

## Reviewer Findings and Sanctions

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### **Determination of Responsibility, April 25, 2014**

On April 9, 2014, the Responding Student was notified that he was being formally charged with: 1) a violation of the Fundamental Standard and/or 2) a violation of the Administrative Guide policy 1.7.3 Sexual Misconduct and/ or Sexual Assault for an incident that occurred during the early morning of January 1, 2014.

The five Reviewers considered the Investigation File, and the responses provided. Both parties were provided the opportunity to speak with the Reviewers, and both elected to do so.

Based on the above, the Reviewers issue the following:

#### **Finding of Fact:**

The panel finds the Responding Student responsible for violating the Fundamental Standard and the Administrative Guide policy 1.7.3 Sexual Assault

**Formal Vote:**  
Sexual Assault: 4---1  
Sexual Misconduct: 5---0  
Fundamental Standard: 5---0

#### **Rationale:**

According to the statements of the two parties we find based on a preponderance of evidence that a sexual act occurred and that consent was not established. Based on the definitions of sexual assault and consent, we find that this constitutes a violation of the Fundamental Standard per University policy.

#### **Additional Information provided May 6, 2014:**

The panel was able to establish, based on consistent elements of the two parties' statements, that: (1) a sexual act was committed by the Responding Student, (2) the sexual act was unwanted by the Impacted Party, and (3) consent was not indicated by the Impacted Party. All members of the panel agreed that this met the definition of sexual misconduct according to the Stanford Administrative Guide, policy number 1.7.3.

Four members of the panel agreed that the sexual act was committed through use of force by the Responding Student, and that the Impacted Party experienced duress and fear. Consequently, these panelists determined that the sexual act meets the definition of sexual assault according to the aforementioned policy.

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## **Determination of Sanctions, May 6, 2014**

On April 25, 2014, the Responding Student was notified that the ARP Reviewers found him “*Responsible*” for violating the Fundamental Standard and University Policy (Stanford University Administrative Guide Memo 1.7.3—Sexual Misconduct and/or Sexual Assault), for an incident that occurred on January 1, 2014.

*The Reviewers propose the following sanctions by a vote of 5---0:*

**Suspension.** Five---quarter suspension beginning Summer Quarter 2014. The Responding Student will be eligible to return in Autumn Quarter 2015.

**Community service.** The Responding Student is required to complete 40 hours of community service. Conferral of any degree(s) is contingent upon completion of community service.

**Education.** The Responding Student is required to participate in an educational program on sexual assault awareness. Conferral of any degree(s) is contingent upon completion of the program. The program must be approved by the Office of Community Standards.

### **Recommendations to Residential Education:**

- The Responding Student’s housing assignment should be changed for the remainder of the Spring 2014 quarter to a location at a reasonable distance from the Impacted Party’s residence. The Responding Student shall contact Residential Education within 24 hours of receiving notification of this Determination of Sanctions. The Responding Student will abide by any and all requests made by the University to manage his presence in the residential community.
- The Responding Student should receive a clear definition of a “residence,” specifying the areas encompassed in the Impacted Party’s residence.

### **Recommendations to the Title IX Coordinator:**

- The Responding Student should not initiate contact with the Impacted Party for so long as he or she are students at Stanford. This includes direct contact, in person, in writing, and electronically (social networks, texting, email), and indirect contact, such as inquiries through friends or intermediaries.
- If both the Impacted Party and Responding Student will be participating in the same commencement ceremony, the Title IX coordinator should take steps to manage the Responding Student’s presence at the ceremony with the Impacted Party’s presence at the ceremony.
- During his suspension, the Responding Student will not be permitted on the Stanford campus and will not be permitted to attend University activities. Questions regarding academic---related exceptions (such as in preparation for return) should be directed to the

Dean of Student Life.

- Following the Responding Student's suspension and upon his return to Stanford, if he should re-enroll, in the case that he and the Impacted Party are both students here concurrently: (1) He will drop any class in which she is a student; (2) He will withdraw or not join any student group or student activity in which she is a participant; (3) He will stay at least 50 feet from her; (4) Except for events involving 50 or more students, he may not attend any campus event or University-sponsored activity or trip where she is present; (5) He will abide by other requests of the University to manage his presence on campus with her presence on campus.

**Additional Information provided May 13, 2014:**

The Panel agreed to a 5-quarter suspension in order to create a safe environment in which the Impacted Student can finish her studies without coming into contact with the Responding Student. The Panel further agreed that education and community service would facilitate greater awareness for the Responding Student about sexual assault.

The Responding Student demonstrated a commitment and ability to abide by University policy moving forward. The panel felt that his presence on campus will not constitute a threat to the Stanford community, and that expulsion is therefore unwarranted.