



**ASSU Task Force on Sexual Assault  
& Relationship Violence**  
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# Proposal to the Administration

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**[Trigger Warning] The document below discusses, in great detail, sexual assault, relationship violence, and stalking.**

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The language in this proposal uses the terms survivor, victim, complainant, and impacted party interchangeably and most often refers to the survivor as female and the perpetrator or respondent as male. Statistically, males most often perpetrate assault and females are most often the victim, although we understand that sexual violence can be perpetrated by anyone and that anyone can be the victim regardless of gender, age, sexual orientation, race, ethnicity, socioeconomic status, or ability.

# Introduction

The 2014 White House report on sexual assault states that one in five women is sexually assaulted while in college and that most assaults go unreported.<sup>1</sup> There is a dearth of data on how these national statistics translate to Stanford—a problem unto itself, addressed later in this proposal—but the evidence that we have suggests sexual violence is an issue of significant concern for our community. It is important to note that while the overwhelming majority of sexual assault cases on college campuses involve a male assailant and a female victim, some college men, too, are victims.<sup>2</sup> While there are a number of reasons that victims choose not to report the crime to their university or campus police, especially significant is the feeling that an exhausting, burdensome, and painful judicial process will result in an unsympathetic and inadequate response from the University. Given Stanford’s current handling of issues related to sexual violence, this is not a completely unwarranted fear.

By and large, sexual assault does not take the form of a masked stranger jumping out of the bushes and assaulting someone on her way home at night. On most college campuses, sexual violence often manifests itself as student on student assaults that are the result of a lack of education and respect. The National Institute of Justice reports that “85 to 90 percent of sexual assaults reported by college women are perpetrated by someone known to the victim; about half occur on a date.”<sup>3</sup> The numbers reflect that acquaintance rape is so pervasive that it must run deeper than errant individuals or misguided sexual encounters.

While recent media and student attention has focused on *rape* on college campuses, relationship violence is another prevalent issue that college students may face. Relationship violence is defined as a pattern of abusive and coercive behaviors (emotional, financial, sexual or physical, including threats, isolation and intimidation) used to maintain power and control over a former or current intimate partner.<sup>4</sup> Understanding relationship violence as an issue of gender inequity is critical to shaping a wide array of policy elements at Stanford, especially within the graduate community. It is deeply rooted gender inequality that supports a culture where violence is not only tolerated, but normalized. While these issues physically manifest themselves in sexual assault and relationship violence, they are too frequently surrounded by victim-blaming language that attempts to explain or justify all types of sexual violence, like *how much did she drink, or what were you wearing, or she seemed like she wanted it, or she was naked, or why didn’t you just leave*. These types of deeply problematic statements push the responsibility of sexual violence onto the victim as opposed to searching for the root cause of the issue. We are largely asking the wrong questions. The questions should not focus on why the victim didn’t leave, or what she was doing to invite the assault, but why the perpetrator felt like he had the right to assault her in the first place. Violence against women is not a women’s issue, or a men’s issue. It is a *human* issue.

We are living in a historical moment shaped by unprecedented national attention to campus sexual violence. In April 2014, ASSU Executives Elizabeth Woodson and Logan Richard created the ASSU Task Force on Sexual Assault and Relationship Violence to encourage institutional reform and to encourage a shift in campus culture surrounding sexual violence. We have spent the past six months collaborating with a range of students, survivors, professional staff and faculty, as well as national experts and peer universities, in order to shape a comprehensive document evaluating and addressing glaring inadequacies regarding Stanford's current treatment of issues relating to sexual violence. While it is an impossible task to produce a document that reflects both the comprehensive and universal views of the student body, we aim for this proposal to be as close as possible to such a standard, as well as specific and constructive.

This document contains a set of recommendations that we, as representatives of the student body, urge the administration to act on. It encompasses the resources, policy changes, and education necessary to improve Stanford's handling of sexual violence cases and end a dangerous pattern of mishandling the issue at various stages of prevention and response. Recent actions and statements from the administration, including hiring an additional Title IX investigator and two confidential resources, creating a new resource guide and implementing an expanded education program at New Student Orientation, all developed in partnership with students, demonstrate a willingness to acknowledge past failures and take the necessary steps for progress.

Stanford has the opportunity and the responsibility to use the extraordinary resources we have at our disposal and our unique national stature to become the most progressive institution in the country with regard to policies on sexual assault and relationship abuse. As on so many issues, Stanford at once has special abilities and responsibilities for national leadership. Where we go, other institutions will follow. ■

# Executive Summary of Recommendations

## RESOURCES

1. Centralize all offices that relate to the issue of sexual violence.
2. Increase personnel at the Sexual Assault and Relationship Abuse (SARA) Office to four full-time staff.
3. Hire a campus-based survivor advocate.
4. Hire two campus-based confidential resources.
5. Hire three (total) investigators to work under the Title IX Coordinator.
6. Hire an individual at the Title IX office to direct and manage interim measures for survivors.
7. Appoint a Title IX Liaison to each graduate school who reports to the Title IX Coordinator.
8. Create an on-going, application-based committee to address these issues in perpetuity and ensure sustainable change.
9. Hire an external firm to conduct an independent review of the efficacy of first responder training.
10. Invest more financial resources in 5SURE to decrease wait times and expand their new initiative, “5SURE On Foot”.
11. Invest in institutional research on the topic of sexual assault and relationship violence on college campuses.

## POLICY

12. By fiat of the President, expulsion should be made the default sanction for students found responsible for sexual violence (sexual assault, relationship violence, and stalking).
13. Create a sanctions guidance document to supplement the Fundamental Standard, specifically regarding offenses of sexual violence.
14. Sanctions for cases of sexual violence must be implemented within 48 hours of the determination of the sanction.
15. Determine the number of days within which an appeal must be resolved.
16. The structure for deciding undergraduate ARP appeals should be modeled after the two-person system currently in place for faculty members who appeal.
17. As the final stage of the ARP, if expulsion is recommended, the final review should be conducted by the Provost (as currently in place) in direct consultation with the Title IX coordinator.

18. Define and share what administrative actions can encompass regarding sexual violence.
19. Develop a set of policies to be clearly presented to each party that explain the further action that will be taken by the university in the event of the violation of any order of protection.
20. Collect and publish further data related to Stanford campus sexual violence.
21. Develop and publish a memorandum of understanding between the University and other partners, including the SUDPS, to clearly define a “threat to an individual” versus a “threat to the community”.
22. Implement a sexual violence response and education policy for Greek life, designed by Greek council leadership with input from chapter presidents.

## EDUCATION

23. Develop a systematic, comprehensive, mandatory education program for all Stanford students.
24. Improve the online and in-person training for ARP Panelists.

## HIGHEST PRIORITY RECOMMENDATIONS

*The student body feels that above all else, the following recommendations require the most urgent attention from the administration:*

- Centralize all offices that relate to the issue of sexual violence.
- Expulsion should be made the default sanction for students found responsible for sexual assault, relationship violence, or stalking.
- Hire additional personnel to appropriately manage and respond to issues of sexual violence.
- Create necessary guidance documents to clarify and bolster appropriate actions, to cover: sanctions (#14), administrative actions (#20), orders of protection (#21) and threat definitions (#23).
- Develop a systematic, comprehensive, mandatory education program for all Stanford students.

# 1

# Resources

## **1. Centralize all offices that relate to the issue of sexual violence.**

There are four offices on campus that operate around the issue of sexual violence: the Title IX Office, the Office of Sexual Assault and Relationship Abuse Education and Response (SARA), Sexual Harassment Policy Office (SHPO), and the Alternate Review Process (ARP).

Each group has some stake in the student process of dealing with this issue on campus. Centralizing them creates accountability, an opportunity for shared expertise, and a unity presently lacking.

We also recommend creating a centralized system for keeping track of

all Title IX cases, with direct oversight and administration by the Title IX coordinator. This centralized database should contain an up-to-date tracking system detailing all Title IX investigations. It will function to minimize mistakes and lack of oversight, and ensure compliance with Title IX policies. This will be particularly helpful in the management and effective, timely handling of cases where the survivor does not want to go through a disciplinary process but does want a Title IX investigation.

## **2. Increase personnel at the SARA office to four full-time staff.**

The number of existing professional staff — only the Director and her administrative assistant — do not provide adequate services with the scope and the degree of care needed on our campus of 6,980 full-time undergraduate students and 8,897 graduate students.<sup>5</sup> Lack of adequate staffing reflects a lack of commitment to this issue. We fear that the inefficiency of this office will lead students to avoid it out of uneasiness or frustration. A repeated theme that emerged from our research with

survivors was a lack of timeliness of offices processing sexual assault cases (SARA, Title IX Office, ARP). The University has in part responded to this by hiring a dedicated Title IX Coordinator (Catherine Criswell) and investigator. While this has taken the burden off of the SARA office's attention to Title IX compliance, the SARA office still is chronically understaffed, lacking the personnel to provide complete and effective education and response.

The appropriate number of staff for the SARA office are four full time staff, as specified and delineated by Angela Exson in the document [“SARA Office: Enhanced Staffing Structure for Sexual Violence](#)

[Education & Response](#).” One of the new individuals hired to the SARA Office should have specific training and expertise on how to best serve the LGBTQ community’s needs.

### **3. Hire a campus-based survivor advocate.**

Given the combination of low reporting and high attrition within a Title IX investigation or ARP process, additional support for survivors is vital. This individual would act in the interest of the survivor to provide a range of services related to seeking

support and navigating disciplinary processes. It lowers the burden on the survivor and will hopefully encourage reporting.

The Survivor Outreach and Support Campus Act bill calls for a campus based survivor advocate. <sup>6</sup>

### **4. Hire two campus-based confidential resources with expertise on the issue of sexual violence.**

Currently, Stanford provides access to the following confidential resources:

- Office of Religious Life
- University Ombudsman
- Counseling and Psychological Services (CAPS) - no counselor is listed as an expert/having a professional interest in “sexual assault” or “relationship violence.”
- Medical clinicians at Vaden Health Services

These resources are incomplete because while confidential, they do not provide an on-campus, in-person, individual whose area of expertise is sexual assault and relationship violence. Confidential resources are often the first place students turn for help, and addressing needs

appropriately and effectively as a “first responder” is imperative in helping survivors in the immediate and long-term.

While the YWCA Hotline can provide aid, it doesn’t provide comprehensive information about the resources specifically applicable to the Stanford community.

We are encouraged by and support the University’s action already taken on this front. We therefore also propose that an element of these individuals’ jobs be to organize a regular survivor support group. Such groups to address this need have existed sporadically in the past but would benefit from a professional presence that can organize, maintain, guide and support (while not be mandated to report what is shared).

### **5. Hire three (total) investigators to work under the Title IX Coordinator.**

In order for the Title IX Coordinator to effectively manage

oversight and coordination of cases pertaining to gender equity, the office

## **8 Resources**

requires additional dedicated investigators. We support the Title IX Coordinator's estimation that three

full time investigators would meet the current student demand.

## **6. Hire an individual at the Title IX office to direct and manage interim measures for survivors.**

This administrator would ensure that interim measures, including academic accommodations (reduced course load, extensions, etc.), psychological services, stay away/no contact letters, and housing accommodations are offered in a consistent and timely fashion to survivors. Interim measures should be offered and implemented in a way that is systematic, centralized, and comprehensive. Once decided upon, the interim measures and accommodations should be communicated in writing to the Impacted Party and amended, as

necessary, to ensure that they are effective.

Though Residential Deans and Graduate Life Office Deans currently offer and administer these interim measures, it is not their first priority, nor area of expertise. There is no standardized system for them to offer survivors accommodations or follow up on if and how these have been implemented. The current lack of prioritization and standardization leads to insufficient communication and incomplete implementation of interim options.

## **7. Appoint a Title IX Liaison to each graduate school who reports to the Title IX Coordinator.**

Designating a liaison in each graduate school is critical to ensure accountability and access to Title IX resources for graduate students. The responsibilities of the Title IX liaison would be assigned to an existing staff

member and would not require hiring additional staff. A model for this role is that of Staci Gunner, Associate Director in the Student Life Office of the Graduate School of Business.

## **8. Create an ongoing, application-based oversight committee that reports to the Provost to address these issues in perpetuity and ensure sustainable change.**

The seven-person committee would be composed of two students (one undergraduate and one graduate), two alumni, two faculty members, and one staff member. It would report to the Provost and be responsible for oversight and assessment of all offices relating to sexual violence. Ideally, they would

function in oversight of the central office proposed in clause six and receive quarterly reports on all University involvement with the issue of sexual violence.

All members would be appointed to serve one-year terms. The faculty members would be appointed through the Faculty

## **9 Resources**

Senate's Committee on Committees. The student members would be appointed by the ASSU Nominations Committee. The alumni and staff

members would be asked to serve on the committee by the faculty and student members.

## **9. Hire an external firm to conduct an independent review of the efficacy of Stanford's first responder training.**

Although there is presently a training program administered to first responders, numerous survivors have reported problems with the quality of this response. Examples include inadequate presentation of interim accommodations, untimeliness, poor coordination, and victim-blaming rhetoric. We have gained significant

anecdotal evidence that suggests significant gaps or failings of training, but a more thorough, systematic evaluation is critical. We recommend hiring an external firm to conduct an independent review of first responder trainings to direct the university in improving in this area.

## **10. Invest more financial resources in 5SURE to decrease wait times and expand their new initiative, "5SURE On Foot."**

5SURE is a valuable resource for students who want, or need, to extricate themselves from a social situation. The University should expand the 5SURE fleet of three vehicles to a capacity that is able to handle requests within 15 minutes of receiving a student's call. We encourage an assessment of how existing carts that are primarily used during business hours (i.e. ResEd

carts) can be repurposed at night, as a possible interim solution until more vehicles can be purchased, or as a long-term plan. In addition, 5SURE should also remain open until 3AM (one extra hour), on Thursday, Friday and Saturday nights. Further investments should be made in expanding and advertising the new "5SURE On Foot" program.

## **11. Invest in institutional research on the topic of sexual assault and relationship violence on college campuses.**

We encourage Stanford to invest in greater academic research on the topic of sexual violence, particularly in the areas of enhanced prevention, educational strategies and technologies, and best practices in response. The SARA office, Title IX office, The Clayman Institute for Gender Research, Program in

Feminist, Gender and Sexuality Studies, Center for Health Research on Women and Sex Differences in Medicine at Stanford School of Medicine (WSDM) and other relevant parties should be consulted on forming a world leading program for sustained research on this subject.

# 2 Policy

## **12. By fiat of the President, expulsion should be made the default sanction for students found responsible for sexual violence.**

There should be a *strong presumption* in favor of expulsion in cases of sexual violence. Expulsion would not be mandatory so as to allow for the case-by-case review essential to any fair judicial process. Panelists would be asked to consider lesser sanctions only in the presence of compelling evidence for a mitigating factor.

Cases of sexual violence are in part classified according to Stanford's definition of sexual assault: "The actual, attempted or threatened

unwanted sexual act, whether by an acquaintance or by a stranger, accomplished (1) against a person's will by means of force (express or implied), violence, duress, menace, fear or fraud, or (2) when a person is incapacitated or unaware of the nature of the act, due to unconsciousness, sleep and/or intoxicating substances."<sup>7</sup> Sexual violence encompasses relationship violence that has escalated to physical and/or sexual harm and stalking.

## **13. Create a sanctions guidance document to supplement the Fundamental Standard specifically regarding offenses of sexual violence.**

This document would guide and inform sanctioning following findings of responsibility in cases of sexual violence. These cases are unique because they violate the Fundamental Standard but are not academic violations of the Honor Code. We recommend modeling the guidance document after the existing [Sanctions and their Practical Effects of the Honor Code](#) and the [Guidance for](#)

[DUI-based Fundamental Standard Violations](#).<sup>8 9</sup>

Current mitigating factors that are inappropriate in cases of sexual violence (but are applicable in cases of academic dishonesty) include: "evidence of a lack of intent to deceive or harm", "evidence that a student has demonstrated sincere remorse," "accepted responsibility," or "cooperated fully and respectfully in the judicial process."<sup>10</sup> The only

mitigating factor appropriate in cases of sexual assault, stalking, and relationship violence is the presence of a pertinent, acute mental illness. Modeling Stanford's current policy,<sup>11</sup> we propose the following (modified language in italics):

Is there convincing evidence that the student's ability to think rationally at the time of the violation

was impaired by serious *mental distress caused by a documented disorder*?

Finally, mitigating factors must never include "mistaken consent" (see Stanford's [definition of consent](#)), prior sexual history between the accused and the victim, and intake of alcohol or drugs.

#### **14. Sanctions for cases of sexual violence must be implemented within 48 hours of the determination of the sanction (or appeal decision).**

Currently, a student is able to request a deferral of his/her sanction until a later date. Whatever the relative merits of this practice for academic honor code violations, deferral undermines campus safety in cases of sexual violence. The University should explicitly prohibit sanction deferrals in these cases.

If no appeal is sought, the University must completely implement

sanctions within 48 hours, including all logistics (e.g. housing reassignment). If an appeal is filed, the University must resolve it within 10 calendar days (see clause 15); following the resolution, the University would have 48 hours to implement sanctions. Finally, any sanction(s) applied or upheld through the appeal process must be retroactive to the day of the initial finding.

#### **15. Determine the number of days within which an appeal must be resolved.**

Currently, the ARP does not specify a time period in which an appeal must be resolved. Our recommendation is to complete the process and notify both parties in writing within 10 calendar days from

the day the appeal was requested. This is necessary to eliminate the possibility of an appeal being used by the respondent as a means of delaying the sanction.

#### **16. The structure for deciding undergraduate ARP appeals should be modeled after the two-person system currently in place for faculty members who file an appeal.**

The two individuals who decide the appeal should be the Provost (as currently in place) and the Associate Vice Provost / Dean of Educational Resources who must consult with the

Title IX Coordinator.<sup>12</sup> The required consultation with the Title IX Coordinator will lend expertise to the decision, bolstering its credibility.

**17. As the final stage of the ARP, if expulsion is recommended, the final review should be conducted by the Provost (as currently in place) in direct consultation with the Title IX Coordinator.**

See clause 17 for reasoning.

**18. Create a formal definition of administrative actions and a guidance document for how they are determined and implemented.**

This should include explicitly what administrative actions encompass, under what conditions they are administered, and to whom. We recommend modeling it after the

existing guide for administrative actions related to alcohol.<sup>13</sup> This information should also be added to [Section 8](#) of The Sexual Misconduct and Sexual Assault Policy.<sup>14</sup>

**19. Develop a set of policies to be clearly presented to each party, in person and in writing, that explain the further action that will be taken by the University in the event of the violation of any order of protection.**

While we acknowledge that orders of protection currently provide clear directives for violations of the orders, there is no mechanism to ensure that these are acted upon in a consistent, predictable, and timely fashion. A theme throughout our conversations with survivors was a consistent pattern of the University failing to enforce orders of protection.

There must be a designated individual and protocol to ensure that a judicial complaint *from the University* against the respondent is immediately filed and that interim measures are re-assessed. Per Title IX Policy Section IIA, a finding of responsibility is not a factor in the enforcement of orders of protection or their violations.<sup>15</sup>

**20. Collect and publish further data related to Stanford campus sexual violence.**

In addition to the Clery Act data that is already published, and the Campus SaVE Climate Survey that is forthcoming, we request that the following data be collected and published:

1. Number of formal complaints made to the Title IX Office.

2. Number of sexual violence complaints made to OCS (ARP). The data from 2012-2013 and 2013-2014 are currently [unreported](#) and should be updated.
3. Number of Title IX investigations.
4. Number of ARP hearings.
5. Median number of days from complaint to ARP hearing.

6. Median number of days from complaint to informal resolution.
7. Sanctions issued after hearing (suspension/expulsion/other).
8. Sanctions issued after informal resolution.

This data should be made freely available to the public and reported online. Peer universities are setting a

precedent for the level of information that is publicly reported; Yale University provides a particularly progressive example.<sup>16</sup> This information will increase transparency, which will hold Stanford accountable and minimize the likelihood of future mishandling of cases of sexual violence.

## **21. Develop and publish a memorandum of understanding between the University and other partners, including the SUDPS, to clearly define a “threat to an individual” versus a “threat to the community.”**

One example of noticeable inconsistency is in the execution of the Alert SU system. Consistent, explicit, and accessible definitions will help to avoid arbitrary or inconsistent decision-making. Therefore, we ask that the University work with the SUDPS to define what encompasses a “threat to an individual” versus a

“threat to the community” and create a clear protocol to follow in the case of each type of threat. We encourage SUDPS to consult with offices of expertise (Title IX or SARA Office) before sending out all Alert SUs in order to ensure the use of appropriate language and confidentiality.

## **22. Implement a sexual violence response and education policy for Greek life, designed by Greek council leadership with input from chapter presidents.**

This document should cover education (leadership, chapter, new members) as well as sanctioning policies. It should also articulate positions on the conflicts of interest for reporting, include guidelines on self-reporting, and make “whistleblower” protections clear. This should be designed by the leaders of the Greek community councils (Inter-Fraternity Council, Inter-Sorority Council, African-American Fraternal & Sororal Association and the

Multicultural Greek Council), with input from chapter presidents, working in coordination with the University and subject experts and based on precedents set by peer universities. The policy should be completed by the end of winter quarter 2014-2015, ahead of spring recruitment for new members. The last few months have marked significant progress, especially in the realm of education; this document would codify and expand on these developments.

# 3

## Education

### 23. Develop a systematic, comprehensive, mandatory education program for all Stanford students.

We stand by and encourage the University to continue its efforts in providing comprehensive education to all Stanford students. Various new initiatives in the 2014-2015 year, including the New Student Orientation event *Facing Reality*, updated student staff training, a campus-wide ResEd sponsored education night, Greek life education, and video modules are steps in the right direction.

The subject of how to implement sufficient preventative education at Stanford is so vast that it requires its own separate proposal. We urge the University to work with our team, the Provost's Task Force on Sexual Assault and Relationship Abuse and key student and faculty stakeholders this year on assembling a systematic, comprehensive plan for educating all students on these subjects, to be implemented before the start of the 2015-2016 school year.

A few points are critical to mention at this juncture, ahead of an exhaustive plan: As the Center for Disease Control has noted, one-off

education on this topic is ineffective.<sup>17</sup> We firmly believe that every undergraduate and graduate student needs to receive *annual* education on sexual violence, tailoring both the form and content to the needs of various communities. One-third of Stanford's graduate students are foreign; as such, education for this population must be culturally appropriate. The prevalence of relationship abuse in the graduate community is a theme that consistently emerged during our research process; graduate educational programming must place a particular focus on this subject.

We recommend expanding new student orientation programming to all professional schools, supplementing video modules with in-person training, and facilitating effective follow-up discussions.

Finally, we recommend implementing formal tracking of all student education through Axess and consequences or enrollment holds for students who do not comply.

## **24. Improve the online and in-person training for ARP Panelists.**

The ARP Panelist training provides a good foundation on sexual violence. Efforts to improve training should begin with the online coursework training. Currently, panelists do not receive their scores and the individual questions and answers from the online training modules; this must change. Furthermore, the online and in-person information should be provided in an easily accessible source

for panelists to reference, and should include a section on relationship violence. Panelist competency would be strengthened by requiring yearly training updates and debriefs to ensure that all panelists are aware of changes to Title IX, have been informed about some of the challenges that have come up in the years, and are able to provide recommendations and improvements based on their experience.

# Addendum

## Rape kits

A consistent critique that emerged from our conversations with survivors is the 20 mile distance between campus and Santa Clara Valley Medical Center (SCVMC), the nearest site to receive a forensic evidence collection kit (“rape kit”). Given the strict requirements surrounding evidence collection (the victim should not urinate, bathe, eat, drink, or change clothes), significant accessibility barriers already exist, and the prospect of a trip to an unfamiliar, far-away medical center in the back of a police car is daunting.

We have spent a great deal of time exploring the feasibility of alternative options, including:

- Creating the facilities to offer sexual evidence collection kits at Vaden Health Center, and employing a sexual assault nurse examiner (SANE) to be on call 24/7.
- Employing a SANE on a part-time basis during peak hours at Vaden Health Center, such as 8 pm to 4 am Thursday-Saturday.
- Creating parallel facilities and resources at Stanford Hospital.

These options come with potential challenges: Vaden Health Center would need to operate at night; the facilities and staff needed would be expensive; and Stanford Hospital would be taking on added legal responsibilities as a sexual assault examination facility for the surrounding area.

While the rest of this document is a series of implementable reforms to be made in the coming months, providing rape kits on campus demands further logistical, financial and legal research beyond the scope of this report. Given the frequency that students spoke to this need, the administration should urgently explore how best to provide this service. In the interim, the administration should invest in making transport to SCVMC as accessible, efficient and supportive as possible.

## Graduate education

It is clear to this Task Force as well as to the students that it has consulted on the subject that the Stanford graduate student population requires initiatives, support structures, programs, spaces, and representatives that are intended specifically for graduate students. We recognize that graduate students' needs fundamentally differ from those of the undergraduate student community, and we therefore consider it essential that more focused research be conducted on sexual assault in the context of advanced schooling. We believe that the topic of sexual assault has gone largely unaddressed in the various graduate schools and departments, and we have heard personal accounts of the topic being introduced dismissively or not at all in graduate orientations. The University must recognize the

disparity in sexual assault resources offered specifically to graduate and undergraduate students, and to address the many unreported incidences of sexual assault and relationship abuse in the graduate community. We recommend the creation of a representative body tasked with investigating the present situation and soliciting broad feedback to establish thoughtful and appropriate infrastructure from graduate students.

The following represent some of the key issues that uniquely affect the graduate population. These issues would be of primary concern to a graduate student body tasked with improving Stanford's response to sexual assault in the graduate population:

- 1) A lack of formal and standardized education for incoming students about what constitutes sexual misconduct and assault and what resources are available to them in addressing incidents of sexual misconduct and assault.
- 2) A pervasive perception of isolation, which discourages students from seeking out resources.
- 3) A higher incidence of relationship abuse among partners residing together.
- 4) Stresses including finances, parenting, career planning, marital problems, and language barriers often lacking in the undergraduate population.
- 5) A large international population that may be unaccustomed to American culture, law, and/or academic organization.
- 6) An overwhelming perception that Stanford's resources are intended for (and perhaps even limited to) undergraduate students.
- 7) An injunction to be "professional" and "adult" that can stigmatize using university resources for personal problems.
- 8) A high incidence of student-adviser relationships.
- 9) Significantly increased periods of time spent alone with colleagues in long-term teams, working groups, and cohorts.
- 10) An unbalanced ratio of women to men, particularly notable in the science and engineering departments.

For all these reasons, we consider it essential to conduct a serious reassessment of the programs in place to protect and educate graduate students.

# Definitions

1. **The Alternate Review Process (ARP)** is the disciplinary process within Stanford’s Office of Community Standards for addressing allegations of breaches of the Fundamental Standard relating to sexual assault, sexual harassment, relationship violence, or stalking.
2. **Administrative Actions** include housing reassignments; class reassignments; no contact directives; limitation on extracurricular or athletic activities; removal from University community; referral to University disciplinary process; review or revising University policies or practices; training; other appropriate actions as necessary to stop the Prohibited Conduct, prevent its recurrence, remedy its effect on the Impacted Party or improve, University policies or practices (see Stanford Title IX Policy May 2014 for full details).
3. **Campus SaVE Act** (see Violence Against Women Reauthorization Act of 2013 definition below).
4. **Complainant** means the person (including, in certain circumstances, the University) filing a report or complaint of prohibited conduct with the Title IX Coordinator.
5. **Confidential Resource** is an individual who by law or University policy is exempted from the obligation to report an allegation of Prohibited Conduct to the Title IX Coordinator. Confidential University Resources include the following individuals when acting in the capacity of providing medical care, advice, counseling or comfort: licensed University medical and mental health providers, and University clergy.
6. **Consent** is as defined in [Stanford Administrative Guide 1.7.3](#). The definition is reprinted here: “Consent is informed, freely given, and mutually understood. Consent requires an affirmative act or statement by each participant. If coercion, intimidation, threats and/or physical force are used, there is no consent. If a person is mentally or physically incapacitated or impaired so that the person cannot understand the fact, nature or extent of the sexual situation, there is no consent; this includes conditions due to alcohol or drug consumption or being asleep or unconscious. Whether one has taken advantage of a position of influence over another may be a factor in determining consent.” The definition is in process of being altered, given recent state legislation. The new definition, used in the [new resource guide](#), is printed here: “An affirmative act or statement by each person that is Informed, freely given, and mutually understood. It is the responsibility of each person involved in a sexual activity to ensure that he or she has the affirmative consent of the other or others to engage in the sexual activity. If coercion, intimidation threats and/or physical force are used, there is no consent. If a person is mentally or physically incapacitated so that the person cannot understand the fact, nature or extent of the sexual situation, there is no consent; this includes conditions due to alcohol or drug consumption or being asleep or unconscious. Lack of protest or resistance does not mean consent, nor does silence mean consent. Affirmative consent must be ongoing throughout a sexual activity and can be revoked at any time. The existence of

- a dating relationship between the persons involved, or the fact of past sexual relations, should never by itself be assumed to be an indicator of consent. Whether one has taken advantage of a position of influence over another may be a factor in determining consent. Yes means yes.”
7. **Jeanne Clery Disclosure Act** is defined in the Clery Center for Security on Campus [website](#). The definition is reprinted here. The Jeanne Clery Disclosure Act is the landmark federal law that requires colleges and universities across the United States to disclose information about crime on and around their campuses. The law is tied to an institution's participation in federal student financial aid programs and it applies to most institutions of higher education both public and private. The Clery Act is enforced by the United States Department of Education.
  8. **Impacted Party** is a student who has made an allegation against another person of Prohibited Conduct or a student whose education was or is being negatively impacted by the Prohibited Conduct.
  9. **The Office for Civil Rights (OCR)** is the office under the US Department of Education that investigates and ensures entities are compliant with federal laws and mandates.
  10. **The Office of Community Standards (OCS)** promotes the mutual responsibility of members of the Stanford community to uphold the Honor Code and Fundamental Standard and coordinates the student conduct system.
  11. **Prohibited Conduct** as used in this document means student-related concerns, connected to a University program or activity, regardless of whether the alleged Prohibited Conduct occurred on or off of campus, of sexual harassment, sexual assault, sexual misconduct, relationship (dating) violence, and stalking.
  12. **Relationship Violence** is dating violence or domestic violence that is physical violence within a romantic or intimate relationship regardless of the length of the relationship or gender of the individuals in the relationship. Abusive relationships can incorporate numerous methods of one person gradually and intentionally exerting power and control over another. Abuse can be emotional, psychological, financial, sexual, or physical. It includes threats, isolation, and intimidation, and tends to escalate over time.
  13. **Respondent** is the person who is accused of engaging in Prohibited Conduct.
  14. **Sanction** is a penalty, or a combination of penalties, in accordance with the nature and seriousness of the offense, the motivation underlying the offense, and precedent in similar cases as described in the Student Conduct Penalty Code.
  15. **The Office of Sexual Assault and Relationship Abuse Education and Response (SARA)** is the office that manages Stanford’s education and basic response to instances of sexual violence. SARA offers a variety of resources and support.
  16. **Sexual Assault** is as defined in [Stanford Administrative Guide 1.7.3](#). The definition is reprinted here. Sexual assault is the actual, attempted or threatened unwanted sexual act, whether by an acquaintance or by a stranger, accomplished (1) against a person’s will by means of force (express or implied), violence, duress, menace, fear or fraud, or (2) when a person is

- incapacitated or unaware of the nature of the act, due to unconsciousness, sleep and/or intoxicating substances.
17. **Sexual Harassment** is as defined in [Stanford Administrative Guide 1.7.1](#). The definition is reprinted here. Sexual harassment means unwelcome sexual advances, requests for sexual favors, and other visual, verbal or physical conduct of a sexual nature constitute sexual harassment when:
    - a. It is implicitly or explicitly suggested that submission to or rejection of the conduct will be a factor in academic or employment decisions or evaluations, or permission to participate in a University activity, OR
    - b. The conduct has the purpose or effect of unreasonably interfering with an individual's academic or work performance or creating an intimidating or hostile academic, work or student living environment.
  18. **Sexual Misconduct** is as defined in [Stanford Administrative Guide 1.7.3](#). The definition is reprinted here. Sexual misconduct is the commission of an unwanted sexual act, whether by an acquaintance or by a stranger, that occurs without indication of consent.
  19. **Sexual Violence** is a general term that encompasses sexual assault and relationship violence.
  20. **The Sexual Harassment Policy Office (SHPO)** is the office that manages Stanford anti-sexual harassment programs, in particular for matters involving faculty and staff. SHPO offers training and advice.
  21. **Stalking** means engaging in a course of conduct directed at a specific person(s) that would cause a reasonable person to (a) fear for his or her safety or the safety of others, or (b) suffer substantial emotional distress.
  22. **Title IX of the Education Amendments of 1972 (Title IX)** is a federal law that states "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance." The Title IX Coordinator is responsible for conducting and overseeing the investigation, response to, and resolution of all student-related reports of sexual harassment, including sexual violence, sexual assault, sexual misconduct, relationship violence, domestic violence, and stalking. In addition, the Title IX Coordinator is responsible for overseeing all training and outreach regarding these issues for students, faculty, and staff.
  23. **Violence Against Women Reauthorization Act of 2013, CAMPUS SAVE** means section 304 of [this act](#). Section 304 requires that universities have procedures in place to respond to matters of sexual assault, relationship (dating) violence and stalking.

# Notes

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- <sup>1</sup> “Not Alone: The First Report of the White House Task Force to Protect Students From Sexual Assault,” *White House Task Force to Protect Students From Sexual Assault* (co-chaired by Office of the Vice President and the White House Council on Women and Girls), Apr. 2014, p. 7.
- <sup>2</sup> “Male Sexual Assault,” *Rape, Abuse & Incest National Network (RAINN)*, 2006.
- <sup>3</sup> “Most Victims Know Their Attacker,” *National Institute of Justice*, 1 Oct. 2008.
- <sup>4</sup> “What is Relationship Abuse?,” *Center for Relationship Abuse Awareness*, 2014.
- <sup>5</sup> Population numbers apply to the date of this document’s presentation: October 13, 2014.
- <sup>6</sup> Survivor Outreach and Support Campus Act, clause 1, Jul. 2014, document hosted by *Huffington Post*.
- <sup>7</sup> 1.7.3 Sexual Misconduct and Sexual Assault,” Stanford Administrative Guide, May 9, 2014.
- <sup>8</sup> “Sanctions and Their Practical Effects,” Stanford Office of Community Standards.
- <sup>9</sup> Guidance for DUI-based Fundamental Standard Violations, approved May 30, 2014.
- <sup>10</sup> “Sanctioning Factors: Aggravating & Mitigating Circumstances,” Stanford Office of Community Standards.
- <sup>11</sup> *Ibid.*
- <sup>12</sup> “Title IX Sexual Harassment, Sexual Assault, Sexual Misconduct, Relationship (Dating) Violence and Stalking Administrative Policy and Procedures,” II.B (Title IX Decision Makers: Respondent is Faculty Member).
- <sup>13</sup> “Administrative Actions: Alcohol,” Stanford Student Affairs.
- <sup>14</sup> Administrative Guide, 1.7.3: Sexual Misconduct and Sexual Assault.
- <sup>15</sup> “Title IX Sexual Harassment, Sexual Assault, Sexual Misconduct, Relationship (Dating) Violence and Stalking Administrative Policy and Procedures,” II.A.
- <sup>16</sup> “Report of Complaints of Sexual Misconduct brought forward from January 1, 2014 through June 30, 2014,” *Yale University*.
- <sup>17</sup> Sarah Degue, “Preventing Sexual Violence on College Campuses: Lessons from Research and Practice,” Center for Disease Control and Prevention.