

Sexual Assault

[August 2003]

See also [Vaden Student Health Service](#) and [Stanford University's Sexual Assault Policy](#) for recent updates.

CONTACT INFORMATION IN CASES OF SEXUAL ASSAULT

STUDENTS:

Campus Sexual Assault Response and Recovery Team (cSARRT)

Crisis Intervention: (650) 725-9955

Gail Prichard (prichard@stanford.edu), Coordinator, (650) 723-3785

FACULTY & STAFF:

HELP Center

(650) 723-4577

David Rasch (rasch@stanford.edu), Director

YWCA Mid-Peninsula Rape Crisis Center 24-Hour Hotline

(650) 493-7273

SEXUAL ASSAULT POLICY

Authority This policy was authorized and approved by the President of Stanford University and is enforced under the authority of the Vice Provost for Student Affairs, the Director of Human Resources, and the Provost. In addition, an individual who violates this policy may be subject to criminal prosecution and civil litigation.

Applicability All students, faculty and staff are subject to this policy.

Summary This Guide Memo outlines Stanford University's policies and procedures regarding sexual assault. Section headings are:

1. [Policy Statement](#)
2. [What is sexual assault?](#)
3. [Confidentiality of Information](#)
4. [Education and prevention](#)
5. [Options following a sexual assault](#)
6. [Policy Enforcement](#)
7. [Institutional Responses](#)

1. POLICY STATEMENT

Sexual assault is unacceptable and will not be tolerated at Stanford University.

The University urges an individual who has experienced a sexual assault to make an official report. A report of a sexual assault will be dealt with promptly. Confidentiality will be maintained to the greatest extent possible.

The University is committed to providing information regarding on- and off-campus services and resources. Any of the resources listed in this policy can assist a person to access the full range of services available.

All students, faculty and staff are subject to this policy. Violators will be subject to discipline up to and including termination, expulsion, or other appropriate institutional sanctions. Prosecution by external authorities may also occur. For a student, off-campus conduct may be subject to campus disciplinary proceedings.

2. WHAT IS SEXUAL ASSAULT?

Sexual assault is any unwanted physical contact of a sexual nature, whether by an acquaintance or by a stranger, that occurs without indication of consent of both individuals, or that occurs under threat or coercion

Sexual assault can occur either forcibly and/or against a person's will, or when a person is incapable of giving consent. A person is legally incapable of giving consent if under 18 years of age; if intoxicated by drugs and/or alcohol; if developmentally disabled; or if temporarily or permanently mentally or physically unable to do so.

Under federal and state law, sexual assault includes, but is not limited to, rape, forcible sodomy, forcible oral copulation, sexual assault with an object, sexual battery, forcible fondling (e.g., unwanted touching or kissing for purposes of sexual gratification), or threat of sexual assault.

3. CONFIDENTIALITY OF INFORMATION

The University will make every effort reasonably possible to preserve an individual's privacy and protect the confidentiality of information. The degree to which confidentiality can be protected, however, depends upon the professional role of the person being consulted. The professional being consulted should make these limits clear before any disclosure of facts.

An individual can speak confidentially with certain persons in legally protected roles. They include counselors at *Campus Sexual Assault Response and Recovery Team* (CSARRT), Help Center, and Counseling and Psychological Services (CAPS); medical clinicians; clergy; and sexual assault counselors. Exceptions to maintaining confidentiality are set by law; for example, physicians and nurses who treat a physical injury sustained during sexual assault are required to report to law enforcement. Also, physicians, nurses, psychologists, psychiatrists, and social workers must report a sexual assault committed against a person under 18 years of age to a child protective agency.

Information shared with other individuals is not legally protected from being disclosed. For example, the Dean of Students, a Residence Dean or a Resident Assistant, may need to inform other individuals to protect their safety or rights, in fairness to the persons involved, or in response to legal requirements. In addition, the Dean of Students, as the designated campus security authority, is required by law to report to police specified factual details about incidents occurring on campus. Such reports are for statistical purposes and do not include individual identities.

State law permits law enforcement authorities to keep confidential the identity of a person officially reporting a sexual assault. Stanford Police Department policy is to maintain such confidentiality. However, if the District Attorney files a criminal charge, confidentiality may not be maintained.

As required by law, all disclosures to any University employee of an on-campus sexual assault are tabulated for statistical purposes by the Stanford Police Department, without personal identifying information.

4. EDUCATION AND PREVENTION

Resources: Stanford University provides resources for education about and prevention of sexual assault. Students, faculty and staff are urged to take advantage of on-campus prevention and education resources (both University-supported and student-led) and are encouraged to participate actively in prevention efforts.

- The *Sexual Assault Prevention Program Manager* (phone 725-4211) is based at *Vaden Student Health Service*. This staff member conducts educational outreach programs, maintains an information resource center at Vaden, supervises sexual assault peer educators, and provides referral information about self-defense classes.
- The Special Services Unit of the *Stanford Police Department* (723-0806) conducts educational programs and distributes educational literature to students, faculty, and staff.
- *Stanford United for Rape Elimination* (SURE, 725-SURE) is an evening escort service for students, faculty, and staff designed to enhance safety for the campus community.
- A student-led theater production, focusing on acquaintance rape and related issues and followed by discussion groups for all new students, is sponsored by New Student Orientation (725-4211).
- *Coalition Against Sexual Assault* (CASA, 725-4211), a collaboration of several independent student organizations, brings education outreach to student residences and other student groups and sponsors the annual "Rape Awareness Week."

5. OPTIONS FOLLOWING A SEXUAL ASSAULT

A person who has experienced a sexual assault, whether a rape or another unwanted sexual contact, is urged to make an official report to the police and/or the Dean of Students. Whether or not an individual makes an official report, he or she is urged to seek appropriate help, which may include medical evaluation, obtaining information, support, and counseling, either on- and off-campus. Any of the resources listed in this policy can assist a person to access the full range of services available.

- a. **Medical Treatment:** A person who has experienced a sexual assault is urged to seek appropriate medical evaluation as promptly as possible.
 - For life-threatening conditions, call 911 (or from a campus phone, call 9-911) or go to the Stanford University Hospital Emergency Department or to the nearest hospital Emergency Department.
 - For treatment of less serious injuries, students and their spouses/domestic partners can use *Vaden Student Health Service* (723-4841) or *Stanford University Hospital Emergency Department* (723-5111) if Vaden is closed. Faculty and staff should consult their primary care physician.
 - For evaluation and prevention of sexually transmitted diseases and pregnancy, as well as consultation for other concerns, students

and their spouses/domestic partners can use *Vaden Student Health Service* (723-4841). Faculty and staff should consult their primary care physician.

- b. **Medical - Legal Evidence Collection:** A person who has experienced a sexual assault (particularly rape, forcible oral copulation, or sodomy) is encouraged to request collection of medical-legal evidence. Collection of evidence entails interaction with police and a police report. Prompt collection of physical evidence is essential should a person later decide to pursue criminal prosecution and/or a civil action (see 6.c, Legal Options).
- *Santa Clara Valley Medical Center* (SCVMC) Emergency Department (408-885-5000) is the facility in Santa Clara County with staff who are specially trained and prepared to collect such evidence in a sensitive manner.
 - Questions about evidence collection can be directed to the SCVMC *Sexual Assault Response Team Nurse* (408-885-5000); *YWCA Mid-Peninsula Rape Crisis Center* (493-7273 or 493-RAPE). An additional resource for students and their spouses/domestic partners is the Campus Sexual Assault Response and Recovery Team (CSARRT, 725-9955).
 - A person may be escorted to SCVMC by contacting either Stanford Police (723-9633 or 9-911); or YWCA Mid-Peninsula Rape Crisis Center (493-7273 or 493-RAPE); or for students and their spouses/domestic partners, CSARRT (725-9955).
 - A person who wishes to have the costs of a medical-legal examination covered as a victim of a violent crime must file a police report (see 5d, Officially Reporting a Sexual Assault) and is encouraged to request police escort to SCVMC.
- c. **Obtaining Information, Support and Counseling:** Whether or not one makes an official report, a person who has experienced a sexual assault is encouraged to obtain information, support and counseling. Counselors at a variety of agencies, both on and off campus, can help a person decide what steps to take, such as seeking medical attention, preserving evidence, obtaining counseling, or reporting to authorities.

Information, support and advice are available for anyone who wishes to discuss issues related to sexual assault, whether or not a sexual assault has actually occurred, and whether or not the person seeking information has been assaulted, has been accused of a sexual assault, or is a third party.

The degree to which confidentiality can be protected depends upon the professional role of the person being consulted and should be addressed with that person before specific facts are disclosed (see Section 3., Confidentiality of Information).

- **Students may consult:**
Campus Sexual Assault Response and Recovery Team (CSARRT, 725-9955)
Counseling and Psychological Services (CAPS, 723-3785)
Medical clinicians at Vaden Student Health Service (723-4841)
Memorial Church clergy (723-1762)
University Ombudsperson (723-3682)
Office of Judicial Affairs (725-2485)
Medical Center Ombudsperson (498-5744)
YWCA Mid-Peninsula Rape Crisis Center (493-7273)
 - **Faculty and staff may consult:**
Help Center (723-4577)
Memorial Church clergy (723-1762)
University Ombudsperson (723-3682)
Medical Center Ombudsperson (498-5744)
YWCA Mid-Peninsula Rape Crisis Center (493-7273)
Personal physicians
 - For students, additional assistance with academic, housing, and similar issues can be obtained from a Residence Dean (725-2800).
 - For faculty and staff, additional assistance can be obtained from the following regional human resources offices:
Campus (723-3204)
School of Medicine (725-8607)
SLAC (926-2354).
- d. **Officially Reporting a Sexual Assault:** A person who has experienced a sexual assault is encouraged to make an official report.
- For a sexual assault that occurs on the Stanford campus, contact the Stanford Police (723-9633 or 9-911).
 - For an off-campus incident, call the local police jurisdiction:
Palo Alto, call 911 or 321-4433
Menlo Park, call 911 or 325-4424
Office of Judicial Affairs (725-2485)

Whether or not a student elects to report a sexual assault to the police, he or she is urged to make an official report directly to the Dean of Students (723-2733). At the student's request, the Dean will assist in obtaining medical attention and/or counseling, contacting police, and obtaining other support services, such as help with academic problems resulting from the incident.

6. POLICY ENFORCEMENT

This policy was authorized and approved by the President of Stanford University and is enforced under the authority of the Vice Provost and Dean for Student Affairs, the Vice President for Faculty and Staff Services, and the Provost. In addition, an individual who violates this policy may be subject to criminal prosecution and civil litigation.

- a. **Disciplinary and Other Administrative Actions for Students:** An incident of sexual assault may be a violation of the Fundamental

Standard governing student behavior. The process and procedures governing student disciplinary cases are spelled out in the [Judicial Charter](#). The Judicial Officer (723-9610) will investigate formal complaints of sexual assault and will file disciplinary charges if evidence supports the allegation. For proved violations, possible sanctions range from censure to expulsion from the University.

The Charter guarantees that the rights of students, including those of the accused, are protected. The University will maintain the confidentiality of students involved in disciplinary cases; in situations involving the allegation of sexual assault, however, the reporting individual and the accused student may each choose to be accompanied by a person of his or her choice at all stages of the disciplinary process. Each student will be kept informed of the status of an investigation and its outcome.

In addition to the above, the Dean of Students or a Residence Dean may take appropriate administrative action, such as relocation from or denial of student housing.

- b. **Disciplinary Action for Faculty And Staff:** A violation of this policy will be addressed according to applicable faculty and staff personnel policies. Employees in a collective bargaining unit are covered by policies in the applicable agreement. For proved violations, possible sanctions range from censure to dismissal from the University.
- c. **Legal Options:** In addition to University disciplinary actions, a person who engages in a sexual assault may be the subject of criminal prosecution and/or civil litigation.

A police report must be made in order for criminal prosecution to be considered by the local District Attorney. The chances of successful prosecution are greater if the report is timely and is supported by the collection of medical-legal evidence (see 5b, Medical Legal Evidence Collection).

A person who wishes specific information about legal options may consult a private attorney, Campus Sexual Assault Response and Recovery Team (CSARRT, 725-9955, for students and their spouses/domestic partners), or the YWCA Mid-Peninsula Rape Crisis Center (493-7273).

- d. **Sexual Harassment:** In some cases, sexual assault also may constitute sexual harassment. Check the [Sexual Harassment](#) policy for the procedures to follow to make a complaint of sexual harassment.

7. INSTITUTIONAL RESPONSES

- a. **Public Information:** Requests for information concerning an incident of sexual assault may be directed to the Stanford University News Service (723-2558), the Stanford Police Department (723-9633), or the Dean of Students (723-2733).
- b. **Public Notification of Incidents:** As required by state and federal law, the Stanford Police Department collects and reports annually statistical information concerning sexual assaults occurring in its jurisdiction. To promote public safety, the Police Department also alerts the campus community to incidents and trends of immediate concern.