as the Hearing Officer. A conflict of interest exists if the Hearing Officer 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. Either Party may assert, in writing, that a Hearing Officer has a conflict of interest.

At the Hearing, the Hearing Officer will permit each Party's Hearing Support Person to ask the other Party and any Witnesses all relevant questions and follow-up questions, including those challenging credibility. Such cross-examination at the Hearing must be conducted directly, orally, and in real time by the Party's Hearing Support Person of choice and never by a Party personally. The Parties may, however, jointly agree in advance to waive oral cross-examination and instead submit written cross-examination to the Hearing Officer to conduct the examination. Even if the Parties so agree, the Parties are still required to have a Hearing Support Person present at the Hearing. The Hearing Officer will ensure the Hearing Support Persons are conducting any live cross-examination in a professional and courteous manner. The Hearing Officer will not permit the

Hearing Support Persons to badger or harass Witnesses or Parties.

Only relevant cross-examination and other questions may be asked of a Party or Witness. Before a Complainant, Respondent, or Witness answers a cross-examination or other question, the Hearing Officer must first determine whether the question is relevant and explain any decision to exclude a question. The Hearing Officer will prohibit any questions and evidence about the Complainant's sexual predisposition or prior sexual behavior as not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove Affirmative Consent.

The Hearing Officer shall issue a Written Determination Regarding Responsibility, applying the Preponderance of the Evidence standard (as required by California law), which shall include:

1. Identification of the allegations potentially constituting Title IX Prohibited Conduct;
2. A description of the procedural steps taken from the receipt of the Formal Complaint through the determination, including any notifications to the Parties, interviews with Parties and Witnesses, site visits, methods used to gather other evidence, and Hearings held;
3. Findings of fact;
4. Conclusions about whether the alleged Title IX Prohibited Conduct occurred, applying the definitions in this Title IX Procedure to the facts;
5. The rationale for the result as to each allegation;
6. Any disciplinary Sanctions
7. Whether Remedies or Supportive Measures will be provided to the Complainant; and
8. Information about how to file an appeal.

The Hearing Officer may ask the Parties to submit Sanctions statements at the conclusion of the Hearing. The Hearing Officer may also consult with University personnel regarding any Sanctions and Remedies appropriate to the specific



Respondent and Complainant.

The Sanction determination will be provided to the Title IX Coordinator who will be responsible for implementing the Supportive Measures and/or Remedies, including the continuation of any Supportive Measures and/or any additional or on-going accommodations for both Parties. The Title IX Coordinator will cause the Written Determination Regarding Responsibility to be sent to both Parties simultaneously.

The Sanction determination will be provided to the Title IX Coordinator who will be responsible for implementing the Supportive Measures and/or Remedies, including the continuation of any Supportive Measures and/or any additional or on-going accommodations for both Parties. The Title IX Coordinator will cause the Written Determination Regarding Responsibility to be sent to both Parties simultaneously. The Title IX Coordinator will provide copies of the Written Determination Regarding Responsibility and Sanctions and/or Remedies (if any) for the purpose of maintaining records as follows. For students, copies will be provided to the Office of Community Standards. For staff, copies will be provided to University Human Resources—Employee & Labor Relations. For faculty, copies will be provided to the Vice Provost for Faculty Affairs. For postdoctoral scholars and fellows, copies will be provided to the appropriate administrative manager.

The Hearing Officer must explain decisions on responsibility and Sanctions (if applicable) and Remedies with enough specificity for the Parties to be able to file meaningful appeals. The consideration of whether Remedies and Sanctions go into immediate effect or are held in abeyance pending appeal or some combination thereof, will be determined on a case-by-case basis by the Title IX Coordinator.

The Written Determination Regarding Responsibility becomes final if an appeal is not filed, the date on which an appeal would no longer be considered timely, or if an appeal is filed, on the date that the University provides the Parties with the written determination of the result of the appeal.

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 Title IX Office, generally ten (10) calendar days from the receipt of the Written Determination Regarding Responsibility (if any). 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 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?
3. Did the Title IX Coordinator, Investigator(s), or Hearing Officer have a conflict of interest or bias for or against Complainants or Respondents that affected the outcome of the matter?
4. For matters that proceeded to Sanctioning and imposition of Remedies, are the Sanction and/or Remedies ones that could have been issued by reasonable persons given the findings of the case?

Upon receipt of a Party's appeal, the Hearing Coordinator will share it with the other Party. Each Party may submit a response to the other Party's appeal (no more than 3,000 words). Each Party must submit this response by the date determined by the Hearing Coordinator, generally ten (10) calendar days after the other Party's appeal has been shared. The appealing Party will have access to the other Party's response to the appeal, but no further responses will be permitted. The Title IX Coordinator is permitted, but not required, to file a response to a Party's appeal to respond to concerns relating to procedural irregularities or bias in the Investigation and Hearing process. In matters involving staff Respondents, the Vice President for Human Resources is permitted, but not required, to file an appeal on the basis that the sanctions imposed by the Hearing Officer are not severe enough, even if the Complainant does not appeal on that basis.

The Appeal Officer will provide the Notice of Outcome of Appeal no later than ten (10) calendar days after receipt of all appeal documents. The Title IX Coordinator will cause the Notice of Outcome of Appeal to be sent to the Parties simultaneously. As needed, the Appeal Officer will consult with the Title IX Coordinator regarding the management of ongoing Remedies. The Appeal Officer may reject the appeal in whole or in part, issue a new decision regarding responsibility, issue new or revised Sanctions and Remedies, or refer the matter to a new Hearing Officer.

Retaliation and Intimidation

It is a violation of Administrative Guide section 1.7.1 to Intimidate or Retaliate against any person making a complaint or responding to a complaint under this Title IX Procedure or against any person participating in the Investigation of any such allegation under this Title IX Procedure (including being the Respondent or testifying as a Witness). No person may threaten, coerce, or discriminate against any individual for pursuing or exercising any right or privilege secured by Title IX, or because the individual has made a report or complaint, responded to a complaint, testified, assisted, or participated or refused to participate in any manner in an Investigation, proceeding, or Hearing related to this Title IX Procedure.

Retaliation includes, but is not limited to, adverse action related to employment, academic opportunities, participation in University programs or activities, or similar punitive action. Retaliation can be direct such as changing an employee's work location, pay or schedule, or for students, changing a grade or denying access to a program, or it can be indirect such as Intimidating, threatening, or harassing an employee or student who has raised a claim or participated as a witness in an investigation. Intimidation can be a form of Retaliation, and includes any threatening statement or conduct made with the intent to prevent or dissuade any Party or Witness from reporting or participating in the process.

All Parties to a concern and all persons participating in the Investigation of a concern are prohibited from engaging in actions intended to Retaliate or Intimidate directly or through Support Persons.

Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of an Investigation does not constitute Retaliation, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any Party made a materially false statement in bad faith. The exercise of rights protected under the First Amendment does not constitute Retaliation.

Reports of alleged violations of University Directives or Court Orders prior to a finding of responsibility either will be incorporated into the pending matter or referred separately to another University process. After a Respondent has been found responsible for Title IX Prohibited Conduct, if

there is a new allegation that the Respondent has engaged in Retaliation, Intimidation, or violated a Court Order or University Directive relating to the matter, the Title IX Office will investigate the allegation and determine whether to refer the matter to be handled through another University process.

Requests for Disability Accommodations

Parties or Witnesses may request disability-related accommodations from the Title IX Office. Upon receipt of a request for a disability-related accommodation, the Title IX Office will coordinate a meeting with the Diversity and Access Office and the individual requesting the accommodation to explain the steps involved in the applicable Title IX process (e.g., attorney meetings, interview, document submissions, Hearing). If a participant requests accommodations, if needed, an Investigation under this Title IX Procedure may be delayed (or that person's participation postponed) until the participant requesting such accommodations has had their request evaluated and, as appropriate, until accommodations have been implemented.

The Diversity and Access Office will confirm with the participant their specific accommodation requests; the Diversity and Access Office may coordinate with other University offices, such as the Office of Accessible Education ("OAE") or Human Resources, to confirm existing accommodations.

If the participant is already registered with the OAE, the Diversity and Access Office will confirm their eligibility for accommodations. If the participant is not currently registered with the OAE, the Diversity and Access Office may request medical documentation from their treating healthcare provider to support the requested accommodation.

The Diversity and Access Office will inform the Title IX Office of the recommended accommodations and assist with coordination as needed, in addition to relevant offices such as OAE for students and Human Resources for staff.

In the circumstance that the Title IX Coordinator determines that the recommended accommodations create a fundamental alteration of the applicable review or Investigation process, the Title IX Coordinator will confer with the Diversity and Access Office to identify alternate accommodations, if any. The Title IX Coordinator will provide a written statement of the accommodations that



will be provided in the process.

If a Party seeking an accommodation does not agree with the statement of accommodations, the Party may seek written review of the accommodations from the Director of the Diversity and Access Office or their designee. The request to review the accommodations must be made in writing. The Director of the Diversity and Access Office will review and respond to the request, generally within three (3) days. The accommodations recommended by the Director of the Diversity and Access Office are final unless there is a change of circumstance. A Party who continues to be dissatisfied with accommodations may raise the concern as procedural error at the conclusion of a Hearing.

REMEDIES

Following a determination of responsibility under this Title IX Procedure that the Respondent engaged in Title IX Prohibited Conduct directed at the Complainant, Remedies are provided to a Complainant. Remedies must be designed to restore or preserve access to the University's educational Program or Activity. Remedies may include disciplinary Sanctions or other actions against a Respondent. They may include the same individualized services as those offered as Supportive Measures; however, Remedies need not be non-disciplinary or non-punitive and need not avoid burdening the Respondent.

The Hearing Officer may consult with the Title IX Coordinator or other appropriate University office in crafting Remedies. The Hearing Officer will decide on the Remedies as the Hearing Officer deems appropriate for the particular case.

The Hearing Officer should provide remedies that will remediate a hostile environment for the Complainant and/or provide safety protections for the Complainant or for Stanford community members.

Remedies relating to all Respondents could include the following restrictions:

- Directive not to contact (directly or indirectly) the Complainant
- Limiting or denying access to all or parts of campus
- Limiting or denying participation in campus programs or activities
- Limiting or denying the opportunity to hold leadership

position.

Additionally, for student Respondents, remedies could include the following restrictions:

- Limiting or denying housing on campus or part of campus (e.g., not permitting Respondent to live near the Complainant)
- Requiring that the Respondent not enroll in a course that the Complainant is enrolled in or teaching
- Limiting or prohibiting attendance at campus parties or social events

Additionally, for faculty or teaching Respondents, remedies could include the following restrictions:

- Limiting or denying certain advising activities
- Limiting or denying certain teaching activities
- Limiting access to students in private spaces

Remedies for all Respondents could include the affirmative requirement for personalized education or coaching.

Additional Remedies for the Complainant will be directed by the Hearing Officer and/or Title IX Coordinator. Unless one of these Remedies affects the Respondent, these should remain confidential and should only be included in the Written Determination Regarding Responsibility for the Complainant.

- Academic or workplace accommodations
- Safety accommodations
- Other reasonable and appropriate accommodations

The Hearing Officer should indicate a timeframe for the Remedies (noting that it might be appropriate for some Remedies to have different timeframes; e.g., no leadership position for two years and no housing for three years.) Restrictions should be put in place for a certain amount of time, to achieve the appropriate remedy. Generally, the remedy may be achieved in a number of months up to five years.

The Title IX Coordinator is responsible for effective implementation of any Remedies under this Title IX Procedure. Remedies may be modified by the Title IX Coordinator as circumstances change over the course of a Complainant's or Respondent's student or work career at Stanford. The request for reconsideration may

be submitted to the Title IX Coordinator, and the basis for such reconsideration will be limited to whether, given the changed circumstances, the Remedies are ones that could have been issued by reasonable persons. Upon request by a Party to reconsider a remedy, which if granted would impact the other Party, the Title IX Coordinator will provide notice and an opportunity to respond to the other Party. The Title IX Coordinator's decision on reconsideration will be provided in writing and maintains jurisdiction over the Remedies as the Parties move through the University.

SANCTIONS

Every violation of Administrative Guide section 1.7.1 is a serious matter and requires an appropriate Sanction issued after individualized review. A violation of Administrative Guide section 1.7.1 could lead to termination/separation from the University for faculty, staff, and postdoctoral fellows, as well as expulsion for students. The Hearing Officer must impose Sanctions that reflect the seriousness of the incident and the harm caused to the Complainant and, as relevant, the Stanford community.

The University offers the following guidance for disciplinary Sanctions for all policy violations under Administrative Guide section 1.7.1. The Hearing Officer may consult with the Title IX Coordinator or other appropriate University office in crafting Sanctions. The Hearing Officer will decide on the Sanctions as the Hearing Officer deems appropriate for the particular case.

Most Serious Offenses, Termination/Expulsion

While any violation under Administrative Guide section 1.7.1 is of concern and while any violation may lead to separation/termination or expulsion depending on the individual circumstances of the case, the University considers the following offenses to be particularly egregious and likely warrant separation/termination or expulsion unless there are significant mitigating circumstances that overcome the presumption:

1. Rape, Sodomy, Sexual Assault with an Object including an aggravating factor
2. Domestic or Dating Violence with a serious injury
3. Any violation including two or more aggravating factors

While any violation is of concern, the University considers the following factors to be aggravating factors that warrant increased Sanctions:

- The act is accomplished by Force, Violence, Duress, or Menace
- Inducing Incapacitation through involuntary ingestion or knowingly taking advantage of an Incapacitated person
- Past violations of University policy by the Respondent relating to Sexual Harassment and Prohibited Sexual Conduct as defined in Administrative Guide section 1.7.1 (or prior policies)
- More than one perpetrator
- More than one Complainant or person experiencing the alleged conduct by the same Respondent
- Acts committed in the context of an initiation into membership and/or hazing
- Knowingly using the Respondent's power/authority within the University to obtain submission or to accomplish the violation
- Dishonesty during the investigation

There are also mitigating factors that may be weighed in the determination of sanctions:

- The Respondent did not have an intent to violate University policy
- The Respondent has taken responsibility for their actions
- Other considerations that a reasonable Hearing Officer would rely on

Other Sanctions

Following a determination that termination/expulsion is not appropriate, a Hearing Officer may consider other Sanctions. The offenses listed in administrative Guide 1.7.1 are extremely serious and (in instances in which termination/expulsion is not warranted); for student and faculty Respondents, separation from the University for some period of time is expected.

A Hearing Officer should consider the aggravating factors listed on page 44. when imposing Sanctions. When one or



more aggravating factors are present, the Hearing Officer should impose a Sanction that includes a reflection of the seriousness of the aggravating factor(s).

Aside from expulsion, other Sanctions for students could include the following:

- Suspension from the University for a period of between one – twelve quarters (that is, up to three academic years).
- Delay in the conferral of degree for a period of between one – twelve quarters (that is, up to three academic years) – this Sanction is only available for students in their final quarter at Stanford.
- Probation with a Suspended Suspension period of one or two quarters – time away from the University is not immediately imposed but should the Respondent face any other disciplinary matter at Stanford that decision-making body would be informed in the Sanction phase that the student was on probation, would consider the probation as an aggravating factor in setting discipline, and would minimally impose the suspended suspension period as an actual suspension.
- Probation – Should the Respondent face any other disciplinary matter at Stanford that decision-making body would be informed in the Sanction phase that the student was on probation and would consider the probation as an aggravating factor in imposing discipline.
- Required personalized education or coaching.
- Community service hours.

Beyond termination, other Sanctions for Faculty include the following:

- Suspension for a period of time.
- Denying a pay raise for a period of time.
- Denying the opportunity to hold committee or community roles, such as serving as a Resident Fellow or Department Chair.
- Denying the opportunity for promotion.
- Letter in personnel file.
- Public or private censure.
- Required personalized education or coaching.

Beyond termination, other Sanctions for Staff include the following:

- Suspension for a period of time.
- Denying a pay raise for a period of time.
- Denying the opportunity to hold committee or community roles, such as serving as a Resident Fellow or Department Manager.
- Denying the opportunity for promotion.
- Written warning in personnel file.
- Required personalized education or coaching.

The University will strive to complete this Title IX Procedure as expeditiously as possible. Generally, the University will seek to complete a Hearing within approximately 120 days from the filing of a Formal Complaint. The Title IX regulations require that the Parties have two 10-day periods to review the evidence and respond to the Investigative Report, which necessarily extend the total time for resolution of a matter under this Title IX Procedure beyond the 60-day guideline adopted under previous Title IX guidance. In addition, the 120-day timeframe builds in time to account for unavoidable and reasonable delays, such as University breaks (when Parties and/or Witnesses may be unavailable) and extensions to the Parties granted for good cause, which may extend the total time for resolution. In any event, the University will not compromise a thorough and fair process in order to meet the 120-day guideline from the filing of a Formal Complaint to a Hearing outcome. If any Party chooses to appeal the Hearing outcome, the timeframes below provide for an additional 30-day period to submit, respond to, and decide the appeal. If any deadline under the guidelines set forth below falls on a weekend or holiday, there will be an automatic extension to the next business day.

After receiving a Written Notice of Formal Complaint, both the Complainant and the Respondent will be asked to identify any academic, employment, or other significant conflicts that would affect the timing of the Investigation and potential. The Hearing Coordinator will consider this input in finalizing any Hearing Schedule.

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.

SHARE HEARING PROCEDURE

Given the jurisdictional limits of Title IX, Stanford deemed it imperative under both state law and under its own policies to provide this companion procedure to the Title IX Procedure to address allegations of violations of Administrative Guide 1.7.1 (sexual harassment, sexual assault, domestic or dating violence, stalking, inducing incapacitation, recording/distributing sexual activity, collectively “University Prohibited Sexual Conduct”) that do not meet the jurisdictional threshold under Title IX.

OVERVIEW

For complaints involving students as Complainant or Respondent, the University will respond to a report under this Procedure, which may include conducting a formal investigation and hearing, if one or more of the following circumstances applies:

- the conduct happened on campus or in connection with a University program or activity;
- if, based on the allegations, there is any reason to believe that the incident could contribute to a hostile educational environment or otherwise interfere with a student’s access to education; OR
- the University has the ability to conduct a thorough investigation into the Policy Violation; AND
 - there are multiple complainants alleging serious sexual misconduct or past similar disciplinary matters; OR
 - the Policy Violation would constitute a serious crime if true.

For all complaints not involving students as Complainants or Respondents, the University will respond to a report under this Procedure if:

- the University has the ability to conduct a thorough investigation into the Policy Violation; AND
- one or more of the following circumstances applies:
 - the conduct happened on campus or in connection with a University program or activity;
 - a reasonable Complainant would suffer

substantial harm if the alleged Policy Violation were not addressed;

- there are multiple complainants alleging serious sexual misconduct or past similar disciplinary matters; OR
- the Policy Violation would constitute a serious crime if true.

Supportive Measures are available to any person subject to Administrative Guide 1.7.1 who experiences University Prohibited Sexual Conduct, regardless of whether the above circumstances apply. Additional factors the University will consider in determining whether to undertake an Investigation are set forth below.

The University may voluntarily dismiss a matter if it no longer has jurisdiction over the Respondent.

Reporting conduct under will also qualify as a report under this SHARE Hearing Procedure (but a formal signed complaint is not required for this SHARE Hearing Procedure). For clarification, if the alleged Policy Violation is covered by Title IX, the University is legally required to address the alleged Policy Violation under that Title IX Procedure. This companion SHARE Hearing Procedure will apply if the conduct is not covered by Title IX. Reasons that conduct might not fall within Title IX include that the alleged Policy Violation:

- occurred before August 14, 2020;
- does not meet the definitions of Title IX Prohibited Conduct;
- did not occur against a person in the United States;
- did not occur within a program or activity of the University as defined by Title IX; OR
- the Complainant was not participating in or seeking to participate in a University program or activity at the time of the filing of a Complaint. If a Title IX Complaint is dismissed, but also describes conduct that could be a violation under Administrative Guide 1.7.1, the Complainant will be contacted and invited to participate in this SHARE Hearing Procedure.

There is no specific time frame for individuals who have experienced conduct that may constitute a Policy Violation to report a concern pursuant to this SHARE Hearing Procedure. 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. At any time (whether or not an individual decides to make a report of a Policy Violation) an individual may contact University Confidential Resources that can provide emotional support and counseling.

The University makes available Confidential Resources for consultation regarding reports of policy violations. Confidential Resources do not disclose information received by them with any other office or person, including the SHARE & Title IX office, and therefore meeting with a Confidential Resource will never lead to a University response or Investigation. However, Confidentiality does not extend to reasonable belief that a minor (under age 18) has been harmed or is at risk of being harmed, which by law must be reported to law enforcement or child protective services.

Similarly, if a client, or a close relation of the client, makes a specific threat of planning to kill or seriously harm another person to a Confidential counselor, this also requires a report to law enforcement. In addition, the University cannot guarantee that conversations with the Ombuds or a dean at the Office for Religious Life at Memorial Church might not be subject to disclosure in legal proceedings or pursuant to other legal process. Communications with attorneys, medical doctors, and mental health care providers, on the other hand, may be privileged under law.

Under the SHARE Hearing Procedure, the required report information, responsibilities for privacy and confidentiality, the process for review of the initial report for an individualized safety and risk analysis, and the offer of supportive measures are the same as described in the Title IX Investigation and Hearing Procedure described in the previous section.

After notice of a concern, the Title IX Coordinator/Director of SHARE will first assess whether an Investigation will be conducted; that is, whether the allegation(s), if true, would rise to the level of a Policy Violation and, if so, whether a formal Investigation is appropriate under the circumstances, taking into account the Complainant's request for Confidentiality. A determination regarding whether to move forward to an Investigation generally occurs in a ten-day period, although the complexity of the matter; difficulty accessing information; request from law enforcement; University event/holiday/academic calendar; or other unanticipated

circumstance may result in a reasonable delay of the determination.

If the Title IX Coordinator/Director of SHARE elects not to move forward to an Investigation, the Complainant will be notified of that decision in writing through a Notice of No Investigation. The Complainant may request review of that determination by submitting a written request to the Title IX Coordinator/Director of SHARE within ten days.

If after assessing a concern, the Title IX Coordinator/Director of SHARE determines there is sufficient basis to initiate an Investigation under this Procedure, the Title IX Coordinator/Director of SHARE or their designee will contact, when possible, the Complainant and request consent from the Complainant to proceed to an Investigation. The Title IX Coordinator/Director of SHARE will also arrange to meet with the Complainant to provide information about the Investigation. A copy of this Procedure will be provided to the Complainant. An Investigation may still go forward even if the Complainant declines to consent and/or requests Confidentiality, if appropriate, including because an Investigation is required by law, or otherwise a decision is made to move forward subject to balancing the following factors:

- The status of the Respondent and whether the Respondent has authority over students and/or staff Whether there have been multiple reports of violations of Administrative Guide section 1.7.1 relating to a single Respondent;
- The seriousness of the alleged Policy Violation (e.g., whether the alleged conduct involved a weapon, physical restraints or battery);
- Whether there is a likelihood that the Respondent would be a danger to the Complainant or the Stanford community;
- The age of the Complainant;
- Whether the report of alleged Policy Violation can be effectively addressed through another type of intervention; and
- The ability of the University to obtain relevant evidence.

When concerns are raised along with other allegations that could violate other University policies outside of the University Prohibited Sexual Conduct area, the Title IX Coordinator/Director of SHARE will consult with appropriate Universi-

ty officials to determine whether a joint investigation will be conducted under this Procedure, or whether the matter will be referred to another procedure. If the matter is referred, the decision-maker in that other procedure will confer with the Title IX Coordinator/Director of SHARE on Policy Violations under Administrative Guide 1.7.1. Similarly, when an Investigation under this Procedure includes review matters outside of the University Prohibited Sexual Conduct area, the Investigators will confer with appropriate University officials.

INVESTIGATION

Upon moving to an Investigation, the University will provide a Notice of Investigation to the Parties for whom the University knows their identity. The notice shall include a description of the University's SHARE Hearing Procedure, including any Informal Resolution process, and a description of the allegations. The description shall include sufficient details known at the time such as the identities of the Parties involved in the incident, the conduct allegedly constituting the Policy Violation, and the date and location of the alleged incident. Included also shall be a statement that the Parties may have an advisor of their choice, who may be, but is not required

to be, an attorney, and may inspect and review evidence as described herein. The Notice of Investigation will be provided with sufficient time to respond and prepare for any investigative interviews.

Once a Notice of Investigation is issued, a Respondent student's ability to receive a degree is placed on hold.

After receiving Notice of Investigation, both the Complainant and the Respondent will be asked to identify any academic, employment, or other significant conflicts that would affect the timing of the Investigation and potential Hearing. The Hearing Coordinator will consider this input in finalizing any Hearing Schedule.

If, in the course of an Investigation, the University decides to investigate allegations about the Complainant or Respondent that are not included in the initial Notice of Investigation provided, the University will provide notice of the additional allegations to the Parties whose identities are known.

Rights and Responsibilities

The rights and responsibilities of the parties and witnesses

are the same as those included in the Title IX Investigation and Hearing Procedure, excepting the following key differences:

- The SHARE Procedure does not provide for live cross examination by the advisor of choice, but instead via questions submitted to the Hearing Officer.
- The SHARE Procedure does not presume non-responsibility of the Respondent.

At any time after receiving information about a concern, the Title IX Coordinator/Director of SHARE or Deputy Title IX Coordinator may, in their discretion, choose to offer and facilitate an Informal Resolution process. The University may not require the Parties to participate in an Informal Resolution process or require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, and election to participate in an Informal Resolution does not constitute a waiver of the right to a formal Investigation under this Procedure until the time that such Informal Resolution is agreed upon. Any person who facilitates an Informal Resolution will be experienced and trained in dispute resolution and trained on this SHARE Hearing Procedure.

At any time prior to agreeing to an Informal Resolution, any Party has the right to withdraw from the Informal Resolution process and resume the process with respect to a formal Investigation and SHARE Hearing. Stanford will provide access to a Process Support Person to all Parties in this Procedure. The Process Support Person serves as an advisor to the Party. The Process Support Person may assist a Party on written submissions provided they are verified by the Party. The Process Support Person does not speak or advocate on behalf of the Party in University proceedings. Any Process Support Person who violates these expectations may not be permitted to participate further in the process or as a Hearing Support Person.

Only one Process Support Person will be allowed to accompany a Party to meetings with Investigators (including meetings that occur using technology, such as Zoom). As in the Title IX Investigation and Hearing Procedure, the university will provide local attorneys that parties may choose for their process support person, at no cost and subject to the same limitations as outlined in the Title IX process (see page 37).

The SHARE investigation process parallels the investigation



outlined in the Title IX Investigation and Hearing Procedure. See pages 37-38 for details.

After review of the Investigative Report, the Title IX Coordinator/Director of SHARE will make the determination whether to dismiss the concern or proceed to a Hearing. The Title IX Coordinator/Director of SHARE will include a copy of the Investigative Report along with any Notice of Dismissal or, if the matter proceeds to a Hearing, the Investigative Report will be included in the Hearing file.

The University must dismiss the concern if after the Investigation it is determined by the Title IX Coordinator/Director of SHARE that the conduct alleged in the concern does not constitute a University Policy Violation under Administrative Guide 1.7.1.

The University may dismiss the concern if the Respondent is no longer enrolled or employed by the University; specific circumstances prevent the University from gathering sufficient evidence to reach a determination; or the Complainant informs the Title IX Coordinator/Director of SHARE in writing that the Complainant desires to withdraw the concern or allegations therein.

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/Director of SHARE will inform the Complainant that the University's ability to respond to the allegation may be limited if the allegations are withdrawn.

The Title IX Coordinator/Director of SHARE will consider the factors outlined on page 48. in reaching a determination as to whether to terminate the Investigation and/or Hearing process. In the event that the Title IX Coordinator/Director of SHARE determines that the Investigation will continue, the Title IX Coordinator/Director of SHARE will notify the Complainant of that determination. The Title IX Coordinator/Director of SHARE will include in that notification a statement that the Complainant is not required to participate in the Investigation and/or Hearing process but that the process will continue. In the event that the Title IX Coordinator/Director of SHARE determines that the Investigation will be terminated, both Parties will be notified.

In the event of dismissal after the Investigation (mandatory or discretionary), the Title IX Coordinator/Director of SHARE

may refer some or all of the matter for consideration under another applicable University policy or procedure, if any.

Upon dismissal, the Title IX Coordinator/Director of SHARE will promptly send a Notice of Dismissal (mandatory or discretionary) and reason(s) for the dismissal simultaneously to the Parties.

Under the SHARE Hearing procedure, the parties may appeal a Notice of Dismissal in the same format and under the same rubric of considerations as outlined on page 42.

the Title IX Coordinator/Director of SHARE may offer an Informal Resolution for eligible matters at any time including after the Investigation has concluded. For any matters not subject to Dismissal or Informal Resolution after Investigation, the matter will proceed to a Hearing. The Title IX Coordinator/Director of SHARE will notify both the Complainant and the Respondent in writing that the matter has been charged and referred to a Hearing Officer to decide the matter. The Hearing Coordinator will promptly set the Hearing based on the availability of the Parties and Witnesses.

Under the SHARE Hearing procedure, the creation of the Hearing File, the use of Expert Witnesses, the evidentiary review process, and the response to the Hearing File are the same as described in the Title IX Investigation and Hearing Procedure described on page 32.

Within seven (7) days of when the Notice of Hearing is issued, the Hearing Coordinator will reach out to all Parties, Witnesses, and the Hearing Officer to schedule key dates for the matter (Hearing Schedule). The Hearing Schedule will take into consideration the academic and other conflicts identified in response to the Notice of Investigation. Unless an extension is granted based on a showing of good cause, the Parties are obligated to follow the Hearing Schedule. The Hearing Schedule will be case-specific but generally will follow the timeframes set forth on herein.

HEARINGS

Hearings may be conducted with any or all Parties, Witnesses, and other participants appearing at the live Hearing virtually, with technology enabling participants simultaneously to see and hear each other, or with all Parties physically present in the same geographic location. The presumption will be that the Hearing will take place virtually, unless both Parties

request otherwise or the University otherwise determines that an in-person Hearing is appropriate. If the Hearing takes place with all Parties physically present, the University will provide for the option for the Hearing to occur with the Parties located in separate rooms with technology enabling the Hearing Officer and Parties to simultaneously see and hear the Party or the Witness answering questions.

Hearings will be recorded through audio or audiovisual means or transcribed, and the University will make the recording or transcript available to the Parties for inspection and review upon request.

If a Party does not have a Hearing Support Person present at the Hearing, the University will provide one without fee or charge to that Party. The Hearing Support Persons must at all times follow the instructions of the Hearing Officer.

The Hearing Officer will be a non-Stanford professional neutral decision-maker (such as a retired judge) experienced and trained annually in adjudicating matters of civil rights, sexual harassment and/or sexual violence and trained on this SHARE Hearing Procedure and on trauma-informed decision-making, as required by California law. The Hearing Officer will preside over the Hearing and will issue the Written Determination Regarding Responsibility.

The Hearing Officer will be identified to the Parties before the Hearing at least three days prior to the Hearing. The Hearing Officer will not be a Stanford employee or an alumnus/a of Stanford. Additionally, no person who has a conflict of interest may serve as the Hearing Officer. A conflict of interest exists if the Hearing Officer 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.

Either Party may assert, in writing, that a Hearing Officer has a conflict of interest.

At the Hearing, the Hearing Officer will permit each Party to submit written cross-examination to the Hearing Officer to conduct the examination of parties and witnesses. Only approved cross-examination and other questions may be asked of a Party or Witness. Before reading a question submitted by a party, the Hearing Officer must first determine whether the question is relevant, non-harassing, and non-duplicative. The parties should be given an opportunity to submit written follow-up questions after initial examination if there are issues that need clarification. The Hearing Officer will permit Parties and witnesses to take breaks, as needed, during the Hearing.

Hearing Support Persons are not permitted to speak on behalf of a Party at the Hearing. The University has discretion to restrict the extent to which Hearing Support Person may participate in the proceedings.

The Hearing Officer will prohibit any questions and evidence about the Complainant's sexual predisposition or prior sexual behavior as not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove Affirmative Consent.

If a Party does not submit to cross-examination at the live Hearing, the Hearing Officer must not rely on any statement created or generated as part of the Investigation of that Party in reaching a determination regarding responsibility. The Hearing Officer may consider other statements and evidence about the allegations made by a party who does not submit to cross-examination to the extent the Hearing Officer considers the content reliable and relevant.

The Hearing Officer may consider all statements made by a Witness who does not participate in a Hearing to the extent that cross-examination is not necessary to test the credibility of the information. The Hearing Officer cannot draw an inference about the determination regarding responsibility based solely on a Party's or Witness's absence from the live Hearing or refusal to answer cross-examination or other questions. In the Hearing, the Investigator will be available to answer any questions from the Hearing Officer about the Investigation.

The Hearing Officer may meet with the Parties and Witnesses for the purpose of making findings of fact. The Parties and Witnesses may not speak to matters beyond the scope of the Hearing File (for example, by raising potential misconduct allegations that go beyond the scope of the charged conduct). Parties and Witnesses must not disclose or reference information to the Hearing Officer that was excluded from the Hearing File. The Hearing Officer may ask questions of the Parties and/or Witnesses.

Parties are permitted to listen to Witnesses as they are speaking to the Hearing Officer. The Hearing Officer is not obligated to speak to all Witnesses.



OUTCOME

The Hearing Officer shall issue a Written Determination Regarding Responsibility, applying the Preponderance of the Evidence standard (as required by California law), which shall include:

1. Identification of the allegations potentially constituting the Policy Violation(s);
2. A description of the procedural steps taken from the receipt of the concern through the determination, including any notifications to the Parties, interviews with Parties and Witnesses, site visits, methods used to gather other evidence, and Hearings held;
3. Findings of fact;
4. Conclusions about whether the alleged Policy Violation(s) occurred, applying the definitions set forth in Administrative Guide 1.7.116 to the facts;
5. The rationale for the result as to each allegation;
6. Any disciplinary Sanctions imposed on the Respondent;
7. Whether Remedies or Supportive Measures will be provided to the Complainant; and
8. Information about how to file an appeal.

The Hearing Officer may ask the Parties to submit Sanctions statements at the conclusion of the Hearing. The Hearing Officer may also consult with University personnel regarding any Sanctions and Remedies appropriate to the specific Respondent and Complainant. The Sanction determination will be provided to the Title IX Coordinator/Director of SHARE who will be responsible for implementing the Supportive Measures and/or Remedies, including the continuation of any Supportive Measures and/or any additional or on-going accommodations for both Parties. The Title IX Coordinator/Director of SHARE will cause the Written Determination Regarding Responsibility to be sent to both Parties simultaneously.

The Hearing Officer must explain decisions on responsibility and Sanctions (if applicable) and Remedies with enough specificity for the Parties to be able to file meaningful appeals.

The consideration of whether Remedies and Sanctions go into immediate effect or are held in abeyance pending

appeal or some combination thereof, will be determined on a case- by-case basis by the Title IX Coordinator/Director of SHARE.

The Written Determination Regarding Responsibility becomes final if an appeal is not filed, the date on which an appeal would no longer be considered timely; or if an appeal is filed, on the date that the University provides the Parties with the written determination of the result of the appeal. Under the SHARE Hearing procedure, both parties have the right to appeal the Written Determination through the same format, with the same timeline requirements, and on the same grounds as described on page 42.

The Appeal Officer will provide the Notice of Outcome of Appeal no later than ten (10) calendar days after receipt of all appeal documents. The Title IX Coordinator will cause the Notice of Outcome of Appeal to be sent to the Parties simultaneously.

As needed, the Appeal Officer will consult with the Title IX Coordinator regarding the management of ongoing Remedies. The Appeal Officer may reject the appeal in whole or in part, issue a new decision regarding responsibility, issue new or revised Sanctions and Remedies, or refer the matter to a new Hearing Officer.

Refer also to the preceding sections on retaliation, disability accommodation, and remedies and sanctions described on pages 42-43, as information from those sections in the Title IX Investigation and Hearing Procedure are also applicable to the SHARE Hearing procedure.

SHARE ADMINISTRATIVE INVESTIGATION

This SHARE Investigation Procedure will be relied upon to resolve complaints of University Prohibited Sexual Conduct involving a student complainant (“Complainant”), where the alleged perpetrator (“Respondent”) is a staff member or postdoctoral scholar; further this Procedure may, at the University’s election, be relied on where the Respondent is an affiliate or other person participating in University programs or activities, on or off-campus, including overseas programs, or providing services to the University. This process will also be used to address complaints of Retaliation and Violations of University or Court-Ordered Directives related to the aforementioned conduct, as well as knowingly aiding or facilitating another person to commit any such act. This collective conduct (as defined in Administrative Guide 1.7.1) will be referred to as “Policy Violation(s).”

This Procedure applies if:

- the Respondent was subject to Administrative Guide 1.7.1 at the time of the alleged Policy Violation and at the time of the report;
- the University has the ability to conduct a thorough investigation into the Policy Violation; AND
- one or more of the following circumstances applies:
 - the conduct happened on campus or in connection with a University program or activity;
 - a reasonable (student) Complainant would suffer substantial harm if the alleged Policy Violation were not addressed;
 - there are multiple complainants alleging serious sexual misconduct or past similar disciplinary matters; OR
 - the Policy Violation would constitute a serious crime if true.

The University may voluntarily dismiss a matter if it no longer has jurisdiction over the Respondent.

OVERVIEW

The University may place a (staff or postdoctoral scholar) Respondent on administrative leave after notice of a report of University Prohibited Sexual Conduct and during the pendency of resolution of the matter.

After a report of a Policy Violation has been made and the Title IX Coordinator/Director of SHARE determines that the alleged Policy Violation does not meet the jurisdiction of the Title IX Procedure, the Deputy Title IX Coordinator for Staff and Postdoctoral Scholars (or their designee) will serve as the Decision-Maker to oversee the resolution of the concern according to the Procedures detailed below.

The Decision-Maker will first assess whether an Investigation will be conducted; that is, whether the allegation(s), if true, would rise to the level of a Policy Violation and, if so, whether a formal Investigation is appropriate under the circumstances, taking into account any request by the Complainant for Confidentiality. A determination regarding whether to move forward to an Investigation generally occurs in a ten-day period, although the complexity of the matter; difficulty accessing information; request from law enforcement; University event/holiday/academic calendar; or other unanticipated circumstance may result in a reasonable delay of the determination. If the Decision-Maker elects not to move forward to an Investigation, the Complainant will be notified of that decision in writing through a Notice of No Investigation. The Complainant may request review of that determination by submitting a written request to the Decision-Maker within ten days.

If after assessing a concern, the Decision-Maker determines there is sufficient basis to initiate an Investigation under this Procedure, the Decision-Maker or designee will contact, when possible, the Complainant and request consent from the Complainant to proceed to an Investigation. The Decision-Maker will also arrange to meet with the Complainant to provide information about the Investigation. A copy of this Procedure will be provided to the Complainant. An Investigation may still go forward even if the Complainant declines to consent and/or requests Confidentiality, if appropriate, including because an Investigation is required by law, or otherwise a decision is made to move forward subject to balancing the following factors:

- The status of the Respondent and whether the Respondent has authority over students and/or staff.



- Whether there have been multiple reports of University Prohibited Sexual Conduct (or other violations of Administrative Guide 1.7.1) relating to a single Respondent;
- The seriousness of the alleged University Prohibited Sexual Conduct (e.g., whether the alleged conduct involved a weapon, physical restraints or battery);
- Whether there is a likelihood that the Respondent would be a danger to the Complainant or the Stanford community;
- The age of the Complainant;
- Whether the report of University Prohibited Sexual Conduct can be effectively addressed through another type of intervention; and
- The ability of the University to obtain relevant evidence.

When concerns are raised along with other allegations that could rise to the level of a University policy violation outside of the University Prohibited Sexual Conduct area, the Decision-Maker will consult with appropriate University officials to determine whether a joint investigation will be conducted under these Procedures, or whether the matter will be referred to another procedure. If the matter is referred, the decision-maker in that other procedure will confer with the Decision-Maker on University Prohibited Sexual Conduct matters. Similarly, when an investigation that includes review of other matters moves forward under this Procedure, the investigators will confer with appropriate University officials.

INVESTIGATION

The purposes of an Investigation are to determine:

1. Whether a Policy Violation has occurred;
2. Whether there is an ongoing risk of harm to the Complainant (and if so, what steps should be taken to prevent its recurrence);
3. Whether accommodations for the Complainant need to be put in place to redress the effects of the Policy Violation; and
4. Whether accommodations or safety measures should be put in place to make the Stanford community safe.

Additionally, Investigations may raise concerns that system-wide or local changes to policies, practices or training should

be considered and implemented.

An Investigation under this Procedure should generally be completed within 60 calendar days after the University has notice of an allegation of a Policy Violation. The Decision-Maker or their designee may extend this time frame as reasonable.

When a determination is made to proceed with an Investigation, the Decision-Maker will investigate or will assign an investigator or investigators. The Decision-Maker can delegate all or part of their responsibilities under this section (Investigation Process). The Investigation will determine findings of fact using the “Preponderance of the Evidence” standard (i.e., it is more likely than not that the Policy Violation occurred).

Cooperation. Stanford University staff (including student staff), postdoctoral scholars, and faculty are expected to cooperate and be candid in the Investigation process. Student Complainants are not obligated to participate in the Investigation, noting that a lack of participation may make it difficult to conduct an Investigation. Student Parties and Witnesses have the right not to incriminate themselves; student Parties and Witnesses will not be penalized for admitting to University policy violations that did not cause harm to the broader Stanford community, including voluntary ingestion of alcohol and drugs.

Notice of Concern. At the outset of an Investigation, the investigator or supervisor will advise the Respondent of the allegations against them in writing in a Notice of Concern, and a copy will be provided to the Complainant.

Opportunity to Participate. Both the Respondent and the Complainant will have an opportunity to respond to the Notice of Concern 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.

Support Persons. Parties may have a support person accompany them through the process. A support person may not speak for the party. The SHARE Office will identify a support person to assist a party through this process upon request.

The University has identified local attorneys who are available to provide student Parties with up to four hours

of consultation once a Notice of Concern is issued. Student Parties are not obligated to use this resource or to follow any guidance provided by an attorney. Stanford will directly pay for up to four hours of consultation for student Parties; student Parties will not be billed for this time. The Title IX Office will provide a list of the University- Identified Attorneys available for consultation services for student Parties. The student Parties are responsible for selecting their own University-Identified Attorney from this list.

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 confidentiality concerns balanced against the importance of the information. Similarly, some reasons that an investigator might decline to seek or review documentary evidence include: the information is repetitive; cost considerations balanced against the importance of the information; and confidentiality concerns balanced against the importance of the information.

Evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove Affirmative Consent.

The investigator will provide a report to the Decision- Maker. The report will become final, unless the Decision-Maker requests further review from the investigator, or asks for additional information directly from parties or witnesses.

OUTCOME

Upon completion of the Investigation and review of all materials, the Decision-Maker or their designee will give each party a copy of the written Notice of Outcome of Investigation, which will include a determination as to whether the conduct as determined by the investigator(s) violated University policy and, if so, whether any remedial

or corrective action will be taken. The Notice of Outcome of Investigation will be provided to those individuals at the University who have a need to know.

If the Complainant or the Respondent is dissatisfied with the findings made, that person may file an appeal of the Notice of Outcome of Investigation. The appeal should be filed in writing with the Deputy Title IX Coordinator for Staff and Postdoctoral Scholars within 5 business days of the Notice of Outcome of Investigation, 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 the Vice President for Human Resources 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 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. This appeal will constitute a student Complainant's non-academic grievance process.

The grounds for the Appeal will be limited to the following considerations:

Is there new compelling evidence that was not available at the time of the initial review?

Were there any procedural irregularities that substantially affected the outcome of the matter to the detriment of the Complainant or the Respondent?

Is the decision on the findings one that a reasonable decision-maker might have made?

Informal Resolution

As an alternative to the Investigation process, some matters are appropriate for resolution through voluntary agreement. Any party or the Decision-Maker may suggest entering into the Informal resolution process. The timeline for consideration of a Informal Resolution generally takes between 5 and 10 days, although this may be extended for good reason; the Decision-Maker may set reasonable deadlines (for example, 24 hours) by which the parties need to have accepted or rejected proposed resolutions.



A Party may decline to engage in discussions regarding a Informal Resolution; and a Party may cease discussions regarding a Informal Resolution at any time; the Decision-Maker will return to the investigation and outcome process upon notice from a party that they will not or no longer wish to consider any Informal Resolution.

If both Parties and the Decision-Maker agree to a Informal Resolution, such resolution may need to be reviewed by more senior officials at the University. Once all approvals are in place, the Parties will receive a final Notice of Informal Resolution documenting the Informal Resolution. The administrative remedies and disciplinary sanctions will have the same force and effect as though they were imposed following a completed Investigation and (as applicable) hearing or final decision. Informal Resolutions are final and cannot be reviewed, appealed, or reconsidered in any other process or hearing. Where the Respondent is found to have engaged in a Policy Violation, the Notice of Outcome of Investigation will be provided to those individuals at the University who have a need to know, including the Respondent's supervisor, HR manager, or Dean, as appropriate. The sanctioning procedures (if any) will be identified in the Notice of Outcome of Investigation. Depending on the Respondent's role at the University, the following procedures may be applicable:

- Regular Staff. Guide Memo 2.1.11: Staff Grievance Policy.
- Senior Staff. Guide Memo 2.1.14: Senior Staff.
- Employees covered by collective bargaining agreements. Please refer to Labor Relations & Collective Bargaining.
- Academic Staff-Librarians. Personnel Program, Academic Staff-Libraries.
- Academic Staff-Research. 10.2 of Research Policy Handbook, Grievance Procedure: Academic Staff.
- Academic Staff-Teaching. 8.2 of Faculty Handbook, Grievance Procedure: Academic Staff-Teaching.
- Post Doctoral Scholars. Postdoctoral Scholars Grievance Policy.

Sanctions for staff and post doctoral scholars under Administrative Guide Memo 1.7.1 include corrective actions and discipline up to and including discharge from the university.

SUPPORTIVE MEASURES & REMEDIES

Supportive Measures: Non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a complaint or where no complaint has been filed. Such measures are designed to restore or preserve equal access to University Programs or Activities without unreasonably burdening the other Party, including measures designed to protect the safety of all Parties or the University educational environment, or deter sexual harassment. Supportive measures may include extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures.

Following a determination of responsibility under this Procedure that the Respondent violated University Policy, Remedies are provided to a Complainant. Remedies must be designed to restore or preserve access to the University's educational Program or Activity. Remedies may include disciplinary Sanctions or other actions against a Respondent. They may include the same individualized services as those offered as Supportive Measures; however, Remedies need not be non-disciplinary or non-punitive and need not avoid burdening the Respondent.

The Decision-Maker should provide remedies that will remediate a hostile environment for the Complainant and/or provide safety protections for the Complainant or for Stanford community members.

Remedies relating to all Respondents could include the following restrictions:

- Directive not to contact (directly or indirectly) the Complainant
- Limiting or denying access to all or parts of campus
- Limiting or denying participation in campus programs or activities
- Limiting or denying the opportunity to hold leadership positions
- Additionally, for teaching Respondents, remedies could include the following restrictions:
- Limiting or denying certain advising activities

- Limiting or denying certain teaching activities
- Limiting access to students in private spaces
- Remedies for all Respondents could include the affirmative requirement for personalized education or coaching.

Additional Remedies for the Complainant will be directed by the Decision-Maker and/or Title IX Coordinator. Unless one of these Remedies affects the Respondent, these should remain confidential and should only be included in the Notice of Outcome of Investigation to the Complainant: academic or workplace accommodations, safety accommodations, and other reasonable and appropriate accommodations.

The Notice of Outcome of Investigation should indicate a timeframe for the Remedies. Restrictions should be put in place for a certain amount of time, to achieve the appropriate remedy. Generally, the remedy may be achieved in a number of months up to five years.

The Title IX Coordinator/Director of SHARE is responsible for effective implementation of any Remedies under this SHARE Investigation Procedure and the Title IX Coordinator/Director of SHARE maintains jurisdiction over the Remedies as the Parties move through the University. Remedies may be modified by the Title IX Coordinator/Director of SHARE as circumstances change over the course of a Complainant's or Respondent's student or work career at Stanford. The request for reconsideration may be submitted to the Title IX Coordinator/Director of SHARE, and the basis for such reconsideration will be limited to whether, given the changed circumstances, the Remedies are ones that could have been issued by reasonable persons.

Upon request by a Party to reconsider a remedy, which if granted would impact the other Party, the Title IX Coordinator/Director of SHARE will provide notice and an opportunity to respond to the other Party. The Title IX Coordinator/Director of SHARE's decision on reconsideration will be provided in writing.

Refer also to the preceding sections on retaliation, disability accommodation, and remedies and sanctions described on pages 70-74, as information from those sections in the Title IX Investigation and Hearing Procedure are also applicable to the SHARE Hearing procedure. In addition to seeking redress through the University, students are also encouraged (but not required) to report criminal concerns



to the Stanford University Department of Public Safety (DPS) or the jurisdiction where the incident took place. Local law enforcement agencies in other jurisdictions do not notify the University of the identity of the parties when a crime has occurred in their jurisdiction, so the University will not have notice of the parties' identities unless a party requests a report to the University. Further, reports made to the Stanford Department of Public Safety may be subject to state privacy laws, so the University may not be given notice unless the victim waives confidentiality. Therefore, victims are also encouraged to notify the University of Policy Violation that has been reported to a police department.

SAFETY MEASURES

If you believe you are in imminent danger and need immediate protection, call 9-1-1 (or 9-9-1-1 from a campus phone) and ask the police if you are eligible to receive an Emergency Protective Restraining Order. Calling the police will trigger a formal report with the police but does not automatically trigger a university investigation.

General Information

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. Except in cases of emergency, Stanford community members considering a restraining order may consult with a member of the university Threat Assessment Team to receive help in assessing the threat, at TAM4safety@stanford.edu.

Students

In accordance with the Stanford Student Title IX Investigation and Hearing Process,¹⁵ 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)¹⁶ 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 and academic accommodations
- No-contact directives
- Limitation on extracurricular or athletic activities

¹⁵ The full text of the 2023 Stanford Title IX Investigation and Hearing Process at drive.google.com/file/d/1x2iXJc8UgejHexkgzgeL_NnnFLAZCKMz/

¹⁶ Ibid. Additional information in Administrative Guide 1.7.1

- 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
- 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 SHARE Title IX Coordinator or designee 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

The university Office of the General Counsel can be consulted about whether a Workplace Violence Restraining Order is appropriate. The university will provide reasonable accommodations as feasible to students, faculty, staff, and post docs who need to be absent from class or work to obtain court orders; advance notice and arrangements for the absence are expected, except in an emergency.



Beyond court-ordered options, the university might also issue its own No Contact order or directive describing how parties to an investigation should give each other space during the pendency of the investigation. When the accused has no connection to the university, or following a determination of responsibility, Stanford may also issue a university “Stay Away” letter. Unlike a court-ordered restraining order, which is focused on preventing contact between an individual and the protected party, a university “Stay Away” letter prohibits a person from coming onto Stanford’s private property and is enforced under trespass laws.

For more information about general violence prevention on campus, please see Stanford’s Violence Prevention website at safety.stanford.edu.

For information about relationship violence, go to equity.stanford.edu/sexual-harassment-support.

For Assistance in Assessing Options:

Students should contact:

The Confidential Support Team [650-725-9955](tel:650-725-9955)

Faculty, Staff, and Post Docs should contact:

Brenda Berlin, University Ombuds
[650-497-1542](tel:650-497-1542), berlinb@stanford.edu

James Laflin, School of Medicine Ombuds
[650-498-5744](tel:650-498-5744), jlaflin@stanford.edu

RESTRAINING ORDER OPTIONS

A restraining order (also called a “protective order”)¹⁷ is a court order that can protect someone from being physically or sexually abused, threatened, stalked, or harassed. The person getting the restraining order is called the “protected person.” The person the restraining order is against is the “restrained person.” Sometimes, restraining orders include other “protected persons” like family or household members of the protected person.

What does a restraining order do?

In general restraining orders can include:

1. **Personal conduct orders** These are orders to stop specific acts against everyone named in the restraining order as a “protected person.” Some of the things that the restrained person can be ordered to stop are:

- Contacting, calling, or sending any messages (including email);
- Attacking, striking, or battering;
- Stalking, threatening, harassing;
- Sexually assaulting;
- Destroying personal property; or
- Disturbing the peace of the protected people.

2. **Stay-away orders** These are orders to keep the restrained person a certain distance away (like 50 or 100 yards) from:

- The protected person or persons;
- His or her children’s schools or places of child care;
- Where the protected person lives;
- His or her vehicle;
- His or her place of work;
- Other important places where he or she goes.

3. **Residence exclusion (“kick-out” or “move-out”) orders** These are orders telling the restrained person to move out from where the protected person lives and to take only clothing and personal belongings until the

court hearing. These orders can only be asked for in domestic violence or elder or dependent adult abuse restraining order cases.

Restrained individuals are subject to potential restrictions and consequences, including:

- He or she will not be able to go to certain places or to do certain things.
- He or she might have to move out of his or her home.
- It may affect his or her ability to see his or her children.
- He or she will generally not be able to own a gun. (And he or she will have to turn in, sell or store any guns they have now and not be able to buy a gun while the restraining order is in effect.)
- It may affect his or her immigration status if he or she is trying to get a green card or a visa.
- If the restrained person violates (breaks) the restraining order, he or she may go to jail, pay a fine, or both.

Types of restraining orders

There are four kinds of orders:

1. Domestic Violence Restraining Order
2. Civil Harassment Restraining Order
3. Elder or Dependent Adult Abuse Restraining Order
4. Workplace Violence Restraining Order

1. Domestic Violence Restraining Order You can ask for a domestic violence restraining order if:

- Someone has abused you, AND
- You have a close relationship with that person (married or registered domestic partners, divorced, separated, dating or used to date, have a child together, or live together or used to live together, but more than roommates), or you are closely related (parent, child, brother, sister, grandmother, grandfather, in-law).

2. Civil Harassment Restraining Order You can ask for a civil harassment restraining order if you are being harassed, stalked, abused, or threatened by someone you are not as

¹⁷ The information in this section about restraining orders is from the California Courts website at courts.ca.gov/1260.htm



close to as is required under domestic violence cases, like a roommate, a neighbor, or more distant family members like cousins, aunts or uncles, or nieces or nephews.

3. Elder or Dependent Adult Abuse Restraining Order You can ask for an elder or dependent adult abuse restraining order if:

- You are 65 or older, OR
- You are between 18 and 64 and have certain mental or physical disabilities that keep you from being able to do normal activities or protect yourself; AND
- You are a victim of:
 - Physical or financial abuse,
 - Neglect or abandonment,
 - Treatment that has physically or mentally hurt you,OR
 - Deprivation by a caregiver of basic things or services you need so you will not suffer physically, mentally, or emotionally.

4. Workplace Violence Restraining Order You can ask for a workplace violence restraining order if:

- You are an employer, AND
- You ask for a restraining order to protect an employee who has suffered stalking, serious harassment, violence, or a credible (real) threat of violence at the workplace.

An employee CANNOT ask for a Workplace Violence Restraining Order. If the employee wants to protect him or herself, he or she can ask for a Civil Harassment Restraining Order (or a domestic violence restraining order if the abuser is a partner/spouse or former partner/spouse or close family member).

EDUCATION PROGRAMS

Overview

Stanford University provides education and awareness programs to prevent the occurrence of dating violence, domestic violence, sexual assault, and stalking¹⁸ (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.

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 supportive measures, parameters of confidentiality, and other resources for the impacted parties; resources, where appropriate, for the responding party; and the opportunity

¹⁸ 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 66-67. These definitions are used in Stanford's prevention programs, in addition to California state definitions.

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.

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.

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. For more information on these programs, go to share.stanford.edu/get-informed/education-and-outreach-programs/upstander-intervention

Education Programs for Students

The SHARE Title IX office 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 consent¹⁹ 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.

Programming efforts include a wide range of related topics including:

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

In August of 2014, the university began providing online primary prevention²⁰ training to all incoming undergraduate and graduate students. This training covers the topics of sexual assault, dating and domestic violence²¹, 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 addition to training across undergraduate and graduate student groups, training was provided to those who also have staff roles, such as Resident Assistants, Resident Directors, Graduate Life Deans, Row Managers, Peer Counselors, Residence Fellows, and Graduate Community Assistants.

¹⁹ See page 72 for the university administrative definition of consent

²⁰ 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.

²¹ See pages 66-67 for federal (VAWA) and state definitions of these crimes.

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.

Education Programs For Staff

In 2022, over 15,800 non-supervisory staff, including contingent employees (casual, student-staff, and Stanford temporary employees) completed an interactive web-based online harassment prevention training administered by the SHARE Education Team. Starting in 2020, California Senate Bill 1343 mandated training in sexual and gender-based harassment and abusive conduct for all non-supervisory employees, academic staff, postdocs, and contingent employees every two years. Stanford non-supervisory employees retrain every even year. Note that the Stanford contingent employee population began training in 2021 in accordance with Senate Bill 1343. The web-based program incorporated material on recognizing, reporting, and responding to sexual assault and other forms of prohibited sexual conduct in the campus community. Compliance with both biennial training requirements is tracked by the SHARE Title IX Education Team. The SHARE Education Team migrated the training cycle for the non-supervisory contingent employee populations to align with the non-supervisory regular employee learner group training cycle every even year. This allows for a more effective educational experience for the Stanford community so that the training experience coincides with campus harassment prevention messaging. By 2024, all non-supervisory employees will train on harassment prevention during even years.

Additionally, over 1,500 new supervisors and faculty members completed at least two hours of AB1825 state-mandated sexual harassment awareness training administered online by the SHARE Title IX office. Stanford supervisors and faculty retrain every odd year. Since 2022 was not a retraining year for supervisors and faculty, only new supervisors and faculty were assigned the interactive web-based sexual harassment prevention course. 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 and continues to be included.

Our office also provided instructor-led workshop sessions to faculty, academic staff, fellows, course assistants, teaching assistants, postdocs, and professional scholars. The in-person sessions incorporated material on recognizing, reporting, and responding to sexual assault and other forms of prohibited sexual conduct in the campus community. Facilitators also focused on the University’s consensual relationships policy.

As of 2014, all new employees (non-supervisory staff, academic staff, and supervisors) are expected to complete the harassment prevention course, online or in-person. 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.





Campus Crime Statistics

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

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,²² 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

Locations²³

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

²² See corresponding note on page 71 for definitions.

²³ Ibid.

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 2020 through 2022 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.

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*).

Sex Offenses: Any sexual act directed against another person without the consent²⁴ 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.²⁵

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.²⁶

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

²⁴ See corresponding note on page 71.

²⁵ See corresponding note on page 71.

²⁶ See corresponding note on page 71.



Campus Crime Statistics

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 65).

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).²⁷

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.

²⁷ See corresponding note on page 71.

Campus Crime Statistics

Crimes Reported to the Police and Campus Security Authorities 2020-2022

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 66-67 for the applicable definitions. Refer to the next page for the individual sex offense statistics.

| Crime | Year | Student Residences <small>A subset of Campus</small> | Campus Incl. Student Residences | Non-Campus | Public Property | Total Campus+Non-Campus+Public Property | Unfounded <small>See page 70 for details</small> |
|---|------|---|------------------------------------|------------|-----------------|--|---|
| <i>Murder / Non-negligent manslaughter</i> | 2020 | 0 | 0 | 0 | 0 | 0 | 0 |
| | 2021 | 0 | 0 | 0 | 0 | 0 | 0 |
| | 2022 | 0 | 0 | 0 | 0 | 0 | 0 |
| <i>Negligent manslaughter</i> | 2020 | 0 | 0 | 0 | 0 | 0 | 0 |
| | 2021 | 0 | 0 | 0 | 0 | 0 | 0 |
| | 2022 | 0 | 0 | 0 | 0 | 0 | 0 |
| <i>Total Sex Offenses</i> | 2020 | 0 | 0 | 0 | 0 | 0 | 0 |
| | 2021 | 0 | 0 | 0 | 0 | 0 | 0 |
| | 2022 | 0 | 0 | 0 | 0 | 0 | 0 |
| <i>Robbery</i> | 2020 | 0 | 0 | 0 | 0 | 0 | 0 |
| | 2021 | 0 | 0 | 0 | 0 | 0 | 0 |
| | 2022 | 0 | 0 | 0 | 0 | 0 | 0 |
| <i>Aggravated Assault</i> | 2020 | 0 | 0 | 0 | 0 | 0 | 0 |
| | 2021 | 0 | 0 | 0 | 0 | 0 | 0 |
| | 2022 | 0 | 0 | 0 | 0 | 0 | 0 |
| <i>Burglary</i> | 2020 | 0 | 0 | 0 | 0 | 0 | 0 |
| | 2021 | 0 | 0 | 0 | 0 | 0 | 0 |
| | 2022 | 0 | 0 | 0 | 0 | 0 | 0 |
| <i>Theft- Motor Vehicles and Golf Carts</i> | 2020 | 0 | 0 | 0 | 0 | 0 | 0 |
| | 2021 | 0 | 0 | 0 | 0 | 0 | 0 |
| | 2022 | 0 | 0 | 0 | 0 | 0 | 0 |
| <i>Arson</i> | 2020 | 0 | 0 | 0 | 0 | 0 | 0 |
| | 2021 | 0 | 0 | 0 | 0 | 0 | 0 |
| | 2022 | 0 | 0 | 0 | 0 | 0 | 0 |



Campus Crime Statistics

VAWA Crimes 2020-2022

| Crime | Year | Student Residences <small>A subset of Campus</small> | Campus <small>Incl. Student Residences</small> | Non-Campus | Public Property | Total <small>On-Campus+Non-Campus+Public Property</small> | Unfounded <small>See page 70 for details</small> |
|--|------|---|---|------------|-----------------|--|---|
| <i>Rape (including sodomy, sexual assault w/object, oral copulation)</i> | 2020 | 0 | 0 | 0 | 0 | 0 | 0 |
| | 2021 | 0 | 0 | 0 | 0 | 0 | 0 |
| | 2022 | 0 | 0 | 0 | 0 | 0 | 0 |
| <i>Fondling</i> | 2020 | 0 | 0 | 0 | 0 | 0 | 0 |
| | 2021 | 0 | 0 | 0 | 0 | 0 | 0 |
| | 2022 | 0 | 0 | 0 | 0 | 0 | 0 |
| <i>Incest</i> | 2020 | 0 | 0 | 0 | 0 | 0 | 0 |
| | 2021 | 0 | 0 | 0 | 0 | 0 | 0 |
| | 2022 | 0 | 0 | 0 | 0 | 0 | 0 |
| <i>Statutory Rape</i> | 2020 | 0 | 0 | 0 | 0 | 0 | 0 |
| | 2021 | 0 | 0 | 0 | 0 | 0 | 0 |
| | 2022 | 0 | 0 | 0 | 0 | 0 | 0 |
| <i>Total Sex Offenses</i> | 2020 | 0 | 0 | 0 | 0 | 0 | 0 |
| | 2021 | 0 | 0 | 0 | 0 | 0 | 0 |
| | 2022 | 0 | 0 | 0 | 0 | 0 | 0 |
| <i>Dating Violence</i> | 2020 | 0 | 0 | 0 | 0 | 0 | 0 |
| | 2021 | 0 | 0 | 0 | 0 | 0 | 0 |
| | 2022 | 0 | 0 | 0 | 0 | 0 | 0 |
| <i>Domestic Violence</i> | 2020 | 0 | 0 | 0 | 0 | 0 | 0 |
| | 2021 | 0 | 0 | 0 | 0 | 0 | 0 |
| | 2022 | 0 | 0 | 0 | 0 | 0 | 0 |
| <i>Stalking</i> | 2020 | 0 | 0 | 1 | 0 | 1 | 0 |
| | 2021 | 0 | 0 | 0 | 0 | 0 | 0 |
| | 2022 | 0 | 0 | 0 | 0 | 0 | 0 |

Arrests 2020-2022

| Crime | Year | Student Residences <small>A subset of Campus</small> | Campus <small>Incl. Student Residences</small> | Non-Campus | Public Property | Total <small>On-Campus+Non-Campus+Public Property</small> | Unfounded <small>See page 70 for details</small> |
|--------------------------|------|---|---|------------|-----------------|--|---|
| <i>Liquor Law ^</i> | 2020 | 0 | 0 | 0 | 0 | 0 | 0 |
| | 2021 | 0 | 0 | 0 | 0 | 0 | 0 |
| | 2022 | 0 | 0 | 0 | 0 | 0 | 0 |
| <i>Drug Violations</i> | 2020 | 0 | 0 | 0 | 0 | 0 | 0 |
| | 2021 | 0 | 0 | 0 | 0 | 0 | 0 |
| | 2022 | 0 | 0 | 0 | 0 | 0 | 0 |
| <i>Weapon Possession</i> | 2020 | 0 | 0 | 0 | 0 | 0 | 0 |
| | 2021 | 0 | 0 | 0 | 0 | 0 | 0 |
| | 2022 | 0 | 0 | 0 | 0 | 0 | 0 |

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

Campus Crime Statistics

Disciplinary Actions 2020-2022

| Violation | Year | Student Residences <small>A subset of Campus</small> | Campus <small>Incl. Student Residences</small> | Non-Campus | Public Property | Total <small>On-Campus+Non-Campus+Public Property</small> |
|--------------------------------|------|---|---|------------|-----------------|--|
| <i>Liquor Law</i> [^] | 2020 | 0 | 0 | 0 | 0 | 0 |
| | 2021 | 0 | 0 | 0 | 0 | 0 |
| | 2022 | 0 | 0 | 0 | 0 | 0 |
| <i>Drug Violation</i> | 2020 | 0 | 0 | 0 | 0 | 0 |
| | 2021 | 0 | 0 | 0 | 0 | 0 |
| | 2022 | 0 | 0 | 0 | 0 | 0 |
| <i>Weapon Possession</i> | 2020 | 0 | 0 | 0 | 0 | 0 |
| | 2021 | 0 | 0 | 0 | 0 | 0 |
| | 2022 | 0 | 0 | 0 | 0 | 0 |

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

Hate Crimes (2020-2022)

2020- No hate crimes information was received in response to our request for statistics.

2021- No hate crimes information was received in response to our request for statistics.

2022- 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

22. *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.*
24. *The Clery Act does not provide a federal definition of consent. See page 72 for the California Penal Code definition of consent as well the California Education Code definition that Stanford has adopted for university proceedings.*
25. *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.*
26. *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.*
27. *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 1.7.1 | CA Penal Code |
|---|--|
| <p>• Affirmative Consent means affirmative, conscious, and voluntary agreement to engage in sexual activity. It is the responsibility of each person involved in the sexual activity to ensure that the person has the Affirmative Consent of the other or others to engage in the sexual activity. Lack of protest or resistance does not mean Affirmative Consent, nor does silence mean Affirmative Consent. Affirmative Consent must be ongoing throughout a sexual activity and can be revoked at any time. Affirmative Consent may be based on a condition(s), e.g., the use of a condom, and that condition(s) must continue to be met throughout an activity, unless there is mutual agreement to forego or change the condition. When there is no Affirmative Consent present during sexual activity, the activity at issue necessarily occurred “against the person’s will.”</p> <ul style="list-style-type: none"> • The existence of a dating relationship between the persons involved, or the fact of past sexual relations between them, should never by itself be assumed to be an indicator of Affirmative Consent. • In evaluating Affirmative Consent, it cannot be a defense that a respondent’s belief that the complainant consented to the sexual activity arose under either of the following circumstances: <ul style="list-style-type: none"> • The respondent’s belief in Affirmative Consent arose from the intoxication or recklessness of the respondent. • The respondent did not take reasonable steps, in the circumstances known to the respondent at the time, to ascertain whether the complainant gave Affirmative Consent. • Incapacitation: It shall not be a valid excuse that the respondent believed that the complainant Affirmatively Consented to sexual activity if the respondent knew or reasonably should have known that the complainant was Incapacitated. Incapacitation means the complainant was unable to Affirmatively Consent because the complainant was asleep, unconscious, under the influence of drugs, alcohol, or medication, such that the complainant could not understand the fact, nature, or extent of the sexual activity, or was unable to communicate due to a mental or physical condition. Incapacitation is not necessarily the same as legal intoxication. <p><i>This consent definition is compliant with California Education Code § 67386.</i></p> | <p>§ 261.6 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>§ 261.5 (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. (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. (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> |