

**Report of the Provost's  
Task Force on Sexual Assault  
Policies and Practices**

April 2015



# Table of Contents

|   |    |
|---|----|
| Executive Summary .....   | 1  |
| Introduction to Recommendations .....   | 3  |
| I. Prevention of Sexual Violence — Educational Efforts.....                             | 5  |
| Awareness and Information Training .....  | 5  |
| Prevention Education and Culture Change .....   | 5  |
| II. Support and Response .....  | 7  |
| Confidential Support and Response Team.....   | 8  |
| Recommendations Relevant to Educational Efforts and Support and Response .....          | 8  |
| III. Investigating and Adjudicating Sexual Violence Cases .....                         | 9  |
| Key Features of the Recommended Pilot Program.....                                      | 9  |
| Investigation .....   | 9  |
| Reviewing Panel and Hearings.....   | 10 |
| Sanction.....   | 10 |
| Appeal .....  | 11 |
| Rationale and Explanation for Key Features of Proposed Pilot.....                       | 11 |
| A Pilot .....   | 11 |
| A Single Process .....  | 11 |
| Evaluate Providing Students with Legal Assistance, at Their Request .....               | 12 |
| The Role and Composition of the Reviewing Panel .....                                   | 13 |
| Sanctions .....   | 14 |
| Appeal .....  | 15 |
| IV. Ensuring Sustainable Success .....  | 17 |
| Appendices .....  | 19 |
| Charge of the Provost’s Task Force .....  | 21 |
| Task Force Members .....  | 22 |
| Title IX Investigation and Adjudicatory Process for Students.....                       | 23 |
| Timeline of Sexual Violence Policy, Education and Support Initiatives 1982 – 2015 ..... | 24 |

# Executive Summary

In the summer of 2014, Stanford University Provost John Etchemendy appointed a Task Force to review the university's sexual assault<sup>1</sup> policies and practices. In his charge to the Task Force, the provost asked the group to make recommendations in three areas of university activity: educational efforts aimed at the prevention of sexual violence; the support and response provided to students in the wake of an incident of sexual violence; and the policies and procedures to investigate and adjudicate cases of sexual violence. While he asked for the Task Force's informed judgment on these matters, he also urged the Task Force to proceed with a sense of urgency so that he could consider its recommendations as soon as possible.

Eighteen individuals—faculty, students, staff, and an alum—regularly gathered from September 2014 to February 2015 to learn, evaluate, and deliberate. As described in more detail in the full report, the Task Force sought input from students, faculty, staff, and alumni; it learned about the many initiatives and activities now occurring at Stanford; it conducted research on best practices and the evolving legal and regulatory framework affecting university activity in these areas; and it heard from experts at Stanford and consulted with individuals at other universities working on these issues. The Task Force ultimately came to consensus around key recommendations in each area.

*Educational Efforts Aimed at Prevention:* (Pages 5–6.) Stanford's foremost objective must be to *prevent* sexual violence, and educational efforts aimed at prevention must be a cornerstone of such efforts. In this area, the Task Force sees two needs. Everyone in the university must be fully informed about university resources, processes and policies, and responses to acts of sexual violence. In addition, we must work to improve our campus culture, making it a place that does not tolerate sexual violence of any kind. This will require extensive and ongoing education addressing sexual violence, consent, and bystander intervention. Such education must address the wider social and cultural contexts in which sexual violence occurs. In these efforts, the Task Force emphasizes that special attention must be paid to the specific needs not only of undergraduate students, but graduate students as well, and the concerns of students of color, LGBTQ students, and all gender identities and expressions.

*Support and Response for Students Involved in an Incident of Sexual Violence:* (Pages 7–8.) Following an incident of sexual violence, Stanford must provide immediate, as well as ongoing, support to students, including confidential 24/7 crisis response to assess and respond to a student's medical, psychological, and safety needs during the acute stage of the crisis; advising the students of their options and explaining next steps; following-up with ongoing psychological and other medical care; and with the consent of the involved student, serving as the students' guide and case manager in the weeks and months following the incident.

In order to provide this kind of support to students in the best way possible, the Task Force's **key** recommendation is that the support and response provided to students be streamlined and coordinated. This requires a single team of dedicated professionals with extensive training and experience in psychology, counseling and/or social work. Available to all students, this team must be equipped to meet students' immediate needs in the wake of an incident of sexual violence, and also at the student's option serve as a student's guide through university or other processes after the immediate needs are met.

---

<sup>1</sup> While we use the term sexual assault our work encompasses all sexual violence including sexual assault, sexual misconduct, relationship violence, and stalking.

*Investigation and Adjudication of Violations of University Policy on Sexual Conduct:* (Pages 9–16.) The Task Force recommends that the university adopt a new pilot program for three years to replace the existing Alternate Review Process. The elements of the pilot, and the reasons for each of its features, are fully described in the report, but several key features can be highlighted. First, the Task Force recommends streamlining of the current system in place at the university. Instead of the current, bifurcated system of investigation and assessment of violations of university policy, led by two different offices at Stanford, the Task Force recommends a single process for the investigation and adjudication of violations of university policy. (Pages 9, 11–12.)

Second, the pilot process has several features that are attentive to the fundamental fairness of the process for involved students. The Task Force recommends that the university rely, in some cases, on a panel of three reviewers to determine whether a student violated university policy and the appropriate sanction. The Task Force recommends that the reviewers in such cases be extensively trained and regularly sit on cases; that faculty and staff be eligible to serve on such panels, but, for reasons described on pages 13–14 of the report, that undergraduate students not so serve; and that panels find unanimously that a student is responsible for violating university policy. Finally, the Task Force recommends that panel judgments be subject to appeal and, in addition to the appeal after the panel finding, that, prior to the hearing, involved students have the opportunity to raise challenges to the inclusion or exclusion of evidence that the panel will consider.

Finally, the provost specifically asked the Task Force to consider the matter of appropriate sanctions. The Task Force reached a key point of consensus on that issue, as described on pages 14–15. If a student is found responsible for what can be understood to be an egregious violation of university policy, the expected sanction in such a case should be permanent separation from the university—expulsion. Sexual assault is an example of such an egregious violation. Under university policy (Administrative Guide 1.7.3), sexual assault is defined as engaging in certain sexual acts (such as intercourse) without indication of consent accomplished by means of force, violence, duress, or menace (defined consistently with California rape law) or where a person causes or takes advantage of another in an incapacitated state. “Incapacity” itself has a specific meaning under university policy, and it means that the person lacks the ability to voluntarily agree to sexual activity because the person is asleep, unconscious, under the influence of an anesthetizing or intoxicating substance such that the person does not have control over his/her body, is otherwise unaware that sexual activity is occurring, or is unable to appreciate the nature and quality of the act.



In order to ensure success as the university adopts changes, the Task Force recommends the creation of a transition advisory committee, comprised in part of members of the current Task Force. (Page 17.) This group would exist through the duration of the pilot of the newly-devised investigation and adjudication system. The group would not supervise the work of dedicated university offices. It would instead identify and review information and data needed to determine whether the new university efforts are working, visibly maintain a student voice in the process, and take a leading role in recommending whether the pilot system should become a permanent part of university processes.

# Introduction to Recommendations

As we present our recommendations, this Task Force reaffirms what our administration has already articulated: Stanford University will not tolerate sexual violence. We recognize that Stanford is well positioned to confront the immense challenge of sexual violence and, with focused attention, to achieve an environment in which every community member is respected, safe, and fully supported. We are a research institution, accustomed to tackling big challenges with patience, clarity, and resolve. We also have the privilege of being the stewards of a unique cultural legacy. Since our founding, we have been co-educational and religiously non-denominational. Stanford has demonstrated that we do what is right because it is right and, historically, before it is expected. Recent national attention to the issue of sexual violence on college campuses has presented us with an important opportunity to once again exhibit through action that we can achieve Jane Stanford's aspirations: "Let us not be afraid to outgrow old thoughts and ways, and dare to think on new lines as to the future of the work under our care."

In recent years, Stanford has taken important steps to address the issue of sexual violence on campus. The Office of Sexual Assault and Relationship Abuse (SARA) was established in 2010 to enhance outreach and training efforts related to sexual violence and to provide support to students affected by sexual violence, particularly in the immediate aftermath of an incident. In 2011, the university launched an important pilot that reimagined the adjudication process. Called the Alternate Review Process (ARP), it was permanently adopted in 2013. In the last year, the university has hired a full-time Title IX coordinator, a full-time Title IX investigator, and two confidential advisors to initiate the important process of unifying and streamlining our resources with staff who are trained to address

matters of sexual violence. The present academic year has witnessed many new and important changes regarding education. Incoming undergraduate students completed a mandatory online video training module focused on sexual assault prevention and participated in additional programming at New Student Orientation and within Residential Education. They received a new Resource Guide outlining confidential and non-confidential resources and other avenues of support and response. Looking forward, the university is creating and disseminating a campus-wide climate survey in 2015 to initiate an important drive for data that will help inform our future efforts.

These are positive steps. But more needs to be done. Recognizing this, in May 2014, Provost John Etchemendy announced the creation of a Task Force of students, faculty, staff, and alumni to address the issue of sexual violence on our campus. Provost Etchemendy charged the Task Force to examine and make recommendations on three issues: to evaluate our programs aimed at prevention; to assess support services provided to students; and to review the investigative and disciplinary processes initiated following allegations of assault and harassment involving students.

The Task Force drew heavily upon the expertise and insights of the Stanford students, faculty, and staff. In addition to including three undergraduates and three graduate students, the Task Force actively solicited feedback from the student body beginning in August 2014. A tab devoted to the Task Force's work was created on [notalone.stanford.edu](http://notalone.stanford.edu), including a feedback button that forwarded emails directly to the Task Force. The Task Force publicized this website in *Stanford Report* articles, school-wide emails from the Associated Students of Stanford University (ASSU) President, an alumni newsletter, at various meetings and town halls,

and also distributed more than one thousand paper fliers throughout campus. These efforts resulted in one hundred and eighty-seven emails, both anonymous and attributed. Eighty-nine percent of those emails were from current students, and the remaining emails were from faculty, staff, alumni, and the larger community. Through the Office of Community Standards (OCS), the Task Force reached out to every individual for whom OCS had contact information and who had participated in the ARP as a panelist or an impacted or responding party, and we received anonymous and sometimes attributed feedback from many individuals.

The Task Force also hosted ten town halls and lunches at community centers and schools on campus to speak directly with students. It was important for the Task Force to hear from all students, including but not limited to those who have experienced sexual violence, those who have been involved with the university's existing processes, and student activists. The Task Force thanks all students for their meaningful — and often courageous — contributions. We are humbled by the individuals who chose to share, often on more than one occasion, their experiences and ideas so that the work of the Task Force would be as informed as possible.

Members of the Task Force also met with colleagues and Stanford's senior administrators, including Provost Etchemendy, Vice Provost for Student Affairs Greg Boardman, Vice Provost for Undergraduate Education Harry Elam, Vice Provost for Graduate Education Patti Gumpert, and Vice Provost for Academic Affairs Stephanie Kalfayan. We spoke to and requested information from the Office of Community Standards, Residential Education, the Graduate Life Office (GLO), and SARA. Additionally, faculty or staff members from the Office of the General Counsel, the Title IX Office, the Clayman Institute for Gender Research, the Sexual Harassment Policy Office, and the Women's Community Center were represented on the Task Force. The Task Force also met with faculty to solicit feedback and presented an update to and sought feedback from the Faculty Senate in executive session in November 2014. In all, members of the Task Force on Sexual Assault convened more than eighty meetings.

The Task Force also explored the policies, procedures, and practices of peer institutions to identify emerging best practices. The Task Force spoke with colleagues at other schools and read the recently released reports from colleges and universities. Additionally, a group of Stanford Law School students compiled a review of how thirteen peer institutions respond to allegations of sexual violence and the resources those institutions provide to their students.

The Task Force has also learned from Stanford's long history of working on this issue. In 1990, a Task Force on Sexual Assault produced a Report of Recommendations, followed by another Task Force in 1996, followed by the creation of the Sexual Assault Advisory Board in 2005.

The past quarter of a century of work on sexual violence at Stanford has produced notable changes, such as the adoption of a university policy on prohibited sexual conduct and the creation of and implementation of a sexual-assault specific adjudication process. The Task Force has been concerned to learn, however, that the experience of some students following their encounter with sexual violence has remained constant. Students today, just as they have in the past, express concern about a confusing sometimes-inconsistent system of response and support — a system that, despite good intentions, at times simply fails to provide some students the help they seek. The meaningful similarities among the recommendations of the various task forces convened throughout the past few decades reminds us of the great challenge ahead of us.

The creation of our most recent Task Force is a positive demonstration that we are on track for future success. Convening eighteen individuals of varying age, experience, and perspective to research and recommend improvements on an issue as complex as sexual violence is a difficult task. We feel it is a testament to the urgency of this issue that we came to consensus. We are confident that the following recommendations, which have been thoroughly discussed and edited to include only the most important and necessary improvements, will equip Stanford University to uphold our Fundamental Standard and to fulfill our moral and legal obligations to one another and our university, today and for years to come.

# I. Prevention of Sexual Violence — Educational Efforts

In his charge, the provost first asked the Task Force to evaluate Stanford's educational efforts aimed at the prevention of sexual violence. In this area, the Task Force has identified two needs. First, our community must be fully *informed* about university processes, resources, and responses to acts of sexual violence. Meeting this goal requires that the university provide sufficient training so that everyone has all relevant information about whom to turn to, for what reason, and when. Second, our community must fundamentally *understand* what sexual violence is, why it is perpetrated, and how to prevent it. Meeting this goal requires students, faculty, and staff to work together to shape our campus culture. Below, we present recommendations arising from these distinct needs.

## Awareness and Information Training

The Task Force found that many students remain uninformed about the support resources available to them. This is especially true among graduate students, who are generally removed from the residence-based, undergraduate hub of campus and instead spend most of their time within their specific department or school. The Task Force also heard from faculty and staff who wish to be helpful to students experiencing sexual trauma but are uninformed about the appropriate steps, issues of confidentiality and reporting, and the resources to which to direct students. Following any encounter with sexual violence, it is our goal that every community member will know how best to proceed or will know where to turn to receive the correct information.

To address this issue, the Task Force therefore recommends the following:

- Disseminate contact information for campus resources to all students, identifying the location, level

of confidentiality, and scope of capabilities of each resource.

- Establish a liaison within each of Stanford's graduate schools to inform students, manage resources, and assist with accommodations regarding sexual violence issues specifically for the graduate community.
- Enhance training for faculty and staff (particularly for current staff in non-supervisory positions), as well as for all potential first responders, including police, Emergency Department medical personnel, Stanford University Counseling and Psychological Services (CAPS), and Vaden Health Center staff, so that all members of the Stanford community know how to effectively interact with students affected by sexual violence and understand where to direct them for further assistance.
- Evaluate and strengthen the existing mandatory training program for all residential staff, specifically regarding the issue of sexual assault and relationship violence.

## Prevention Education and Culture Change

Every member of our community must have basic information about campus resources and policies, but that is not enough. We must also work to improve our campus culture, making it a place that does not tolerate sexual violence of any kind. This, we acknowledge, is challenging both because our population is constantly changing and because the habits and attitudes that can lead to sexual violence do not necessarily emerge anew at Stanford — usually they are the product of larger social and cultural realities. But we



must focus on what happens at Stanford because changing our campus culture is essential to preventing future instances of sexual violence.

Effecting such change will require extensive and ongoing education addressing sexual violence, consent, and bystander intervention. This education must address the wider social and cultural contexts within which sexual violence occurs. Special attention should be paid to the intersections of sexual violence and race, ethnicity, gender, gender identity, sexual orientation, and ability, among others. The Task Force also encourages the university to collaborate with student efforts in order to harness the power of peer-to-peer education.

The Task Force therefore recommends the following:

- Deliver ongoing education on sexual harassment, sexual assault, sexual misconduct, stalking and relationship violence, and related topics, such as consent and bystander intervention, to every Stanford student. The Task Force notes that educating Stanford's varied and decentralized community members will require extensive time and coordination and thus recommends that individuals overseeing and implementing education should be distinct from confidential support and counseling roles. Education programming should include, but should not be limited to, the following:
  - Continued education at New Student Orientation (NSO) and graduate student orientations, as well as ongoing/annual education for all returning students.
  - Diverse programs addressing the particular needs of distinct and historically marginalized communities.
  - Diverse programs designed for the specific needs of graduate and post-doctoral students.
  - Continued and expanded programs developed by student, residential, or community groups in order to facilitate peer-to-peer engagement.
  - Continued and expanded programs for faculty and staff analogous to, and possibly included in, current sexual harassment education.
- Provide resources to faculty, departments, and community centers to provide education about the root

causes of sexual assault and its consequences for individuals and society. Such resources could include the following:

- Incentive funds for faculty who wish to design new classes about sexual violence or who wish to increase the coverage of sexual violence in their current classes. This should include encouraging the Office of the Vice Provost for Undergraduate Education and the Office of the Vice Provost for Graduate Education to support the development of robust curricular offerings related to the causes of sexual violence.
- Funds for departments, programs, and centers on campus to bring speakers to campus or to organize conferences around themes of sexual assault and relationship violence.
- Funds for student groups to develop peer programming (with support from faculty or staff).
- Encourage faculty research on the topic of sexual violence to study its causes and consequences, as well as best practices in prevention, response, education, and coordination with the legal system. This will bring clarity to currently unanswered questions, ensure future progress in ending sexual violence, and establish Stanford as a genuine national leader on this issue.
- Further advertise and implement the university's code of bystander responsibility as a normative expectation for all members of the Stanford community as well as commit further resources to foster bystander education.

The Task Force recommends that as changes are implemented, further study and attention also be paid to the following related policies to ensure that they are consistent with the recommendations provided in this report:

- Review recent university policy changes for fraternities and sororities in order to encourage reporting and peer accountability and manage any unintended effects on reporting behavior.
- Examine patterns of campus behavior associated with alcohol consumption as they relate specifically to the issue of sexual violence.



## II. Support and Response

The provost's second charge to our Task Force was to assess the support the university provides to students when an incident of sexual violence occurs. Input from students who have experienced sexual violence at Stanford revealed a common theme: Our current process is difficult to understand. As a result, students are not obtaining the help they need. Students also reported a dearth of staff members who are sensitive to the particular needs of students of color and of LGBTQ community members.

The challenge of understanding our current process stems in part from another common message we heard from faculty, staff, and students. Stanford's resources related to sexual violence are not fully streamlined and coordinated, necessitating numerous hand-offs of information and responsibilities. If a student experiences sexual violence, that student may seek police assistance, medical attention, counseling, interim accommodations for housing or academic support and may participate in a disciplinary process. With each step, another office or individual must become involved and the risk of miscommunication increases. More than that, the students who shared their experiences with the Task Force reported that communicating and coordinating with what can become a large group is overwhelming and burdensome. They describe how this decentralized, confusing system undermined their recovery and how it likely decreases reporting by others who experience sexual violence.

The Task Force acknowledges that it is not possible to eliminate the involvement of many actors and offices in these cases. At the outset, a student in need will likely first seek help from those closest to them, including any number of individuals from resident assistants (RAs) to friends to professors. As the case progresses, the number of individuals involved inevitably must increase as the student seeks the support, assistance, and response that she or he needs. Even so, Stanford can work to ensure that students,

after their first point of contact, are immediately directed to a centralized trained resource, which we describe as a Confidential Support and Response Team (see below) that provides a streamlined, coordinated, and supportive response. This resource should be flexible enough to provide both timely and culturally sensitive counseling for the personal consequences of trauma as well as thorough guidance through university structures and processes. In this model, the number of people involved in any given case will not necessarily decrease, but each case will have a professional, fully dedicated point of contact to take responsibility for connections between the student and all other parties. We are optimistic that a shift from numerous people working in different offices to a unified team of fully dedicated, issue-area experts is essential for meeting our goal of providing a safe, encouraging, and respectful environment for survivors of sexual violence.

Beginning in 2015, Stanford's climate survey will provide a more accurate measure of the scope of sexual violence on campus and therefore an improved basis for gauging resource needs. Existing data, however, indicates the need for a significant institutional commitment. The Title IX Office considers reports from students concerning sexual harassment, sexual assault, sexual misconduct, dating or domestic violence, and stalking where the alleged perpetrator is a student, faculty member, staff member, or a third party who does not have a Stanford affiliation. This year, that office has received more than eighty reports, with individuals seeking a range of responses, including guidance on available resources and/or asking the university to proceed with an investigation. That number may well grow as informational and education efforts take effect and more students decide to come forward. Addressing sexual violence will clearly require a considerable allocation of resources, particularly in expanding the number of dedicated professional staff.

We aspire to create a university free of sexual violence, and we must ensure one free of error and the pain and stress it induces. The Task Force therefore prioritizes the following recommendations as the most critical to our future success:

## Confidential Support and Response Team

This team should be composed of multiple, fully dedicated confidential counselors with professional backgrounds in psychology and/or social work. Such individuals employed by the university should work together to do the following:

- Respond to a dedicated sexual assault hotline that goes directly to a member of the Confidential Support and Response Team on call twenty-four hours a day, seven days a week.
- Provide immediate crisis intervention and assess a student's medical, psychological, and safety needs during the acute stage of crisis. This includes in-person response, when requested by the student.
- If clinically necessary and requested, arrange for the student to be transported and accompanied to Santa Clara Valley Medical Center for a SART exam, or other desired medical care.
- Inform the student during the acute response stage about university, civil, and criminal resources to help the student sort through options and explain possible next steps.
- Follow up with ongoing psychological care, or refer the student to another practitioner trained in trauma response. This may include either increasing the capacity of CAPS and/or locating long-term care in the Confidential Support and Response Team.

- With the consent of the involved student, be responsible for student-specialized case management and tracking, help the student understand reporting options and resources, and serve as a liaison between the student and all relevant university responders.
- Equivalent services should be available to any student involved, including impacted and responding parties and bystanders.



## Recommendations Relevant to Educational Efforts and Support and Response

- The university should hire staff, in both education and response roles, who reflect the diversity of student backgrounds and who are trained to give attention to all students, including students of color, LGBTQ students, and students of all genders, as well as gender identities and expressions.
- The placement of services for sexual assault support and response is a continuing challenge that universities face. Providing the appropriate attention required to succeed in this complex arena requires clear placement within our university's structure and a recognized reporting line to the provost. As we work toward centralization of processes and resources, we recommend the provost consider creating a new, distinct and mission-driven office within our university to respond specifically to concerns of inequality and harassment.

# III. Investigating and Adjudicating Sexual Violence Cases

Finally, the provost charged the Task Force with assessing and making recommendations regarding our policies and procedures for the adjudication of cases involving sexual violence. In this arena, the Task Force recommends that the president and provost adopt a new pilot program that would have the features described below. Following the precedent of the pilot program that initiated the Alternate Review Process (ARP), the Task Force recommends that this pilot remain in place for several academic years, that information be gathered, starting as soon as the pilot begins, about how the pilot is proceeding, and that, at the end of the pilot period, the appropriate university actors decide whether to adopt it as a permanent process.

The recommendations in this part of the report are presented in a different form than the earlier recommendations. First, in order to convey all at once the key steps in the process, from investigation to appeal, they are outlined in summary form. Following the description of the key features of the pilot, the report provides rationales for and further explanations of these key features. Cross-references are provided to allow the reader to move easily from the key features of the proposed pilot to the rationales and explanations for those key features.

## Key Features of the Recommended Pilot Program

There will be **one** process for the investigation, assessment of responsibility, adoption of remedies, determination of a charge, and imposition of discipline when a Stanford student is thought to have violated university policies governing prohibited sexual conduct, sexual harassment, or consensual sexual or romantic relationships (described in Administrative Guides 1.7.1, 1.7.2, and 1.7.3). This process will be both prompt and equitable. (Pages 11–12.)

### Investigation

When the Title IX Office receives a report of prohibited conduct, the office will assess whether an investigation should be conducted and, if so, conduct the university investigation. If the Title IX Office concludes that the reported conduct, even if true, would not violate university policy, the office will inform the involved parties that a formal investigation will not proceed. The parties will have the right to appeal that decision to an appellate official.

*Investigation:* The objective of the investigation is to determine whether the responding student should be charged with violating university policy. The standard for whether a charge should be made is whether a reviewing panel of reasonable decision makers could conclude, by a preponderance of the evidence, that a violation of university policy occurred.

Involved students will be notified in writing of the opening of the investigation and of their rights in the process, including the right to be interviewed and to identify witnesses and relevant evidence. Students will also be informed that they may have one support person available to advise them throughout the process, who may be an attorney. Individuals serving in support roles, whether or not attorneys, may provide advice and counsel to the student, but may not speak on behalf of or otherwise represent the parties during the investigation or any subsequent proceedings.

*Charging Decision:* Once the Title IX Office has made the charging decision, the office will inform the parties, in writing, of that decision and inform them of the evidentiary record that forms the basis of the charging decision.

If the Title IX Office concludes that *no charge* is warranted, the impacted party may appeal that decision to an appellate official.

If the Title IX Office concludes that a *charge* should be brought, as noted, the office will inform the parties of the evidentiary record that a reviewing panel would consider if the case went to a hearing. More specifically, the office will identify the categories and items of evidence gathered during the investigation that the office deems potentially relevant and therefore admissible before a panel. At that point, the parties will have an informal opportunity to challenge the Title IX Office's decisions about the inclusion or exclusion of evidence that will be sent to the reviewing panel. The Title IX Office will in the first instance assess the parties' objections to the evidentiary decisions and, as necessary, modify the charging decision. If, following this, either party continues to object to the decisions about the evidence that will go to the reviewing panel, an evidentiary expert outside of the Title IX Office will hear those objections and reach a conclusion about whether the reviewing panel will consider the evidence at issue. The outside reviewer's decision will be final. At the end of this process, the determination as to the evidentiary record that the panel will consider is final and will not be revisited by the reviewing panel.

***Non-Hearing Resolution:*** At any point during the investigation, or following the Title IX Office's decision to bring a charge, if the Title IX Office concludes that it is feasible and fair to resolve the matter through a non-hearing resolution involving and with the agreement of the parties, the office may do so.

***Legal Assistance for Involved Students:*** The university should explore ways to provide legal advice to students who are involved in the Title IX process if they would like such assistance. Several options are discussed in the rationale and explanation section. (Page 12.)

### **Reviewing Panel and Hearings**

If the case is charged but not concluded through non-hearing resolution, it will proceed to a panel of three reviewers for a hearing. (Pages 13–14.)

***Reviewer Pool:*** The provost will appoint a group of individuals who will be eligible to serve as reviewers in individual cases. Individuals in this reviewer pool will serve for

multi-year terms. Individuals may apply to serve as reviewers, and the provost will seek nominations from members of the University Cabinet and the Faculty Senate. The reviewer pool will be diverse and some members, if possible, will have academic or professional expertise relevant to the cases that reviewing panels will consider. Each reviewer will be extensively trained in relevant law and policies, including receiving annual refresher training. Each member of the reviewer pool will be expected to regularly serve on panels.

Faculty and senior staff are eligible to serve as reviewers. Undergraduate students are not eligible to serve as reviewers. The Task Force does not make a recommendation about whether graduate students should serve as reviewers, leaving that matter to the provost. (Pages 13–14.)

The reviewing panel must be unanimous as to responsibility and unanimous as to sanction where the sanction is expulsion. For lesser sanctions than expulsion, the panel can impose the sanction if two of the three reviewers agree to that sanction. (Page 13.)

***Hearings:*** As noted previously, the evidentiary record that the panel will consider will be resolved before the hearing occurs. The panel will provide the parties with adequate time to prepare for the hearing and they will work to promptly resolve the case.

### **Sanction**

All violations of university policy on prohibited sexual conduct, sexual harassment, and consensual sexual or romantic relationships are serious violations of our shared expectations and values. The Task Force makes two specific recommendations about sanctions. First, certain violations of university policy, such as sexual assault (as defined in Administrative Guide 1.7.3), are egregious and, in such cases, the expected sanction will be expulsion. Second, in all cases where a student is found responsible for violating any university policies, the reviewing panel will consider in its deliberations on sanctions the entire range of available sanctions, starting with the most serious sanction, expulsion, and then considering the less serious forms of discipline. (Pages 14–15.)

## Appeal

*Appellate Officials:* A single appellate official will hear appeals of panel determinations. The provost will appoint a small pool of appellate officials and that group will be drawn from the group of individuals who have served in the reviewer pool. Those in the appellate pool will receive the same extensive and refresher training received by all members of the reviewer pool. If graduate students are eligible as part of the pilot to serve on reviewing panels, they will not be eligible to serve as appellate officials.

*Grounds for Appeal:* Both parties may appeal a decision by the reviewing panel on responsibility and on sanction. A student may allege any of the following: improper criteria were relied upon by the reviewing panel that substantially affected the decision to the detriment of the appealing student; there were procedural irregularities that substantially affected the reviewing panel's decision to the detriment of the appealing student; new evidence is available at the time of the appeal that was not available at the time of the reviewing panel's decision that, if considered by the reviewing panel, would have substantially affected the reviewing panel's decision to the benefit of the appealing student; or that the reviewers' decision was unreasonable. Objections to the inclusion or exclusion of evidence that were, or could have been, resolved through the evidentiary review conducted before the reviewing panel's hearing cannot be the basis for an appeal, unless the appealing student demonstrates that the evidentiary decision was grossly erroneous and substantially affected the reviewing panel's decision to the detriment of the appealing student.

If the appellate official finds there was an error to the detriment of the appealing student, the official may return the matter back for review by a new set of reviewers or may issue a final decision.

## Rationale and Explanation for Key Features of Proposed Pilot

### A Pilot

The Task Force recommends that this new system be initially implemented as a pilot and that information be regularly gathered, starting as soon as the pilot begins, about how it is unfolding.

There is precedent for the approach we are recommending. Before formally adopting the Alternate Review Process (ARP), Stanford tried that system on a pilot basis for several years. That same approach makes sense in this case. Perhaps most important, while we believe that the system we propose will be an improvement over our present system, there may be unanticipated difficulties or unintended negative consequences of the new system. A trial period provides an opportunity to assess whether the system is working before adopting it as a set-in-stone process.

We are also operating in a rapidly changing environment. At regular intervals, new rules and guidance on these matters are issued, or new federal laws are approved or proposed. Many schools are studying how they should change their practices and policies and many have adopted new approaches in just the last year. More than that, the environment at Stanford is rapidly evolving. One important reason to propose a pilot is to remain flexible going forward in order to take advantage of new information about best practices nationwide and how the pilot program is functioning at Stanford.

We recommend that the pilot begin as early as is feasible, as determined by those who are charged with implementing the pilot.

### A Single Process

At present, Stanford does not have a single, coordinated process to handle cases where one person, usually a student, believes a student has violated university policies in these areas. Stanford's current approach contemplates the possibility of two different investigations, conducted by different offices, following different processes, with different remedies available. There is the possibility that the Title IX Office will conduct an investigation, which may lead to the adoption of interim measures and accommodations, followed by a finding of responsibility by the Title IX Office and the imposition of permanent remedial administrative measures. In addition, there is the possibility of an investigation conducted by the Office of Community Standards (OCS), followed by a hearing before a panel of five individuals who determine whether the violation occurred and, if so, what discipline is appropriate. This latter process is the Alternate Review Process (ARP).



While the Task Force fully understands how this situation has come to be and that the offices currently coordinate as best they can, this system should be changed. There are several challenges of this system but, most importantly, it is confusing for students and others in the Stanford community and is perceived as placing a burden on students, often during a time of trauma, who are asked to choose which path they wish to pursue.

A unified process would be far superior. It has many advantages, but the most important one is that it should improve clarity for involved students and for the university as a whole. The Task Force thus recommends a single, streamlined investigative and adjudicative process as described in the recommendations.

### **Evaluate Providing Students with Legal Assistance, at Their Request**

Stanford students who are involved in investigations of misconduct and disciplinary proceedings are permitted to rely on the advice and assistance of an attorney. Indeed, federal law requires universities to permit students to rely on an advisor of their choice, and that includes an attorney as an advisor. Thus, the question whether university assessments of student conduct would be more fair, less adversarial, more prompt, or in some other way *better* without any attorney involvement is a hypothetical one.

In cases involving sexual misconduct, attorneys are and will continue to be involved assisting at least some students. This should not be a surprise. Sexual misconduct cases are unique in many ways. Federal and now state law treat this category of cases specially and establish a particular set of rules to govern university activity. The stakes for the involved students, impacted parties and responding parties alike, rightly feel high. Even in a perfectly designed and administered system, a student who is involved in a campus investigation of sexual misconduct — whether impacted or responding party — may find the experience overwhelming, confusing, and upsetting. And given the overlay of state and federal law, and the possibility of related civil or criminal proceedings, for some students and their families, an attorney to turn to for advice and guidance could be quite helpful.

Professionals in student affairs have the strong sense that an increasing number of students who have the means to do so are retaining lawyers when they are involved in university disciplinary proceedings involving sexual misconduct. The Task Force is concerned about situations where one student has the advice and guidance of an attorney and the other student does not. In such cases, the student without that assistance may very well feel at a disadvantage. Just as important, such a situation raises the possibility that the outcome of the case could depend on the quality of the attorney's advice and guidance, rather than the underlying truth of the matter. It is not a surprise, then, that several other schools, including Columbia University and Harvard Law School, are finding ways to provide students involved in sexual misconduct cases with legal assistance.

We recommend that Stanford explore the possibility of providing students with legal assistance if they request it. It is clear that the outcome in cases should not depend on the fact that one student, but not the other, is able to obtain high-quality legal advice. But it is not precisely clear how to achieve that objective while at the same time administering a process that resolves many cases each year and operates under a mandate to proceed fairly and promptly.

The Task Force thus recommends that the provost charge an implementing committee with fully exploring the options to provide students with legal advice in these cases. One possibility would be modeled on the ASSU's existing Legal Counseling Office, which provides free legal advice and consultations to Stanford students. The university could provide a grant to the ASSU to expand those services to include advice and counseling for students involved in sexual misconduct cases. Another option would be to explore the possibility of providing an attorney for an involved student if the other student or students involved in the case have retained an attorney. Still another option, pursued at some universities, would be to establish, train, and manage a corps of trained advisors who are not attorneys but are well versed in university processes and would be available to students. Each of these options deserves careful study, and there are surely other possibilities that could be examined.

## The Role and Composition of the Reviewing Panel

*Multiple Decision Makers:* The Task Force is proposing a system that is more streamlined than our current system, yet one that is attentive to fairness concerns. In cases where the parties and the Title IX Office do not agree to a non-hearing resolution, we are proposing a system in which multiple decision makers will be involved in resolving cases. Some schools have adopted a model where, in all cases, a single entity investigates, assesses responsibility, imposes sanctions, and, in some cases, handles an appeal. There are surely advantages to this model. Nonetheless, the Task Force recommends that Stanford continue to rely on a panel of reviewers. The panel will hear the evidence directly and make the primary determination of responsibility and sanction; the panel's findings on responsibility must be unanimous, as must the panel's finding on sanction if the sanction is expulsion. Many schools adhere to a model like this, and Stanford relies on panels in many other contexts to decide difficult questions about the fate of individuals. This is for good reason. A system where several decision makers evaluate the crucial evidence and come to an informed judgment is one that relies on the benefits of deliberation among several people to reach a wise judgment, and it protects against a single decision maker with idiosyncratic judgments. It thereby protects both fairness as well as the perception of fairness.

*Reviewers:* A system where a panel of reviewers hears evidence and makes a collective judgment has advantages, but its effectiveness rests on the judgment, training, and wisdom of the panel itself. The Task Force had extended conversations about the makeup of the reviewing panel and we reached several points of consensus.

First, we recommend that the provost make the appointments to the reviewer pool and ask members to serve for several years. This pool should be selected by the chief academic officer of the university in order to emphasize the significance of the assignment. We recommend that the provost seek expressions of interest from the campus community as well as formally invite nominations from the Faculty Senate and the University Cabinet.

Second, we recommend that the pool reflect the diversity of the university to ensure that the very best decisions are made, as well as to inspire the confidence of those who ap-

pear before a reviewing panel. Every effort should be made to assemble a pool of reviewers who are diverse as to race, sexual orientation, gender, age, and experience.

Third, the panelists must be well trained and must regularly hear cases. This means that the panelists must have extensive training when they are first appointed as well as on an ongoing basis. It also suggests that the provost should consider appointing some individuals who have professional and/or academic expertise in the issues that are raised by the cases that will come before the panel. Finally, it is important that those on the reviewing pool regularly sit on cases to build up their familiarity, expertise, and judgment. All in all, these imperatives suggest a relatively small but diverse pool of individuals who understand that, in accepting an appointment to the reviewing pool, they are taking on a significant time commitment over a several-year period.

Fourth, after much discussion and deliberation, the Task Force reached consensus that undergraduate students should not serve on the reviewer pool. The question whether undergraduate students should continue to serve on review panels is a difficult one, and it is important to note that the Task Force is proposing a pilot and, if adopted, all members of the university will have the chance to see how this system operates before the community has to decide whether it should become a permanent process.

There are powerful arguments in favor of undergraduate students serving on panels. There is the forceful claim that judging whether a student violated university policy should be a community-based process and undergraduate students are an essential part of our community who have singular knowledge of it.

Despite this, there are many reasons not to include undergraduate students on reviewing panels that the Task Force found decisive. Start with the fact that the undergraduate population is a small one, with many points of overlap between and among groups of students. The result is that there are, at best, often only a couple of degrees of separation between students who might serve on panels and students who might appear before such panels. There is a very real risk that the student reviewer and the student who is an impacted party, a responding party, or a witness live in the same dorm, attend the same class, play on the same team, or perform in the same musical group. Even where the connection is not that close, the odds are very



high that one involved student knows someone who knows that student reviewer.

The “jury of one’s peers” concept is deeply embedded in American history and even in the history of university discipline in the United States. But judging those who may continue to be one’s “peers” is fraught with difficulty, and especially so in this context. Hearings involving charges of violation of university policies on sexual conduct delve into some of the most intimate, complicated, and difficult issues of human interaction that exist. It puts students in an exceptionally painful position to ask them to interact in this setting and play these roles.

But this is not the only reason that counsels against having undergraduate students on reviewing panels. An essential objective of the Task Force’s recommendations is to establish a particular kind of reviewer pool — one that is trained, experienced, and whose members are regularly hearing cases. Having undergraduates on reviewing panels sits uneasily with those objectives. Undergraduate students are at Stanford for a relatively short time; they may be called away from campus for study abroad or competitions or performances; and they have packed schedules when they are here.

Finally, it is clear that those who administer and enforce Title IX are concerned about students serving on panels, no doubt for some of the reasons identified here.

This discussion of why the Task Force reached consensus on the role of undergraduate students may help explain our lack of a recommendation about whether graduate students should be included in the reviewer pool. Graduate students share some characteristics with undergraduate students that may counsel against their inclusion. Their time at the university is limited and their schedules are very busy, which may not easily fit with the objectives of a highly trained, experienced, and active reviewer pool. They are likewise working to launch their professional careers, and this sort of obligation may simply be too onerous for them to take on at that point in their careers.

On the other hand, several factors suggest they should be included in the reviewer pool. Graduate students would bring diversity, especially in age, experience, race, gender, and sexual orientation. In addition, students have long been part of these university processes, and graduate stu-

dents have both a student experience at Stanford and, in addition, they are generally closer to the undergraduate experience than faculty and staff. Finally, the graduate student community is much more diffuse than the undergraduate community, reducing the possibility that students who are very closely connected with one another are asked to assess one another’s conduct in a disciplinary setting involving sexual misconduct.

The Task Force makes no recommendation on this matter, leaving it to the provost to resolve. One possible solution is to include graduate students in the reviewer pool at the outset but permit either party to object to their inclusion. While this might mean graduate students go through a great deal of training and do not end up sitting on a reviewer pool, the pattern may be a powerful indicator of the right bottom-line decision on this issue.

*Hearings:* Finally, while the Task Force proposes to retain hearings in some cases, it is critical that the hearings occur promptly, while providing adequate time for the parties to prepare and the panel members to prepare and deliberate. As discussed earlier, Stanford currently has two offices (the Title IX Office and the Office of Community Standards) involved in these cases, each of which might conduct its own investigation, follow its own processes, and have different remedies available. One difficulty with this system is the risk of delay in the resolution of cases. In addition to proposing a single, streamlined system that relies in part on hearings, the Task Force’s proposals contain elements that should permit the system to proceed fairly as well as promptly, including the size of the reviewer pool and the resolution of evidentiary matters prior to the hearing. If the provost adopts these recommendations, we urge that this issue be attended to during the implementation of the pilot.

## **Sanctions**

In his charge, the provost specifically asked the Task Force to make recommendations regarding appropriate sanctions for students who are found responsible for violating university policy, particularly university policy on prohibited sexual conduct. This university policy on prohibited sexual conduct defines and prohibits sexual assault, sexual misconduct, stalking, and relationship violence. This policy covers a broad range of prohibited behaviors, from kissing

without indication of consent to behavior that constitutes rape under California law. The Task Force discussed and considered the matter of appropriate sanctions at length, and we heard from many students, faculty, staff, and alumni on this topic.

The Task Force reached consensus on one fundamental point. The Task Force is of the view that any violation of university policy on prohibited sexual conduct is a profound violation of our community norms and values. Certain violations of university policy, however, such as sexual assault, are egregious. Under university policy (Administrative Guide 1.7.3), sexual assault is defined as engaging in certain sexual acts (intercourse, digital penetration, oral copulation, or penetration with a foreign object), without indication of consent, accomplished by means of force, violence, duress, or menace (defined consistently with California rape law) or where a person causes or takes advantage of another in an incapacitated state. “Incapacity” itself has a specific meaning under university policy, and it means that the person lacks the ability to voluntarily agree to sexual activity because the person is asleep, unconscious, under the influence of an anesthetizing or intoxicating substance such that the person does not have control over his/her body, is otherwise unaware that sexual activity is occurring, or is unable to appreciate the nature and quality of the act. These provisions are modeled on California rape law and, by point of comparison, if an individual were convicted of this conduct in a criminal proceeding, the person so convicted would likely face prison time. Going forward, if a Stanford student is found responsible for sexual assault as it is defined in university policy, the expected sanction in such cases should be permanent separation from the university—expulsion.

As noted, the Task Force believes that *any* violation of university policy on these matters is a profound violation of our community norms and values. Our second point of consensus on appropriate sanctioning is that reviewing panels, after they have determined that a student is responsible for a violating policy, should begin their consideration of sanctions with the most serious sanction, expulsion, and only then should the panel consider the less serious sanctions.

Finally, in addition to these two recommendations, there are two other matters related to appropriate sanctions that

the Task Force recommends be considered. First, the Task Force recommends that the provost charge the members of the reviewing panel during the pilot period to consider developing a sanctions guidelines document that, in addition to incorporating the recommendations discussed above, provides further guidance on how to determine proportionate and effective sanctions. University policy prohibits a wide range of behaviors and also makes available a wide range of sanctions. While each case has unique facts and circumstances, it may be possible for reviewing panels to adopt general guidelines about how to determine the fairest sanctions, at least given certain findings of responsibility. If such guidelines can be developed for at least some types of violations, they would also provide further notice to all in the university about how sanctions will be determined for various violations of university policy and should also provide some measure of consistency in reviewing panel decisions over time.

In addition, the Task Force recommends that the provost consider the application of the new procedures outlined here to cases where a student engages in behavior that violates university policy where that behavior is not brought forward for investigation and adjudication until after the student has received a Stanford degree. This situation raises questions about how these procedures might need to be adapted to the context of a responding party who is no longer a student and what sanctions or remedies might be imposed in these cases, including the question of whether the university has the power to revoke a degree for conduct that could have led to expulsion for a current student.

## Appeal

The Task Force recommends that the provost appoint a group of appellate officials drawn from the group of individuals who have previously served on reviewing panels. A single appellate officer selected from this pool will consider each appeal. This recommendation is inspired by many of the same considerations that gave rise to the Task Force’s views on the reviewer pool. The goal is to create a pool of individuals who are extensively trained, including refresher training, and have had direct experience as reviewers. Selecting an appellate pool from those who have previously served on reviewing panels is, in the Task Force’s view, the best way to accomplish this.

The grounds for appeal are standard in current university processes, save for one modification. The process envisioned here provides an opportunity for an “evidentiary check” before any hearing. In this check, the parties have the opportunity to argue that certain evidence should, or should not, be considered by the reviewing panel. The goal is to minimize the number of disputes about the appropriate evidence once the case reaches the reviewing panel. Given the availability of this check, any evidentiary challenge that was or could have been raised at that time is subject to an especially high standard as a ground for appeal.

Currently, in all cases in which expulsion is recommended (including Fundamental Standard, Honor Code, and ARP cases) the provost must approve the expulsion. The Task Force is concerned that, if recommendations for expulsion become more common, this will be triggered more often. In order to ensure that this does not turn into an additional appeal, the Task Force recommends that the provost continue to follow the practice of deliberating on this matter solely based on the record that was before the reviewing panel and the appellate official, excluding any further written or in-person testimony from either party.

## IV. Ensuring Sustainable Success

The Task Force has worked to make recommendations aimed at preventing sexual violence, providing appropriate support for students, and ensuring prompt and fair investigation and adjudication of cases involving sexual violence. As we make these recommendations, our formal work is complete but, if they are adopted, it will be important to structure their implementation in ways that will ensure success.

If these recommendations are accepted, a challenging period of transition will commence. To meet this challenge, the Task Force recommends that the university establish a transition advisory committee, composed in part of members of the current Task Force, to work through the duration of the pilot of the newly devised investigation and adjudication system. Ideally, the group would meet regularly to receive information, benchmark against national developments, and work with university staff to assess the success of the university's efforts. This committee's job is not to oversee or supervise the work of dedicated university offices, but rather to work as a partner to help our university continue to learn and improve.

There are several advantages to the creation of this group. First, it can work to identify the information and data it

needs to take on its transition advisory task and also assess how to best collect and share data appropriately with the university community. Ideally, relevant data about the university's efforts in education, response, investigation, and adjudication can be shared in the appropriately aggregated form as regularly as possible, in accordance with FERPA requirements.

More than this, the advisory committee can play an important role in visibly maintaining the student voice in the process, which will build trust in both our systems and our institutional commitment to long-term success. To this end, we recommend that one member of the advisory committee play a role in gathering information from students involved in the university's sexual violence support, response, and adjudication initiatives. This individual would not be involved in the details of case management. Instead, this individual would likely be a senior faculty member who would serve as an envoy for students who experience unintended problems within the new system.

Finally, this group can take a critical and lead role in recommending whether the proposed pilot system for investigation and adjudication should become a permanent part of university processes.



# Appendices





# Charge of the Provost's Task Force

Membership in the Stanford community brings an obligation to respect the safety and well-being of others. In particular, we are committed to providing a campus environment that is free of sexual violence of any kind. Stanford's Sexual Misconduct and Assault Policy prohibits sexual misconduct and sexual assault, making clear that such violations are unacceptable and will not be tolerated. Our current programs regarding the prevention of sexual violence, the education of our community, the provision of support in the wake of an incident, encouraged reporting, and the investigation of allegations of misconduct require improvement. To that end, this task force is charged with reviewing our policies and programs in these areas and making recommendations for improvements.

Our foremost objective as a university community is to do everything possible to *prevent* sexual violence. Accordingly, the first charge of the task force is to evaluate our programs aimed at prevention. We currently educate new students before they arrive on campus through online training and during orientation. Is this programming effective and what other educational programming should be introduced for new and continuing students? Are faculty and staff adequately informed about their obligations to help prevent and respond to sexual violence?

If, despite our best efforts at prevention, an incident of sexual violence nonetheless occurs, our next priority is to provide immediate and ongoing support for the victim. Thus, the second charge of the task force is to assess the support services provided through Vaden Health Services, Counseling and Psychological Services (CAPS), the Sexual Assault and Relationship Abuse Office (SARA), the Sexual Harassment Policy Office, the Title IX Coordinator and the YWCA as a contracted third-party service provider. The Residence and Graduate Life Deans, who are frequently the first to hear of these incidents, are an important part of the support network, and their practices should be included in this review. Is the work of these offices properly coordinated to provide optimal support for students? Could our services be provided in a more seamless and sensitive manner? Do we have an adequate number of confidential resources for students?

Finally, Stanford has policies and procedures for adjudicating reported cases of sexual violence. Our goal is to promptly and fairly resolve such cases. Accordingly, the third charge of the task force is to review the two investigative and disciplinary processes initiated following allegations of assault and harassment involving students: the Title IX Administrative Policy and the Alternate Review Process through the Office of Community Standards. Are these processes adequately designed? Are they effective in practice? How should they be modified? We ask that you specifically consider whether there should be recommended sanctions in cases of sexual assault.

In the course of your work, we expect that you will conduct broad outreach to the university community to hear their thoughts and suggestions. We hope to have initial recommendations from the committee by November 15, 2014 in order to implement changes (at least on a preliminary basis) by Commencement 2015.

# Task Force Members

## Co-Chairs

**Elizabeth Magill**, Richard E. Lang Professor of Law and Dean of Stanford Law School

**Elizabeth Woodson**, Undergraduate, Science, Technology and Society;  
President, Associated Students of Stanford University

## Members

**Aku Ammah-Tagoe**, PhD Candidate in English

**Bryce Anzelmo**, PhD Candidate in Energy Resources Engineering and  
Co-chair of the 2014-15 Graduate Student Council

**Russell Berman**, Walter A. Haas Professor in the Humanities and  
2014-15 Chair of the Faculty Senate

**Nate Boswell**, Associate Dean of Residential Education and  
liaison to the Row and fraternity and sorority organizations

**Shelley Correll**, Professor of Sociology and the Barbara D. Finberg Director of the  
Clayman Institute for Gender Research Stanford

**Catherine Criswell**, Title IX Coordinator

**Jackie Fielder**, Undergraduate, Public Policy; Chair of the Inter-Sorority Council

**Kelsey Finch**, Undergraduate alumna, Urban Studies, Class of 2008

**Adam Horowitz**, Graduate in Sociology and member of the Board on Judicial Affairs

**Faith Kazmi**, Associate Dean of Student Affairs and  
Director of the Women's Community Center at Stanford

**Benjy Mercer-Golden**, Undergraduate, History; ASSU Executive Cabinet member 2014-15

**Lauren Schoenthaler**, Office of the General Counsel

**Marcia Stefanick**, Professor of Medicine at the Stanford Prevention Research Center and  
Co-director of the Stanford Center for Health Research on Women & Sex Differences in Medicine

**Robert Weisberg**, Edwin E. Huddleson, Jr. Professor in the Law School and  
Faculty Co-Director of the Stanford Criminal Justice Center

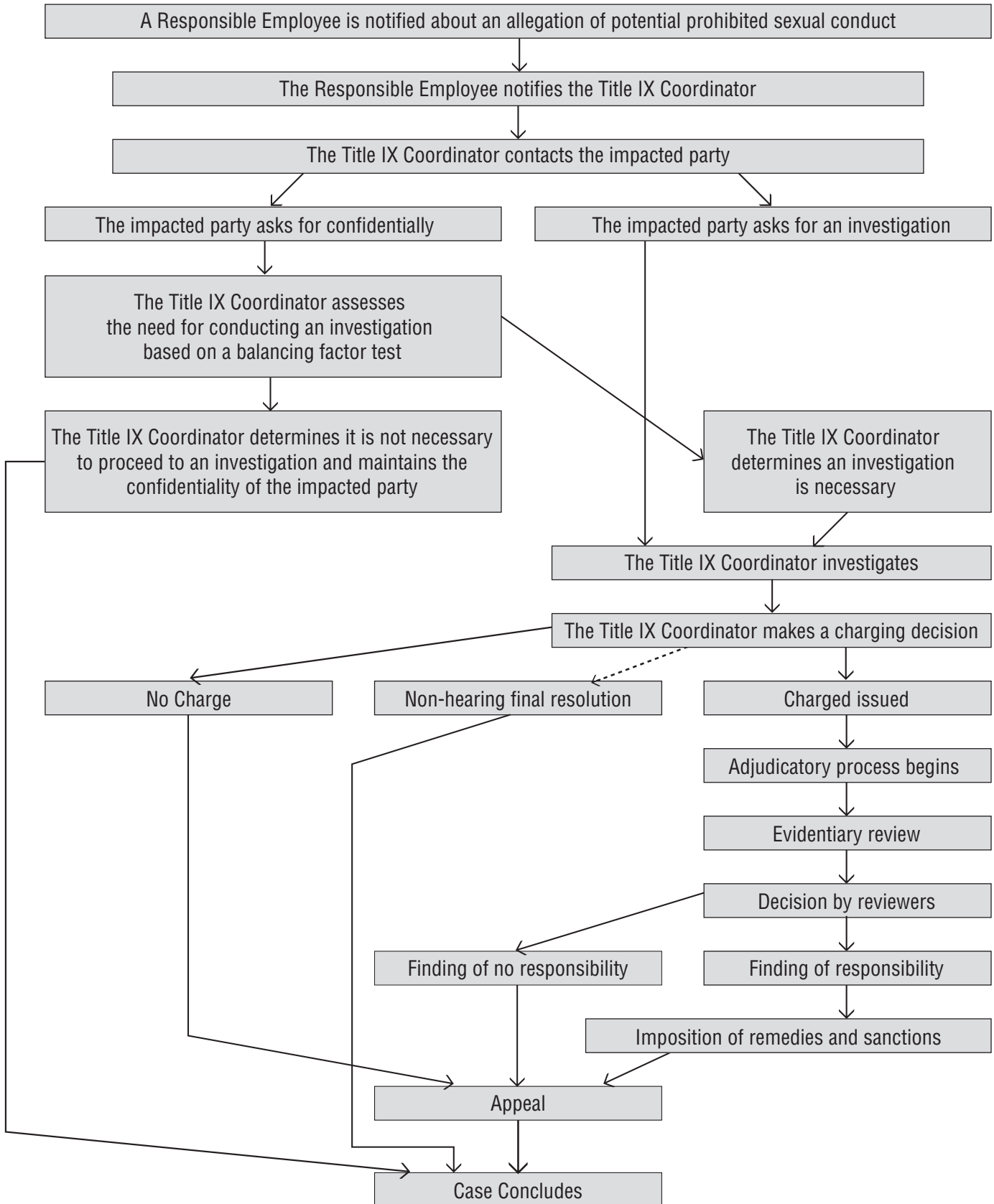
**Laura Wilson**, Stanford Chief of Police and Director of the Department of Public Safety

**Laraine Zappert**, Director, Sexual Harassment Policy Office

## Staff

**Marisa McCarthy**, Office of the Provost

# Title IX Investigation and Adjudicatory Process for Students



# Stanford University

## Timeline of Sexual Violence Policy, Education and Support Initiatives

### 1982 – 2015

- 1982–1988: Stanford Rape Response Group (comprised of trained Stanford professional staff and students) is formed to provide 24/7 response, confidential crisis intervention and on-campus advocacy for sexual assault survivors.
- 1988: Stanford Rape Education Project, a group of male and female students who promote discussion and awareness of sexual assault and serve as a referral for students who had been sexually assaulted, is created. In May 1988, they develop and implement a survey of the Stanford community, “The Stanford Survey on Attitudes, Awareness and Experience of Sexual Violence” with guidance from faculty and staff. 2,400 students respond. Findings include that one in three Stanford women and one in eight Stanford men reported being pressured to have sex against their will.
- 1989: The Task Force on Sexual Assault (SATF) is formed to 1) Develop response protocol; 2) Recommend Judicial Affairs process/code revisions; 3) Institutionalize prevention and education; 4) Coordinate services for survivors and develop a resource guide. Task Force is formed in response to Stanford Rape Education Survey. The Task Force also addresses new regulations outlined in California State Law, Assembly Bill 3098, Postsecondary Education: Student Safety, July 1990.
- 1990: Task Force Report is published in November 1990.
- Sexual Harassment Policy is developed. Shortly thereafter a supplemental Sexual Assault Policy is developed.
- The Coalition Against Sexual Assault (CASA), an umbrella organization, is formed and includes various student groups including Rape Education Project, Project Heighten Education or Acquaintance Rape, Greek RAP, Stanford United for Rape Elimination, and Men Against Violence. CASA obtains Associate Students of Stanford University (ASSU) special fee funding for the following: 1) Student-run Sexual Assault Resource Center located at Cowell Student Health Center; 2) “Sex in the 90’s” New Student Orientation program; 3) “Confronting Rape” handbook; 4) Full-time Sexual Assault Prevention Educator position to coordinate above activities through Health Promotion Services at Cowell.
- Bystander education program starts.

- 1991: Creation of cSARRT (Campus Sexual Assault Response and Recovery Team). Team of four trained Counseling and Psychological Services (CAPS) staff provide emergency on-call response to survivors. cSARRT is implemented in response to the SATF report of 1990 calling for a centralized response structure and protocol.
- 1992: University creates fixed-term (2 year) .5 FTE Prevention Program Coordinator staff position to provide prevention/education and link to existing campus resources.
- ASSU funds a Prevention Educator for CASA to coordinate peer-led outreach programs, the student-run Sexual Assault Resource Center, the New Student Orientation (NSO) production “Sex in the 90’s” and coordinates self-defense classes.
- 1994: ASSU does not fund CASA and all services provided via the organization are eliminated. The student groups in the coalition become either inactive or defunct, with the exception of Students United for Rape Elimination (5-SURE).
- Sexual Assault Legal Advocates (SALA), a Volunteer Student Organization under the sponsorship of a faculty member at the Stanford Law School, is formed. SALA’s mission is to provide legal referrals and information to women who have been sexually assaulted. SALA is funded by ASSU.
- 1994: Vice Provost for Student Affairs Mary Edmonds convenes Sexual Assault Policy Task Force in response to new regulations from the Department of Education (statutory changes to Higher Education Act of 1965) and new California law (Donahue Higher Education Act-Student Safety) that address sexual assault policy, reporting requirements, response procedures, support resources and case management. The Task Force is charged to: 1) Review new regulations to determine what university must do to ensure its compliance; 2) Review procedures, resources, and services available to meet prevention, response, treatment, judicial and legal needs of students and the linkages between resources and services to assure the university meets its legal requirements; 3) If appropriate, revise existing sexual harassment/sexual assault policy to define and address the full range of unacceptable sexual conduct.
- .5 FTE Prevention Program Coordinator staff position is refunded through 1996.
- 1995: Sexual Assault Policy Task Force develops revised sexual assault policy.
- 1996: Task Force Report is published.
- .5 FTE Prevention Program Coordinator staff position receives budget base funds through 2009.
- ASSU-funded Prevention Educator position is not refunded.

- 1996–1998: New focus on domestic violence/relationship abuse. New policy and response protocol is drafted in collaboration with public safety, Bechtel International Center, CAPS, Residential Education and Mid-Peninsula Support Network for Battered Women.
- 1999: CAPS produces a brochure entitled “Let’s Talk About.....Domestic Violence.”
- 2003–2004: Sexual Assault Study Group is formed and charged to: 1) Review Training for students and staff; 2) Clarify roles and protocols for response.
- 2005: YWCA Sexual Assault Center opens in Vaden Health Center and includes a 24-hour crisis hotline; drop-in and appointments Monday-Friday, 2-4 p.m.
- The Vice Provost for Student Affairs (VPSA) convenes a Sexual Violence Advisory Board in Fall Quarter and charges the group to advise the VPSA on policies, protocols, programs, and services related to acts of campus sexual violence, including sexual assault, domestic violence, relationship violence, and stalking.
- 2006: Stanford applies for and receives a two-year \$200,000 grant from the U.S. Department of Justice Violence Against Women Office (VAWA) for the Stanford Community Partnership to End Violence Against Women. Its goal is to provide outreach and education, training of judicial panelists, Residence Deans, and Graduate Life Office Deans.
- 2008: VAWA grant renewed through 2011.
- 2009: The Alternate Review Process (ARP) was created by students, faculty and staff in response to concerns by the Sexual Violence Advisory Board (SVAB) that the Judicial Process at Stanford was acting as a deterrent to victims of sexual assault, sexual harassment, relationship violence and stalking from making reports.
- .5 FTE Prevention Program Coordinator position is not refunded. Staff hired via the VAWA Grant assumes the position’s responsibilities.
- 2010: ARP Authorized as a pilot in April with oversight by the Board on Judicial Affairs (BJA).
- 2011: Sexual Assault and Relationship Abuse Office (SARA) is created on a three-year pilot basis. The purpose is to establish a centralized office to provide a coordinated community response to sexual assault, dating violence and stalking.
- In accordance with Office of Civil Rights (OCR) guidelines Stanford adopts a preponderance of the evidence standard for cases regarding sexual misconduct.

- 2013: ARP unanimously approved by ASSU and BJA in February 2013.
- 2014: Stanford hires a full time Title IX Coordinator. Other new staff includes a full time investigator and an administrator.
- Stanford hires two full time Confidential Counselors.
- Funding for the SARA Office is extended and it is incorporated into newly created Title IX Office.
- Provost appoints a Task Force on Sexual Assault to
- 1) recommend ways to enhance Stanford's educational efforts around sexual assault;
  - 2) to improve support for those who have experienced sexual violence; and
  - 3) to improve its policies and disciplinary processes for reported cases of sexual assault.
- 2015: SARA hires an Assistant Director.



# Stanford University

