

Nonacademic Regulations

STATEMENT OF NONDISCRIMINATORY POLICY

Stanford University admits students of either sex and any race, color, religion, sexual orientation, or national and ethnic origin to all the rights, privileges, programs, and activities generally accorded or made available to students at the University. It prohibits discrimination, including harassment, against students on the basis of sex, race, age, color, disability, religion, sexual orientation, national and ethnic origin, and any other characteristic protected by applicable law in the administration of its educational policies, admissions policies, scholarships and loan programs, and athletic and other University-administered programs. The following person has been designated to handle inquiries regarding this policy: the Special Counselor to the President for Campus Relations, Building 170, Main Quad, Stanford University, Stanford, CA 94305-2100; (650) 725-8395 (voice), (650) 723-1216 (TTY), (650) 725-3577 (fax).

AMERICANS WITH DISABILITIES ACT/REHABILITATION ACT GRIEVANCE PROCEDURE

For information concerning policies and procedures for students with disabilities, see <http://www.stanford.edu/dept/ocr/access/student.html>, or the ADA Section 504 Compliance Officer, Diversity and Access Office, Building 310, Main Quad, Mail Code 2100, (650) 723-0755 (Voice), (650) 723-1216 (TTY), (650) 723-1791 (Fax); see also the Student Disability Resource Center at <http://www.stanford.edu/group/DRC/>.

POLICY

The following is quoted from the policy:

I. Policy

Stanford University, in compliance with state and federal laws and regulations, including the Americans with Disabilities Act of 1990 (ADA) and Section 504 of the Rehabilitation Act of 1973 (Section 504), does not discriminate on the basis of disability in administration of its education-related programs and activities, and has an institutional commitment to provide equal educational opportunities for disabled students who are otherwise qualified.

Students who believe they have been subjected to discrimination on the basis of disability, or have been denied access to services or accommodations required by law, have the right to use this grievance procedure.

II. Applicability

The grievance procedure set forth below is applicable to undergraduate and graduate students of the University. In general, it is designed to address disputes concerning the following:

- A. Disagreements regarding a requested service, accommodation, or modification of a University practice or requirement;
- B. Inaccessibility of a program or activity;
- C. Harassment or discrimination on the basis of disability;
- D. Violation of privacy in the context of disability.

For disputes regarding certain specific academic accommodations or modification of academic requirements (such as reduction in the number of academic course units taken quarterly or yearly, requests for substitution of courses, or issues relating to academic standing), the alternate procedure set forth in Section V (C) of the Stanford University Policy and Procedure for Student Requests for Services and Accommodations should be followed. For questions regarding which procedure is applicable, contact the Compliance Officer at the Diversity and Access Office.

These two sets of procedures supplant the Statement on Student Academic Grievance Procedures (set forth in the *Stanford Bulletin*) for disability-related grievances.

III. Compliance Officers

Stanford University's Compliance Officers are responsible for administering this grievance procedure as well as ensuring compliance with applicable laws. Rosa González is the designated Compliance Officer Diversity and Access Office, located in Building 310 in the Main Quad, (650) 723-0755 (Voice), (650) 723-1216 (TTY), (650) 723-1791 (Fax).

Additional Compliance Officers may be designated from time to time by the Provost from those faculty and staff members knowledgeable concerning disability issues and the legal mandates of state and federal disability statutes.

IV. Informal Resolution—Second Review

A. Prior to initiating the formal complaint procedure set forth below, and as a prerequisite to it, the student shall contact the Compliance Officer at the Diversity and Access Office for assistance in resolving the matter informally within seven calendar days of the determination communicated by the DRC (if there was such a determination).

If the Compliance Officer is not successful in quickly achieving a satisfactory resolution (that is, generally within seven calendar days), the Compliance Officer will take the steps described in subparagraph 'B' below.

B. *Second Review Panel*: in accordance with the dispute resolution procedures outlined in Section VII of the Stanford University Policy and Procedure for Student Requests for Services and Accommodations, the Compliance Officer will convene an ad-hoc second review panel to review the issue(s) raised. The panel will consist of the following (or their designees): the Compliance Officer reviewing the request, the Director of the DRC, the Dean of Students, and (depending upon the issues) such other academic or administrative personnel as may be appropriate. This panel will review the request, investigate, and attempt to resolve the issues within seven calendar days of the request for or initiation of a second review. No formal report need be issued by the panel, but the panel will document the outcome of its review in a letter to the student. If the student is not satisfied with the panel's disposition of the matter, the student may file a formal complaint in accordance with the procedure described below.

V. Formal Complaint

If the procedure set forth above for informal resolution does not yield a successful resolution, then the student may file a formal complaint in the following manner:

- A. *When to File Complaint*: complaints shall be filed within ten calendar days of the end of the informal resolution process described above.
- B. *What to File*: a complaint must be in writing and include the following:
 1. The grievant's name, address, email address, and phone number
 2. A full description of the problem
 3. A statement of the remedy requested
 4. A copy of the letter from the Second Review Panel setting forth the outcome of the informal grievance procedure described above
- C. *Where to File Complaint*: the complaint shall be filed with the Compliance Officer at the Diversity and Access Office, Building 310, Main Quad, Mail Code 2100; (650) 723-1791 (Fax).
- D. *Notice of Receipt*: upon receipt of the complaint, the Compliance Officer reviews the complaint for timeliness and appropriateness for this grievance procedure, and provides the grievant with written notice acknowledging its receipt.
- E. *Investigation*: the Compliance Officer or his or her designee (hereafter collectively referred to as the "grievance officer") shall promptly initiate an investigation. In undertaking the investigation, the grievance officer may interview, consult with and/or request a written response to the issues raised in the grievance from any individual the grievance officer believes to have relevant information, including faculty, staff, and students.
- F. *Representation*: the grievant and the party against whom the grievance is directed shall have the right to have a representative. The party shall indicate whether he or she is to be assisted by a representative and, if so, the name of that representative. For purposes of this procedure, an attorney is not an appropriate representative.
- G. *Findings and Notification*: upon completion of the investigation, the grievance officer will prepare and transmit to the student, and to the

party against whom the grievance is directed, a final report containing a summary of the investigation, written findings, and a proposed disposition. This transmission will be expected within 45 calendar days of the filing of the formal complaint. The deadline may be extended by the Compliance Office for good cause. The final report shall also be provided, where appropriate, to any University officer whose authority will be needed to carry out the proposed disposition or to determine whether any personnel action is appropriate.

- H. *Final Disposition*: the disposition proposed by the grievance officer shall be put into effect promptly. The grievant or any party against whom the grievance or the proposed disposition is directed may appeal. The appeal to the Provost (as set forth below) will not suspend the implementation of the disposition proposed by the grievance officer, except in those circumstances where the Provost decides that good cause exists making the suspension of implementation appropriate.

VI. *Urgent Matters*

Whenever the application of any of the time deadlines or procedures set forth in this grievance procedure creates a problem due to the nature of the complaint, the urgency of the matter, or the proximity of the upcoming event, the Compliance Officer will, at the request of the grievant, determine whether an appropriate expedited procedure can be fashioned.

VII. *Remedies*

Possible remedies under this grievance procedure include corrective steps, actions to reverse the effects of discrimination or to end harassment, and measures to provide a reasonable accommodation or proper ongoing treatment. As stated above, a copy of the grievance officer's report may, where appropriate, be sent to University officer(s) to determine whether any personnel action should be pursued.

VIII. *Appeal*

Within ten calendar days of the issuance of the final report, the grievant or the party against whom the grievance is directed may appeal to the Provost the grievance officer's determination.

An appeal is taken by filing a written request for review with the Compliance Officer at the Diversity and Access Office, Building 310, Room 112, Mail Code 2100; (650) 723-1791 (Fax).

The written request for review must specify the particular substantive and/or procedural basis for the appeal, and must be made on grounds other than general dissatisfaction with the proposed disposition. Furthermore, the appeal must be directed only to issues raised in the formal complaint as filed or to procedural errors in the conduct of the grievance procedure itself, and not to new issues.

The Compliance Officer shall forward the appeal to the Provost, and also provide copies to the other party or parties. The review by the Provost or his or her designee normally shall be limited to the following considerations:

1. Were the proper facts and criteria brought to bear on the decision or, conversely, were improper or extraneous criteria brought to bear on the decision?
2. Were there any procedural irregularities that substantially affected the outcome?
3. Given the proper facts, criteria, and procedure, was the decision a reasonable one?

A copy of the Provost's written decision will be expected within 30 calendar days of the filing of the appeal and shall be sent to the parties, the Compliance Officer and, if appropriate, to the University officer whose authority will be needed to carry out the disposition. The deadline may be extended by the Provost for good cause. The decision of the Provost on the appeal is final.

TITLE IX OF THE EDUCATION AMENDMENTS OF 1972

It is the policy of Stanford University to comply with Title IX of the Education Amendment of 1972 and its regulations, which prohibit discrimination on the basis of sex. The Title IX Compliance Officer is the Special Counselor to the President for Campus Relations and has been appointed to coordinate the University's efforts to comply with the law. Anyone who believes that, in some respect, Stanford is not in compliance with Title IX and its regulations should contact the Title IX Compliance Officer, the Special Counselor to the President for Campus Relations, Building 170, Main Quad, Stanford University, Stanford, CA 94305-2100; (650) 725-8395 (voice), (650) 723-1216 (TTY), (650) 725-3577 (fax). Grievance procedures to address complaints of discrimination on the basis of sex are set forth in the "Student Non-Academic Grievance section" below.

STUDENT GRIEVANCES

A Stanford undergraduate or graduate student who believes that he or she has been subject to an improper decision on an academic matter may file a grievance pursuant to the Statement on Academic Grievance Procedures (see the "Academic Policies and Statements" section of this bulletin). For other types of grievances, students should review the section that follows on the Student Non-Academic Grievance Procedure, and consult concerning applicable procedures with the the Special Counselor to the President for Campus Relations, Building 170, Main Quad, Stanford University, Stanford, CA 94305-2100; (650) 725-8395 (voice), (650) 723-1216 (TTY), (650) 725-3577 (fax).

STUDENT NON-ACADEMIC GRIEVANCE PROCEDURE

POLICY

The following is quoted from the policy:

1. *Applicability*

- a. It is perhaps inevitable in any university that some students may at times feel improperly treated, and that concerns about unfairness (including potential discrimination and harassment) may also at times arise.

In this regard (and although this grievance procedure is not limited to concerns of discrimination), Stanford University's Statement of Non-Discriminatory Policy provides in part: "Stanford University admits students of either sex and any race, color, religion, sexual orientation, or national and ethnic origin to all the rights, privileges, programs, and activities generally accorded or made available to students at the University. It prohibits discrimination, including harassment, against students on the basis of sex, race, age, color, disability, religion, sexual orientation, national and ethnic origin, and any other characteristic protected by applicable law in the administration of its educational policies, admissions policies, scholarships and loan programs, and athletic and other University-administered programs."

- b. At Stanford, there are a number of grievance procedures through which students can raise and seek redress for what they believe to be unfair, improper or discriminatory decisions, actions, or treatment. For example:
 1. If the matter involves an academic decision, the Student Academic Grievance Procedure may be the applicable procedure.
 2. If the matter involves a disability-related concern, the Student ADA/Section 504 Grievance Procedure may be applicable.
 3. If the matter involves a student-athlete and his or her sport, the Student-Athlete Grievance Procedure may be applicable.
- c. The purpose of the Student Non-Academic Grievance Procedure is to provide a process for students to seek resolution of disputes and grievances that may not fall within the scope of one of the other grievance processes, including those which may arise in a student's capacity as a student-employee.

- d. This procedure is available to undergraduate and graduate students at Stanford University. It is designed to address individual decisions or individual actions that affect the grievant personally in his or her capacity as a student. This is not a grievance procedure to address the concerns of student groups. Similarly and as a general proposition, dissatisfaction with a departmental, school or University policy or practice of broad or general application is not grounds for a grievance under this procedure; the Special Counselor to the President for Campus Relations may, in his or her discretion, entertain an appeal in exceptional circumstances, such as where (for example) the policy or practice is alleged to be contrary to law.
- e. The Special Counselor to the President for Campus Relations, who is also responsible for ensuring the University's compliance with applicable anti-discrimination laws including Title IX of the Education Amendments of 1972, is responsible for administering this Student Non-Academic Grievance Procedure.
1. The Special Counselor may be contacted at: Special Counselor to the President for Campus Relations, Building 170, Main Quad, Stanford University, Stanford, CA 94305- 2100; (650) 725-8395 (voice), (650) 723-1216 (TTY), (650) 725-3577 (fax); <http://www.stanford.edu/dept/ocr/>.
 2. The Special Counselor in his or her sole discretion can decide whether to refer a grievance brought under this procedure to another grievance process. In cases involving allegations of sexual harassment in particular, the Special Counselor may wish to consult with the Director of the Sexual Harassment Policy Office as to the most appropriate way to proceed; see Section 5.d below. In cases involving student employment, the Special Counselor may wish to consult with the University's Department of Human Resources.
2. *Informal Resolution*
- a. As a general proposition (and although particular circumstances may warrant an exception), the student should first discuss the problem and seek a solution with the individual(s) most directly involved.
 - b. If no resolution results (or if circumstances make discussion inappropriate with the person most directly involved), the student should then consult with the individual at the next (higher) administrative level in the department, school, residence or University administrative unit. Serious efforts should be made to resolve the issue locally at an informal level without resort to a formal grievance; such efforts may continue even after the formal process is underway.
3. *Formal Grievance*
- a. If informal means of resolution prove inadequate, the student should set forth in writing the substance of the complaint, the grounds for it and the evidence on which it is based, and the efforts taken to date to resolve the matter. It is at this stage that the complaint becomes a formal grievance.
 - b. The grievance document should be submitted to the Special Counselor. A grievance should be filed in a timely fashion, i.e., normally within thirty days of the end of the academic quarter in which the action that is the subject of the grievance occurred. A delay in filing a grievance may be grounds for rejection of that grievance.
 - c. The Special Counselor shall promptly initiate a review, which should normally be completed within sixty days. The Special Counselor may attempt to resolve the matter informally, and may refer the matter (or any part of it) to a grievance officer or other designee, who will look into and/or address the matter as the Special Counselor directs. The Special Counselor may also, in appropriate cases, remand the matter to the appropriate administrator (including to the administrative level at which the grievance arose) for further consideration.
 - d. In undertaking this review, either the Special Counselor, his or her designee, or the grievance officer may request a response to the issues raised in the grievance from any individuals believed to have information the reviewer considers relevant, including faculty, staff and students.
 - e. The Special Counselor (or his or her designee) shall issue his or her decision in writing, and take steps to initiate such corrective action as is called for (if any). Conduct meriting discipline shall be brought to the attention of the appropriate disciplinary process.
4. *Appeal*
- a. If the student is dissatisfied with the disposition by the Special Counselor (or his or her designee), he or she may appeal to the Provost (Office of the President and Provost, Building 10, Stanford, CA 94305-2061; phone (650) 725-4074; fax (650) 725-1347. The appeal should be filed in writing with the Provost within ten days of the issuance of the decision by the Special Counselor (or his or her designee); a delay in filing the appeal may be grounds for rejection of that appeal.
 - b. The Provost may attempt to resolve the matter informally, and may refer the matter (or any part of it) to a grievance appeal officer, who will review the matter at the Provost's direction. The Provost may also, in appropriate cases, remand the matter to the appropriate administrator (including to the administrative level at which the grievance arose) for further consideration.
 - c. The Provost should normally complete his or her review of the appeal and issue his or her decision in writing within thirty days. That decision is final.
5. *General Provisions*
- a. *Time Guidelines*—The time frames set forth herein are guidelines. They may be extended by the Special Counselor or Provost, as applicable, in his or her discretion for good cause.
 - b. *Advisers*—A student initiating or participating in a grievance under this procedure may be accompanied by an adviser in any discussion with the Special Counselor, the Provost or their designees, or a grievance or grievance appeal officer under this procedure; any adviser must be a current Stanford faculty, staff member or student.
 - c. *Ombuds*—Students should be aware that the University Ombuds (<http://www.stanford.edu/dept/ocr/ombuds/>) and the School of Medicine's Ombuds (<http://www.med.stanford.edu/ombuds/>) are available to discuss and advise on any matters of University concern and frequently help expedite resolution of such matters. Although they have no decision making authority, the Ombuds' Offices have wide powers of inquiry.
 - d. *Sexual Harassment*—For further information and resources concerning sexual harassment, students should refer to the web page of the Sexual Harassment Policy Office at <http://harass.stanford.edu>.
 - e. *No retaliation*—Stanford University prohibits retaliation or reprisals against individuals based on their pursuit in good faith of a grievance under this procedure, or their participation in good faith in the grievance process.

OWNERSHIP AND USE OF STANFORD NAME AND TRADEMARKS

Stanford registered marks, as well as other names, seals, logos, and other symbols and marks that are representative of Stanford, may be used solely with permission of Stanford University. Items offered for sale to the public bearing Stanford's names and marks must be licensed. For complete text of the currently applicable policy, including the University officers authorized to grant permission to use the Stanford name and marks, see Administrative Guide Memo 15.5, Ownership and Use of Stanford Name and Trademarks at http://adminguide.stanford.edu/15_5.pdf.

COPYRIGHT

Copyright laws protect original works of authorship and give the owners of copyrights the exclusive right to do and to authorize others to do certain things in regard to a copyrighted work, including: make copies, distribute the work, display or perform the work publicly, and create derivative works. Copyright laws apply to nearly all forms of captured content,

including traditional works like books, photographs, music, drama and sculpture. The laws also adapt to changes in technologies, and include in their scope modern forms of works like motion pictures, electronic media, software, multimedia works and some databases. Registration is not required to obtain a copyright, so if in doubt, assume a copyright applies.

Unless an exception to the copyright owner's exclusive rights applies, you must obtain permission from the copyright owner to copy, distribute, display or perform a copyrighted work in any medium for any purpose. Be especially mindful of copyright principles when using the Internet. Just because a work is posted on the Internet does not mean that the owner of the copyright has given you permission to use it. And, you should not be posting material onto the Internet without copyright clearance.

Stanford has licenses with many publishers, which licenses permit copying of materials in accordance with the educational, research or administrative functions of the University. In addition, there are four major exceptions to the copyright owner's exclusive rights, which permit copying without permission under limited circumstances. These are: the fair use exception, the library exception, the face-to-face teaching exception, and the distance-learning exception. For a more detailed explanation of these exceptions, the copyright laws and Stanford's copyright policies, please review the Provost's Copyright Reminder, http://www.stanford.edu/dept/ucomm/provost/copyright_reminder.html. It is each person's responsibility to be aware of and abide by copyright law; violation may result in civil or criminal liability, and constitutes grounds for University discipline, up to and including discharge, dismissal and expulsion.

PEER-TO-PEER FILE SHARING

The use of file-sharing networks and software to download and share copyrighted works like software, music, movies, television programs, and books can violate copyright laws. Both the person who makes an illegal copy of a copyrighted work available and the person who receives or downloads an illegal copy have violated the law and Stanford policies. Under the Digital Millennium Copyright Act (DMCA), copyright owners are entitled to notify Internet service providers, such as Stanford, that IP addresses linked to the Stanford network are sharing copies of music and videos without authorization. The law requires the University to respond to such complaints by eliminating access to the infringing materials, and may further require Stanford to identify students, faculty, staff, or others who have violated copyright laws. The University will terminate access and will provide information as required by law. Furthermore, the University also will suspend or terminate computer access to the Stanford network, including termination of the SUNet ID, to members of the community who continue to violate copyright laws. Finally, the University will take action through the student, employee, or faculty disciplinary processes if necessary. For more information about file-sharing, please refer to Residential Computing's online resource, File-Sharing and Copyright Law at <http://rescomp.stanford.edu/info/dmca/>.

DOMESTIC PARTNERS

In October 1990, Stanford University adopted a domestic partners policy. This policy, which implements the University's nondiscrimination policy, makes services that have historically been available to married students available on an equal basis to students with same-sex or opposite-sex domestic partners. These services include access to student housing, a courtesy card that provides access to University facilities, and the ability to purchase medical care at Vaden Health Service. A domestic partnership is defined as an established long-term partnership with an exclusive mutual commitment in which the partners share the necessities of life and ongoing responsibility for their common welfare.

SEXUAL HARASSMENT AND CONSENSUAL SEXUAL OR ROMANTIC RELATIONSHIPS

For the complete text of the currently applicable version of this policy, see Administrative Guide Memo 23.2, Sexual Harassment, http://admin-guide.stanford.edu/23_2.pdf. It is also available from the Sexual Harassment Policy Office homepage, <http://harass.stanford.edu/>.

SUMMARY

Stanford University strives to provide a place of work and study free of sexual harassment, intimidation or exploitation. Where sexual harassment is found to have occurred, the University will act to stop the harassment, prevent its recurrence, and discipline and/or take other appropriate action against those responsible.

POLICY

The following is quoted from the policy:

1. In General

- a. *Applicability and Sanctions for Policy Violations*—This policy applies to all students, faculty and staff of Stanford University, as well as to others who participate in Stanford programs and activities. Its application includes Stanford programs and activities both on and off-campus, including overseas programs. Individuals who violate this policy are subject to discipline up to and including discharge, expulsion, and/or other appropriate sanction or action.
- b. *Respect for Each Other*—Stanford University strives to provide a place of work and study free of sexual harassment, intimidation or exploitation. It is expected that students, faculty, staff and other individuals covered by this policy will treat one another with respect.
- c. *Prompt Attention*—Reports of sexual harassment are taken seriously and will be dealt with promptly. The specific action taken in any particular case depends on the nature and gravity of the conduct reported, and may include intervention, mediation, investigation and the initiation of grievance and disciplinary processes as discussed more fully below. Where sexual harassment is found to have occurred, the University will act to stop the harassment, prevent its recurrence, and discipline and/or take other appropriate action against those responsible.
- d. *Confidentiality*—The University recognizes that confidentiality is important. Sexual harassment advisers and others responsible to implement this policy will respect the confidentiality and privacy of individuals reporting or accused of sexual harassment to the extent reasonably possible. Examples of situations where confidentiality cannot be maintained include circumstances when the University is required by law to disclose information (such as in response to legal process) and when disclosure is required by the University's outweighing interest in protecting the rights of others.
- e. *Protection Against Retaliation*—Retaliation and/or reprisals against an individual who in good faith reports or provides information in an investigation about behavior that may violate this policy are against the law and will not be tolerated. Intentionally making a false report or providing false information, however, is grounds for discipline.
- f. *Relationship to Freedom of Expression*—Stanford is committed to the principles of free inquiry and free expression. Vigorous discussion and debate are fundamental to the University, and this policy is not intended to stifle teaching methods or freedom of expression generally, nor will it be permitted to do so. Sexual harassment, however, is neither legally protected expression nor the proper exercise of academic freedom; it compromises the integrity of the University, its tradition of intellectual freedom and the trust placed in its members.

2. What Is Sexual Harassment?

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.

Determining what constitutes sexual harassment depends upon the specific facts and the context in which the conduct occurs. Sexual harassment may take many forms—subtle and indirect, or blatant and overt. For example,

- It may be conduct toward an individual of the opposite sex or the same sex.
- It may occur between peers or between individuals in a hierarchical relationship.
- It may be aimed at coercing an individual to participate in an unwanted sexual relationship or it may have the effect of causing an individual to change behavior or work performance.
- It may consist of repeated actions or may even arise from a single incident if sufficiently egregious.

The University's Policy on Sexual Assault (see Guide Memo 23.3, Sexual Assault, (http://adminguide.stanford.edu/23_3.pdf) may also apply when sexual harassment involves physical contact.

3. What To Do About Sexual Harassment

Individuals seeking further information are directed to the following resources:

- The Sexual Harassment Policy Office (Main Quad, Bldg. 310, Room 104; (650) 723-1583 or 327-8259; email: harass@stanford.edu for information, consultation, advice, or to lodge a complaint. Note that anonymous inquiries can be made to the SHPO by phone during business hours.
- The Sexual Harassment Policy Office web page at <http://harass.stanford.edu>.
- Any designated Sexual Harassment Adviser or resource person listed in 3.a or 5.a.

The following are the primary methods for dealing with sexual harassment at Stanford. They are not required to be followed in any specific order. However, early informal methods are often effective in correcting questionable behavior.

- a. *Consultation*—Consultation about sexual harassment is available from the Sexual Harassment Policy Office, Sexual Harassment Advisers (including residence deans), human resources officers, employee relations specialists, counselors at Counseling and Psychological Services (CAPS) or the Help Center, chaplains at Memorial Church, ombudspersons and others. A current list of Sexual Harassment Advisers is available from the Sexual Harassment Policy Office and at <http://harass.stanford.edu/index.html#Advisers>. Consultation is available for anyone who wants to discuss issues related to sexual harassment, whether or not "harassment" actually has occurred, and whether the person seeking information is a complainant, a person who believes his or her own actions may be the subject of criticism (even if unwarranted), or a third party.

Often there is a desire that a consultation be confidential or "off the record." This can usually be achieved when individuals discuss concerns about sexual harassment without identifying the other persons involved, and sometimes even without identifying themselves. Confidential consultations about sexual harassment also may be available from persons who, by law, have special professional status, such as:

- Counselors at Counseling and Psychological Services (CAPS), <http://caps.stanford.edu/>
- Counselors at the Help Center, <http://www.stanford.edu/dept/helpcenter/>
- Chaplains at Memorial Church

- The University Ombudsperson, <http://www.stanford.edu/dept/ocr/ombudsperson/>
- The Medical Center Ombudsperson, <http://www.med.stanford.edu/ombuds/>

In these latter cases, the level of confidentiality depends on what legal protections are held by the specific persons receiving the information and should be addressed with them before specific facts are disclosed. For more information see <http://harass.stanford.edu/Issues.html#CONRESOURCES>.

For further information on confidentiality, see Section 1(d) above.

- b. *Direct Communication*—An individual may act on concerns about sexual harassment directly, by addressing the other party in person or writing a letter describing the unwelcome behavior and its effect and stating that the behavior must stop. A Sexual Harassment Adviser can help the individual plan what to say or write, and likewise can counsel persons who receive such communications. Reprisals against an individual who in good faith initiates such a communication violate this policy.

- c. *Third Party Intervention*—Depending on the circumstances, third party intervention in the workplace, student residence or academic setting may be attempted. Third party intervenors may be the Sexual Harassment Advisers, human resources professionals, the ombudspersons, other faculty or staff, or sometimes mediators unrelated to the University.

When third party intervention is used, typically the third party (or third parties) will meet privately with each of the persons involved, try to clarify their perceptions and attempt to develop a mutually acceptable understanding that can insure that the parties are comfortable with their future interactions. Other processes, such as a mediated discussion among the parties or with a supervisor, may also be explored in appropriate cases.

Possible outcomes of third party intervention include explicit agreements about future conduct, changes in workplace assignments, substitution of one class for another, or other relief, where appropriate.

- d. *Formal Grievance, Appeal, and Disciplinary Processes*—Grievance, appeal, or disciplinary processes may be pursued as applicable.

1. *Grievances and Appeals*—The applicable procedure depends on the circumstances and the status of the person bringing the charge and the person against whom the charge is brought. Generally, the process consists of the individual's submission of a written statement, a process of fact-finding or investigation by a University representative, followed by a decision and, in some cases, the possibility of one or more appeals, usually to Stanford administrative officers at higher levels. The relevant procedure (see below) should be read carefully, since the procedures vary considerably.

If the identified University fact-finder or grievance officer has a conflict of interest, an alternate will be arranged, and the Director of the Sexual Harassment Policy Office or the Director of Employee and Labor Relations can help assure that this occurs.

In most cases, grievances and appeals must be brought within a specified time after the action complained of. While informal resolution efforts will not automatically extend the time limits for filing a grievance or appeal, in appropriate circumstances the complainant and the other relevant parties may mutually agree in writing to extend the time for filing a grievance or appeal.

A list of the established grievance and appeal procedures is located at http://hrweb.stanford.edu/elr/policies/list_grievance_procedures.html. Copies may also be obtained from the Sexual Harassment Policy Office, <http://www.stanford.edu/group/SexHarass>.

Copies of the following may be obtained from Employee and Labor Relations, 651 Serra Street:

- “Solving Workplace Problems at Stanford: Understanding the Staff Dispute Resolution Policy” (also at <http://hrweb.stanford.edu/forms/staffresolution.pdf>.)
- “Solving Workplace Problems at Stanford: Information for Academic Staff – Librarians and Academic Staff – Research Associates”
- “The Dispute Resolution Process (A User’s Guide)”

2. *Disciplinary Procedures*—In appropriate cases, disciplinary procedures may be initiated. The applicable disciplinary procedure depends on the status of the individual whose conduct is in question. For example, faculty are subject to the Statement on Faculty Discipline <http://www.stanford.edu/dept/provost/faculty/policies/handbook/ch4.html#statementonfacultydiscipline> and students to the Fundamental Standard. For additional information related to student judicial affairs, see <http://www.stanford.edu/dept/vpsa/judicialaffairs/>.

The individuals referenced in this section are available to discuss these options and differing methods for dealing with sexual harassment.

4. *Procedural Matters*

- Investigations*—If significant facts are contested, an investigation may be undertaken. The investigation will be conducted in a way that respects, to the extent possible, the privacy of all of the persons involved. In appropriate cases, professional investigators may be asked to assist in the investigation. The results of the investigation may be used in the third party intervention process or in a grievance or disciplinary action.
- Recordkeeping*—The Sexual Harassment Policy Office will track reports of sexual harassment for statistical purposes and report at least annually to the University President concerning their number, nature and disposition.

The Sexual Harassment Policy Office may keep confidential records of reports of sexual harassment and the actions taken in response to those reports, and use them for purposes such as to identify individuals or departments likely to benefit from training so that training priorities can be established. No identifying information will be retained in cases where the individual accused was not informed that there was a complaint.

- Indemnification and Costs*—The question sometimes arises as to whether the University will defend and indemnify a Stanford employee accused of sexual harassment. California law provides, in part, “An employer shall indemnify [its] employee for all that the employee necessarily expends or loses in direct consequence of the discharge of his [or her] duties as such” The issue of indemnification depends on the facts and circumstances of each situation. Individuals who violate this policy, however, should be aware that they and/or their schools, institutes, or other units may be required to pay or contribute to any judgments, costs and expenses incurred as a result of behavior that is wrongful and/or contrary to the discharge of the employee’s duties. In general, see Administrative Guide Memo 15.7 (http://adminguide.stanford.edu/15_7.pdf).

5. *Resources for Dealing with Sexual Harassment*

- Advice*—Persons who have concerns about sexual harassment should contact the Sexual Harassment Policy Office, any Sexual Harassment Adviser at <http://harass.stanford.edu/index.html#Advisers> or one of the other individuals listed below. Reports should be made as soon as possible: the earlier the report, the easier it is to investigate and take appropriate remedial action. When reports are long delayed, the University will try to act to the extent it is reasonable to do so, but it may be impossible to achieve a satisfactory result after much time has passed.

Likewise, anyone who receives a report or a grievance involving sexual harassment should promptly consult with the Sexual Harassment Policy Office or with a Sexual Harassment Adviser.

There are a number of individuals specially trained and charged with specific responsibilities in the area of sexual harassment. In brief, they are:

- *Sexual Harassment Advisers* (<http://harass.stanford.edu/index.html#Advisers>) serve as resources to individuals who wish to discuss issues of sexual harassment, whether because they have been harassed or because they want information about the University’s policy and procedures. There is usually at least one Adviser assigned to each of the schools at the University and to each large work unit; most of the residence deans also have been appointed as Sexual Harassment Advisers. Advisers are also authorized to receive complaints.
- *The Director of the Sexual Harassment Policy Office* is responsible for the implementation of this policy. The Director’s Office also provides advice and consultation to individuals when requested; receives complaints and coordinates their handling; supervises the other Advisers; encourages and assists prevention education for students, faculty and staff; keeps records showing the disposition of complaints; and generally coordinates matters arising under this policy. Because education and awareness are the best ways to prevent sexual harassment, developing awareness, education and training programs and publishing informational material are among the most important functions of the Sexual Harassment Policy Office (<http://harass.stanford.edu>).
- As stated above, individuals with concerns about sexual harassment may also discuss their concerns informally with psychological counselors (for example through CAPS or the HELP Center), chaplains (through the Memorial Chapel), or University or Medical School ombudspersons. For more information, see <http://harass.stanford.edu/Shissues.html#CONRESOURCES>.

- External Reporting*—Sexual harassment is prohibited by state and federal law. In addition to the internal resources described above, individuals may pursue complaints directly with the government agencies that deal with unlawful harassment and discrimination claims, e.g., the U.S. Equal Employment Opportunity Commission (EEOC), the Office for Civil Rights (OCR) of the U.S. Department of Education, and the State of California Department of Fair Employment and Housing (DFEH). These agencies are listed in the Government section of the telephone book. A violation of this policy may exist even where the conduct in question does not violate the law.

6. *Consensual Sexual or Romantic Relationships*

- In General*—There are special risks in any sexual or romantic relationship between individuals in inherently unequal positions, and parties in such a relationship assume those risks. In the University context, such positions include (but are not limited to) teacher and student, supervisor and employee, senior faculty and junior faculty, mentor and trainee, adviser and advisee, teaching assistant and student, coach and athlete, and the individuals who supervise the day-to-day student living environment and student residents. Because of the potential for conflict of interest, exploitation, favoritism, and bias, such relationships may undermine the real or perceived integrity of the supervision and evaluation provided, and the trust inherent particularly in the teacher-student context. They may, moreover, be less consensual than the individual whose position confers power or authority believes. The relationship is likely to be perceived in different ways by each of the parties to it, especially in retrospect.

Moreover, such relationships may harm or injure others in the academic or work environment. Relationships in which one party is in a position to review the work or influence the career of the other may provide grounds for complaint by third parties when that relationship gives undue access or advantage, restricts opportunities, or creates a perception of these problems. Furthermore, circumstances may change, and conduct that was previously welcome may become unwelcome. Even when both parties have consented at the outset to

a romantic involvement, this past consent does not remove grounds for a charge based upon subsequent unwelcome conduct.

Where such a relationship exists, the person in the position of greater authority or power will bear the primary burden of accountability, and must ensure that he or she—and this is particularly important for teachers—does not exercise any supervisory or evaluative function over the other person in the relationship. Where such recusal is required, the recusing party must also notify his or her supervisor, department chair or dean, so that such chair, dean or supervisor can exercise his or her responsibility to evaluate the adequacy of the alternative supervisory or evaluative arrangements to be put in place. Staff members may notify their local human resources officers. To reiterate, the responsibility for recusal and notification rests with the person in the position of greater authority or power. Failure to comply with these recusal and notification requirements is a violation of this policy, and therefore grounds for discipline.

- b. *With Students*—At a university, the role of the teacher is multifaceted, including serving as intellectual guide, counselor, mentor and advisor; the teacher’s influence and authority extend far beyond the classroom. Consequently and as a general proposition, the University believes that a sexual or romantic relationship between a teacher and a student, even where consensual and whether or not the student would otherwise be subject to supervision or evaluation by the teacher, is inconsistent with the proper role of the teacher, and should be avoided. The University therefore very strongly discourages such relationships.

7. Policy Review and Evaluation

This policy went into effect on October 6, 1993, and was amended on November 30, 1995, and on May 30, 2002. It is subject to periodic review, and any comments or suggestions should be forwarded to the Director of the Sexual Harassment Policy Office.

RESOURCES

The following is a summary of resources concerning sexual harassment available to members of the Stanford Community:

A brochure containing the policy, a list of current sexual harassment advisers, confidential resources, and other helpful information is available online at <http://harass.stanford.edu>, and in printed form from the Sexual Harassment Policy Office at (650) 723-1583, Building 310, Main Quad, Room 104, MC: 2100. Copies of the University policy on sexual assault, which complements this sexual harassment policy, as well as all other documents mentioned in this section, are also available at the Sexual Harassment Policy Office.

All faculty, staff, and students who have questions regarding this policy and its enforcement can consult with a Sexual Harassment Adviser or can be directed to the local Personnel Officer or Regional Human Resources Manager. Faculty members should contact their dean or department chair, and students should contact the Special Counselor and Dean of Student Affairs.

Sexual Harassment Policy Office—telephone: (650) 723-1583; email: Harass@stanford.edu.

Director: *Laraine Zappert (Clinical Professor, Psychiatry and Behavioral Sciences)*

Assistant Director: *Nanette Andrews*

SEXUAL ASSAULT

The University’s Policy on Sexual Assault is published in complete form in the Administrative Guide Memo 23.3, available at http://admin-guide.stanford.edu/23_3.pdf, and on the Judicial Affairs Office web site at <http://www.stanford.edu/dept/vpsa/judicialaffairs/index.html>.

SUMMARY

The following summarizes the policy on Sexual Assault and provides information on resources available to members of the Stanford community.

55Background—Stanford University’s policy and procedures on sexual harassment are published in Administrative Guide Memo 23.2 and are republished annually in the *Stanford Bulletin* and elsewhere. The University’s Policy on Sexual Assault supplements them, describing Stanford University’s policy and procedures specifically concerning sexual assault. That policy has been enacted by Stanford University in accordance with California State Law, Assembly Bill 3098, Postsecondary Education: Student Safety, July, 1990.

Definition—For the purposes of the policy, “sexual assault” includes, but is not limited to, rape, forced sodomy, forced oral copulation, rape by a foreign object, sexual battery, or threat of sexual assault.

Policy—Sexual assault by force or coercion, including deliberate coercion through the use of drugs or alcohol, is absolutely unacceptable at Stanford University. Any member of the Stanford community who commits sexual assault at or on the grounds of the University, or at any of the University’s off-campus facilities or activities, or at the facilities or activities of any affiliated student organization, will face maximal institutional sanctions, in addition to any prosecutions external authorities may undertake. Stanford University is committed to providing information on services, resources, and treatment available to victims of sexual assault.

Notification—With the consent of the victim, charges of sexual assault received by University offices or personnel shall be communicated promptly to the Department of Public Safety, 711 Serra Street, telephone 9-911 for emergency response or (650) 723-9633 during normal business hours, or, in the case of a student, to the sexual assault response team at YWCA Sexual Assault Center at Stanford at Vaden Health Service, 866 Campus Drive, telephone 725-9955.

Legal Reporting Requirements—Health care professionals are expected to fulfill legally mandated reporting requirements.

Emergency Services Available to Victims—Victims of sexual assault are urged to seek immediate attention from emergency police, medical, and counseling services. On the Stanford campus and in the immediate vicinity, the following provide 24-hour response and will arrange for police assistance, medical assistance, emotional support services, and advocacy and support:

“911” Emergency Network: dial 9-911 from University phones or 911 from outside phones

Santa Clara Valley Medical Center, 751 South Bascom Avenue, San Jose, telephone (408) 885-5000

YWCA Sexual Assault Center at Stanford, for students, at the Vaden Health Service, telephone (650) 725-9955

Stanford University Hospital, 300 Pasteur Drive, Stanford, telephone (650) 723-5111

Non-Emergency Resources—Additional resources for students are available at Vaden Health Service at (650) 723-3785, including short-term counseling, referral to long-term therapy, follow-up pregnancy testing, and testing and treatment for sexually transmitted diseases. Additional services for faculty and staff are available at the University’s HELP Center, Galvez House (723-4577), including general counseling, information, support, and referral. The University ombudsperson (723-3682) is available to all in the Stanford community for general counseling, advice, and advocacy.

Ongoing Case Management Procedures—Both informal procedures and formal grievance procedures for case management of sexual assault charges are given in the University’s policy on Sexual Harassment appearing as Administrative Guide Memo 23.2 and published annually in the *Stanford Bulletin*. Victims are to be kept informed by those responsible for those procedures of the status of any disciplinary proceedings and the results of any disciplinary action or appeal, providing that the victim agrees in advance, in writing, to treat this information as confidential. The offices of the Dean of Students are available to help student victims deal with academic difficulties that may arise because of the victimization and its impact.

Information Requests and Confidentiality—The University offices responding to charges of sexual assault have established protocols for protecting confidentiality and for handling inquiries from the press, concerned students, and parents.

Information about Options—The University offices responding to charges of sexual assault will inform victims, at a minimum, of the options of: criminal prosecution, civil prosecution, the disciplinary process, the appropriate grievance procedure, the availability of mediation, alternative housing assignments, and academic assistance alternatives.

POLITICAL ACTIVITIES

For the complete text of the currently applicable version of this policy, see Administrative Guide Memo 15.1, Political Activities, available at http://adminguide.stanford.edu/15_1.pdf.

SUMMARY

The following summarizes the policy on Political Activities:

Stanford University, as a charitable entity, is subject to federal, state, and local laws and regulations regarding political activities: campaign activities, lobbying, and the giving of gifts to public officials.

While all members of the University community are naturally free to express their political opinions and engage in political activities to whatever extent they wish, it is very important that they do so only in their individual capacities and avoid even the appearance that they are speaking or acting for the University in political matters.

In the limited circumstances where individuals must speak or act on behalf of the University in the political arena, they must do so in accordance with the provisions of this Guide Memo.

POLICY

The following is quoted from the policy:

1. Summary of Legal Requirements and Restrictions

a. *Campaign Activities*: contributions of money, goods, or services to candidates for political office and in support of or opposition to ballot measure campaigns are subject to a wide variety of political laws. Depending on the jurisdiction and the campaign, political contributions may be prohibited or limited and, in nearly all cases, are subject to a complicated series of disclosure rules. Because of the University's tax-exempt status, the University is legally prohibited from endorsing candidates for political office or making any contribution of money, goods, or services to candidates. It is important, therefore, that no person inadvertently cause the University to make such a contribution.

b. *Lobbying*: lobbying can generally be described as any attempt to influence the action of any legislative body (for example, Congress, state legislatures, county boards, city councils, and their staffs) or any federal, state, or local government agency. Laws regulating lobbying exist at the federal, state, and local levels but can differ widely in scope, depending on the jurisdiction. Some laws, for example, only regulate lobbying of the legislative branch. Others, however, also cover lobbying of administrative agencies and officers in the executive branch (for example, lobbying for federally-funded grants). To one degree or another, however, most lobbying laws require registration and reporting by individuals engaged in attempts to influence governmental action.

Tax-exempt organizations are permitted to lobby, and the University engages in lobbying on a limited number of issues, mostly those affecting education, research, and related activities. There is usually some threshold of time or money spent on lobbying that triggers registration and reporting requirements. Regardless of thresholds, however, no University employee—other than the following individuals, on matters under their jurisdiction—may lobby on behalf of the University without specific authorization:

- President
- Provost
- Deans of the Seven Schools
- Vice Provost and Dean of Research

- Vice President for Business Affairs and Chief Financial Officer
- Vice President for Faculty and Staff Services
- Director of the Stanford Linear Accelerator Center
- Director of the Hoover Institution
- General Counsel

- Director of Government and Community Relations

The Vice Provost and Dean of Research may grant permission to faculty members to lobby on behalf of the University for specific purposes. The Director of Government and Community Relations may grant permission to staff members to lobby on behalf of the University for specific purposes. All lobbying on behalf of the University should be coordinated with the Director of Government and Community Relations.

c. *Giving of Gifts to Public Officials and Staff*: almost all jurisdictions have strict rules on the extent to which gifts and honoraria may be given to public officials (both elected and non-elected officials and, often, staff). In some cases gifts and honoraria are prohibited; in others they are limited; and in most cases they are subject to detailed disclosure. In addition, in some jurisdictions such as California, gifts to both state and local public officials can result in a public official's disqualification from participation in any governmental action affecting the interests of the donor. Meals, travel, and entertainment are the most common types of gifts, but gift rules can also apply in cases where public officials attend a reception or receive tickets to sporting or other events.

As a non-profit organization, the University generally does not give gifts to public officials and, in those limited cases where it does give such gifts, it must do so in accordance with all applicable laws and regulations. Therefore, any University employee who, on behalf of the University, wishes to make a gift to a public official must receive prior approval from the Director of Government and Community Relations before making such a gift.

d. *Reporting of Political Activities*: the University must report most of its political activities above certain thresholds. Therefore, any University employee engaging in such activities on behalf of the University should carefully review the remainder of this Guide Memo and should discuss the relevant activities in advance with the Director of Government and Community Relations.

2. Prohibited and Restricted Political Activities

a. In General:

1. No person may, on behalf of the University, engage in any political activity in support of or opposition to any candidate for elective public office (including giving or receiving funds or endorsements), nor shall any University resources be used for such purpose.
2. No person may, on behalf of the University, lobby (or use University resources to lobby) any federal, state, or local legislative or administrative official or staff member unless specifically authorized to do so. Any lobbying activity, even when authorized, must be conducted in compliance with this Guide Memo, other applicable University policies, and applicable law.
3. No person may, on behalf of the University, give a gift (or use any University resources to give a gift) to any federal, state, or local official or staff member, except in compliance with this Guide Memo, other applicable University policies, and applicable law.
4. No person supporting candidates for public office or engaging in other political activities may use University space or facilities or receive University support, except in the limited ways described in section 3A, below.
5. No person may use for lobbying activities federally-funded contract or grant money received by the University.

Even the foregoing activities that are only restricted, rather than prohibited, may be subject to limitations imposed by law. Therefore, any person engaging in the activity, or contemplating doing so, should consult with the Director of Government and Community Relations.

b. *Guidelines for Avoiding Prohibited Partisan Political Activities*: the following guidelines should assist in preventing the involvement

or apparent involvement of the University in political activities in support of or opposition to any candidate for elective public office, that is, partisan political activities. Except in the limited circumstances set forth in section 3.b., below:

1. *Use of Name and Seal*: neither the name nor seal of the University or of any of its schools, departments, or institutions should be used on letters or other materials intended for partisan political purposes.
 2. *Use of Address and Telephones*: no University office should be used as a return mailing address for partisan political mailings, and telephone service that is paid by the University, likewise, should not be used for partisan political purposes. (Obviously, a student's dormitory room and telephone service that are personal to the student may be used for these purposes.)
 3. *Use of Title*: the University title of a faculty or staff member or other person should be used only for identification and should be accompanied by a statement that the person is speaking as an individual and not as a representative of the University.
 4. *Use of Services and Equipment*: University services, such as Interdepartmental Mail; equipment, such as duplicating machines, computers, and telephones; and supplies should not be used for partisan political purposes.
 5. *Use of Personnel*: no University employee may, as part of his or her job, be requested to perform tasks in any way related to partisan political purposes.
3. *Permissible Activities*
- a. *In General*: as noted above, the federal, state, and local laws which limit the partisan political activities that can take place in University facilities and with University support in no way inhibit the expression of personal political views by any individual in the University community. Nor do they forbid faculty, students, or staff from joining with others in support of candidates for office or in furtherance of political causes. There is no restriction on discussion of political issues or teaching of political techniques. Academic endeavors which address public policy issues are in no way affected.

Because the University encourages freedom of expression, political activities which do not reasonably imply University involvement or identification may be undertaken so long as regular University procedures are followed for use of facilities. Examples of permissible activities are:

 1. Use of areas, such as White Plaza, for tables, speeches, and similar activities.
 2. Use of auditoriums for speeches by political candidates, but subject to rules of the Internal Revenue Service, the Federal Election Commission, and the California Fair Political Practices Commission, and other applicable laws. Arrangements must be made with University Events and Services. (See also Guide Memo 82.1, Public Events, for more information.)

To reiterate, because tax and political compliance laws impose restrictions, and even prohibitions, on certain political activities and on the use of buildings and equipment at a non-profit institution such as the University, any such activities must be in compliance with these legal requirements. Individuals taking political positions for themselves or groups with which they are associated, but not as representatives of the University, should clearly indicate, by words and actions, that their positions are not those of the University and are not being taken in an official capacity on behalf of the University.
 - b. *Limited University Political Activities*: limited activities relating to specific federal, state, or local legislation or ballot initiatives are permissible where (1) the subject matter is directly related to core interests of the University's activities; (2) the President has determined that the University should take a position; and (3) the individuals who speak or write on the University's behalf are specifically authorized to do so.
4. *Responsibility for Interpretation*: the Director of Government and Community Relations, in consultation with the General Counsel, is

the administrative officer responsible for interpretation and application of the above guidelines. Questions on whether planned student activities are consistent with the University's obligations should be directed to the Dean of Students, who will consult with the Director of Government and Community Relations and/or the General Counsel. All other questions on whether planned activities are consistent with the University's obligations should be addressed directly to the Director of Government and Community Relations or the General Counsel.

CAMPUS DISRUPTIONS

The University's policy on campus disruption applies to students, faculty, and staff. It is published in its complete form on the Judicial Affairs Office web site at <http://www.stanford.edu/dept/vpsa/judicialaffairs/index.html>.

POLICY

The following is quoted from the policy:

Because the rights of free speech and peaceable assembly are fundamental to the democratic process, Stanford firmly supports the rights of all members of the University community to express their views or to protest against actions and opinions with which they disagree.

All members of the University also share a concurrent obligation to maintain on the campus an atmosphere conducive to scholarly pursuits, to preserve the dignity and seriousness of University ceremonies and public exercises, and to respect the rights of all individuals.

The following regulations are intended to reconcile these objectives.

It is a violation of University policy for a member of the faculty, staff, or student body to:

1. prevent or disrupt the effective carrying out of a University function or approved activity, such as lectures, meetings, interviews, ceremonies, the conduct of University business in a University office, and public events.
2. obstruct the legitimate movement of any person about the campus or in any University building or facility.

Members of the faculty, staff, and student body have an obligation to leave a University building or facility when asked to do so in the furtherance of the above regulations by a member of the University community acting in an official role and identifying himself or herself as such; members of the faculty, staff, or student body also have an obligation to identify themselves, when requested to do so by such a member of the University community who has reasonable grounds to believe that the person(s) has violated section (1) or (2) of this policy and who has so informed the person(s).

APPLICATION

The following are examples to illustrate the policy:

The policy has been applied to the following actions: refusal to leave a building which has been declared closed; obstructing the passage into or out of buildings by sitting in front of doorways; preventing University employees from entering their workplace; preventing members of a class from hearing a lecture or taking an examination, or preventing the instructor from giving a lecture, by means of shouts, interruptions, or chants; preventing others from hearing a scheduled speaker by means of shouts, interruptions, or chants; refusing to leave a closed meeting when unauthorized to attend; and intruding upon or refusing to leave a private interview.

It should be understood that while the above are examples of extraordinarily disruptive behavior, the application of the policy also takes situational factors into consideration. Thus, for example, conduct appropriate at a political rally might constitute a violation of the Policy on Campus Disruption if it occurred within a classroom.

There is no "ordinary" penalty which attaches to violations of the Policy on Campus Disruption. Each case is fact-specific; considerations would include: the gravity of the offense, and prior similar misconduct. As a general rule, the more serious the offense, the less it matters that the violation had otherwise not done wrong.

USE OF THE MAIN QUADRANGLE AND MEMORIAL COURT

POLICY

The following is quoted from the policy:

The Main Quadrangle and Memorial Court are part of Stanford University's academic preserve due to their locations at the heart of the campus. To protect and enhance their historic status, University policy limits activities primarily to established or traditional ceremonies and events.

Unscheduled events or activities are prohibited.

Requests for waivers to this policy must be submitted in writing to the Director of Public Events. Exceptions may be granted only in extraordinary cases.

RESOURCES

The following is a summary of resources available:

For instructions on use of the Main Quadrangle/Memorial Court, contact the Director of University Public Events at (650) 723-2551, <http://stanfordevents.stanford.edu/>. Note that other venues on campus (such as White Plaza) are made available for events other than scheduled "established or traditional ceremonies and events" including those that may involve amplified sound. For further information on the use of such other venues, contact the Office of Student Activities at (650) 723-2733, <http://www.stanford.edu/dept/OSA/>.

NOISE AND AMPLIFIED SOUND

POLICY

The following is quoted from the policy:

Stanford is not only an academic institution but a residential community as well. It is the responsibility of all faculty, students, and staff to moderate noise especially during an event or activity held on campus. Supporting the mission of the University and respecting those who are studying, researching, or otherwise carrying out academic-related activities is a Stanford priority. The campus must require a conducive atmosphere to ensure these endeavors are accomplished and supported. Disturbing noise in or around a residence or other campus buildings which infringe on the rights of other residents or members of the University community is considered a violation of this policy. As part of the event planning process, the event sponsor must obtain all appropriate approvals regarding the use of amplified sound during an event or activity.

RESOURCES

Information regarding whether and how the use of amplified sound is permitted is available from the following sources, which must be consulted for prior approval:

- The Office of Student Activities: phone: 723-2733, or see <http://osa.stanford.edu/publications/soh/2002-2003/>
- Registrar's Scheduling Office: phone (650) 723-6755, or see <http://registrar.stanford.edu/event/>.
- The Stanford Events Office: phone (650) 723-2551, or see <http://stanfordevents.stanford.edu>.

PROHIBITION OF THE POSSESSION OF DANGEROUS WEAPONS ON CAMPUS

The University's policy prohibiting weapons on campus is published in its complete form on the Judicial Affairs Office web site <http://stanford.edu/dept/vpsa.judicialaffairs/index.html>.

POLICY

The following is quoted from the policy:

Except for authorized academic purposes, the knowing possession by any student on any Stanford campus of the following is prohibited: firearms, explosives, or any instrument or weapon of the kind commonly known as blackjack, slingshot, billy club, sandclub, sandbag, or metal knuckles.

Notwithstanding the paragraph above, a student who is a resident of a Stanford campus may store a weapon on such campus if both of the following conditions are met:

- The student has complied with all state and federal regulations regarding the use and possession of said weapon, or, in the case of a foreign campus, with the laws of the country in which the campus is located.
- The student stores such weapons with the Stanford Department of Public Safety (SDPS) or, in the case of a foreign campus, in a facility provided by the director of such campus.

Students may remove their weapons from storage only in accordance with regulations established by the SDPS or by the director of the foreign campus at which the weapon is stored. A student who is a resident of a Stanford campus may bring any of the above weapons on campus for purposes of storage only if the student has previously notified the SDPS of the intention to do so, but in no event more than six hours after arrival on the campus. When the student removes the weapon from storage, it must be taken off campus as soon as is practicable, but in no event more than one hour after such removal.

The term "Stanford campus" shall include all the lands and facilities of Leland Stanford Junior University, whether owned or leased, and whether located in the United States or abroad.

CONTROLLED SUBSTANCES AND ALCOHOL

The University's policy on controlled substances and alcohol is published in its complete form in the Administrative Guide as Administrative Guide Memo 23.6, available at http://adminguide.stanford.edu/23_6.pdf, and on the Judicial Affairs Office web site <http://stanford.edu/dept/vpsa/judicialaffairs/index.html>.

SUMMARY

The following material summarizes the policy on Controlled Substances and Alcohol.

Student conduct is guided by the Fundamental Standard. Implicit in the Standard is the understanding that students are responsible for making their own decisions and accepting the consequences of those decisions.

In order to make informed decisions about alcohol and other drug use, students should educate themselves about the health and safety risks associated with their use, as well as about state and local laws on possessing, serving, and consuming alcohol. It is widely recognized that the misuse and abuse of drugs ("controlled substances")* and the abuse of alcohol are major contributors to serious health problems, as well as to social and civic concerns. Among the health risks associated with the use of illicit drugs and the abuse of alcohol are various deleterious physical and mental consequences including dependency, severe disability, even death. Information concerning the known effects of alcohol and specific drugs is available from the Alcohol and Other Drug Abuse Prevention Program at Vaden Student Health Service.

The goal of this University's policy is to reduce the abuse and illegal use of alcohol and other drugs, and the human and material costs associated with it. The University, as an educational institution, approaches student conduct issues from a perspective that places emphasis on individual responsibility and development. Education about and prevention of alcohol and other drug-related problems will continue to be the primary emphasis and goal. However, the University expects students, as individuals and as members of groups, to conduct themselves in accordance with this and all other University policies governing student conduct.

* Controlled substances are those defined in 21 U.S.C. 812; they include, but are not limited to, such substances as marijuana, heroin, cocaine, and amphetamines.

POLICY

The following is quoted from the policy:

It is the policy of the University to maintain a drug-free workplace and campus. The unlawful manufacture, distribution, dispensation, possession, and/or use of controlled substances or the unlawful possession, use, or distribution of alcohol is prohibited on the Stanford campus, in the

workplace, or as part of any of the University's activities. The workplace and campus are presumed to include all Stanford premises where the activities of the University are conducted. Violation of this policy may result in disciplinary sanctions up to and including termination of employment or expulsion of students. Violations may also be referred to the appropriate authorities for prosecution.

This policy will be reviewed at least biennially.

APPLICATIONS

The following are examples to illustrate the policy:

No University funds or funds collected by the University may be used in a way that violates the alcohol policy. In student residences, house funds (funds collected by the University Bursar or other University offices) may not be used to buy alcohol because the majority of undergraduates are under the legal drinking age of 21. The decision to use student-collected funds to buy alcohol should be made lawfully, thoughtfully, fairly, and in a way that respects the views of all students. Students must not be required to contribute to a student-collected fund for the purposes of purchasing alcohol. No alcoholic beverages may be served at all-freshman house events in common area spaces (e.g., lounges, hallways, patios/outdoor areas).

Party planners are responsible for planning and carrying out events in compliance with this policy. At least one house or organization officer must assume responsibility for an event's compliance with the policy, and their names must be made available to Stanford's Department of Public Safety and the University upon request.

CONSEQUENCES OF VIOLATION

Educational and rehabilitative measures will be the preferred response to infractions of the Policy unaccompanied by more egregious misconduct. Penalties are calibrated according to the severity of the violation. Misbehavior associated with drug or alcohol use and abuse may result in one or more of the following University consequences:

Individuals who violate the University Residence Agreement may lose their University student housing privileges and/or be reported to the Judicial Affairs Office.

Individuals who violate the University's terms and conditions for student organization recognition as defined in the *Student Organization Handbook* may be subject to expulsion from the student organization.

Student groups which violate the Policy may face suspension of social privileges, as well as the loss of University recognition, meeting space, and housing or other related privileges.

Students should understand that inebriation is never an excuse for misconduct, that the careless or willful reduction, through the use of alcohol or other intoxicants, of their own ability to think clearly, exercise good judgment, and respond to rational intervention may invoke more stringent penalties than otherwise might be levied.

Penalties will be imposed according to the facts and circumstances of each case. They can be imposed singly or in combination by the Office of Residential Education/Graduate Residences, the Office of Student Activities, the Dean of Students Office, and the Office of Judicial Affairs.

CIVIL LIABILITY

While the law regarding civil liability is complex, it is important to know that under some circumstances party hosts, sponsors, bartenders, or others might be held legally liable for the consequences of serving alcohol to underage drinkers or to obviously intoxicated persons. Social hosts or party planners could be sued and found personally responsible for damages to the injured party(ies) including:

Specific damages. These are damages which are measurable. For example, when bodily injury results in medical expenses or lost wages.

General damages. These are damages which cannot not be specifically measured in terms of dollar amount. For example, pain and suffering resulting from bodily injury.

Punitive damages. These are damages which are intended to serve as an example to others and to discourage behavior which is deemed highly undesirable to society.

CRIMINAL LIABILITY

Stanford University is not a sanctuary from the enforcement of state and local laws. Students and others on campus who violate the law may be and have been arrested and prosecuted. Primary responsibility for law enforcement, including that related to alcohol, rests with law enforcement agencies, primarily the Stanford University Department of Public Safety. Uniformed officers who patrol the campus and respond to calls are deputized by the Sheriff of Santa Clara County and are fully empowered and authorized to stop vehicles, make arrests, and enforce all laws. Laws are subject to change; consequently, the following information is illustrative but must not be relied on as a complete and current citing of relevant laws. More information is available at the Stanford Department of Public Safety, 711 Serra Street.

Generally, it is a criminal offense:

1. To provide any alcoholic beverage to a person under 21.
2. To provide any alcoholic beverage to an obviously intoxicated person.
3. For any person under age 21 to purchase alcohol.
4. To be under the influence of alcohol or another drug in a public place and unable to exercise care for one's own safety or that of others.
5. For persons under 21 to possess alcohol in any public place or any place open to the public (for example, public places in student residences).
6. To operate a motor vehicle while under the influence of alcohol or any other drug. Presumed to be driving under the influence (DUI) with a blood alcohol level (BAL) of 0.08% or higher.
7. To ride a bicycle while under the influence of alcohol, drugs, or both.
8. To have an open container of alcohol in a motor vehicle; and, for persons under 21 to drive a vehicle carrying alcohol or to possess alcohol while in a motor vehicle.
9. To have in one's possession, or to use, false evidence of age and identity to purchase alcohol.
10. To possess an open container of alcohol in a public place or any place open to the public. Applies in Palo Alto jurisdiction.
11. To be in possession of an unregistered keg. All kegs sold must be registered at the time of purchase. Identification tags must be placed on all kegs in order to allow kegs to be traced if the contents are used in violation of the law.

WHERE TO GET HELP

In the event of a life threatening emergencies call 9-911 from on-campus and 911 from off-campus.

Campus Resources—(Area Code 650) Counseling and Psychological Services, 24 hours (723-3785); The Alcohol and Other Drug Abuse Prevention Program (723-3429); Stanford Alcohol and Drug Treatment Center (723-6682); Vaden Health Service's Medical Advice Line, 24 hours (723-4841); The Bridge, 24-hour Peer Counseling (723-3392).

The Alcohol and Other Drug Abuse Prevention Program at Vaden Health Service: provides information and referral, educational trainings and workshops, and non-clinical consultations for groups and individuals. The program utilizes a harm reduction approach to prevent problems associated with the use of alcohol, tobacco, and other drugs (723-3429).

The Office of Student Activities at Tresidder Memorial Union: provides workshops and training, publications, and party planning consultations. Web site: <http://www-leland.stanford.edu/dept/OSA/party/> (723-2733).

Community Resources—Alcoholics Anonymous (650) 592-2364, Alanon (650) 873-2356 or (408) 379-1051.

HAZING POLICY

Hazing, as defined by California Education Code sections 32050 and 32051, is not permitted at Stanford University. No individual, recognized student organization, club, team, or any other Stanford-affiliated student group shall plan, engage in, or condone hazing activities, on or off the Stanford campus.

DEFINITION OF HAZING

Education Code section 32050 states: "... 'hazing' includes any method of initiation or preinitiation into a student organization or any pastime or amusement engaged in with respect to such an organization which causes, or is likely to cause, bodily danger, physical harm, or personal degradation or disgrace resulting in physical or mental harm, to any student or other person attending any ... college, university, or other education institution in this state; but the term 'hazing' does not include customary athletic events or other similar contests or competitions."

Education Code section 32051 states: "No student, or other person in attendance at any ... private ... educational institution, shall conspire to engage in hazing, participate in hazing, or commit any act that causes or is likely to cause bodily danger, physical harm, or personal degradation or disgrace resulting in physical or mental harm to any fellow student or person attending the institution. The violation of this section is a misdemeanor, punishable by a fine of not less than one hundred dollars (\$100), nor more than five thousand dollars (\$5,000), or imprisonment in the county jail for not more than one year, or both."

CONSEQUENCES OF A VIOLATION

Stanford University expects its students to conduct themselves in socially responsible and respectful ways. Thus, participation in hazing, either as an individual or as part of any student group, may result in disciplinary action up to and including expulsion, permanent loss of organizational recognition, or loss of eligibility to remain a member of any club, team, or other Stanford-affiliated student group. Consent, implied or expressed, is not a defense to any complaint or charge alleging a hazing violation.

One or more of the following may take institutional disciplinary action: the Organizational Conduct Board; Judicial Affairs; or another University office, such as the Vice Provost for Student Affairs. Institutional action may proceed whether or not a police investigation is undertaken or a criminal charge for hazing is filed by the District Attorney's Office.

APPLICATIONS

Stanford's hazing policy is not intended to prohibit student recruitment or new (or continuing) member activities that are positive and educational in nature, designed to instill a group ethos or unity. Its intent is to deter those behaviors that cause or are likely to cause harm to another student.

Some examples of hazing activities or events may be found online at <http://osa.stanford.edu/publications/>. See sections on hazing in the 2005-06 *Student Organization Handbook* (<http://osa.stanford.edu/publications/soh/>) or the *Greek Guide* (<http://osa.stanford.edu/greek/>). Questions should be directed to the Office of Student Activities, (650) 723-2733.

SMOKE-FREE ENVIRONMENT

The University's policy on a smoke-free environment is published in its complete form in the Administrative Guide as Administrative Guide Memo 23.4, available at http://adminguide.stanford.edu/23_4.pdf, and Judicial Affairs Office web site at <http://www.stanford.edu/dept/vpsa/judicialaffairs/index.html>.

Applicability—This policy applies to all academic and administrative units of Stanford University, including SLAC, and all campus student housing. This policy does not supercede more restrictive policies which may be in force in compliance with federal, state, or local laws or ordinances.

POLICY

The following is quoted from the policy:

1. Policy

It is the policy of Stanford University that the smoking of tobacco products in enclosed buildings and facilities and during indoor or outdoor events (and the selling of tobacco products) on the campus is prohibited.

2. Guidelines

a. **Smoking-Prohibited Areas**—Specifically, smoking is prohibited in classrooms and offices, all enclosed buildings and facilities,

in covered walkways, in University vehicles, during indoor and outdoor athletic events, and during other University sponsored or designated indoor or outdoor events.

- Ashtrays will not be provided in any enclosed University building or facility.
- "Smoking Prohibited" signs will be posted.

- b. **Outdoor Smoking Areas**—Smoking is permitted in outdoor areas, except during organized events. Outdoor smoking areas should be located far enough away from doorways, open windows, covered walkways, and ventilation systems to prevent smoke from entering enclosed buildings and facilities. To accommodate faculty, staff, and students who smoke, Vice Presidents, Vice Provosts, and Deans may designate certain areas of existing courtyards and patios as smoking areas in which case ashtrays must be provided. Costs associated with providing designated smoking areas and ashtrays will be absorbed by the specific academic or administrative unit(s).
3. **Enforcement**—This policy relies on the consideration and cooperation of smokers and non-smokers. It is the responsibility of all members of the University community to observe and follow this policy and its guidelines.
- a. **Smoking Cessation Information**—Smoking cessation programs are available for faculty and staff through the Center for Research in Disease Prevention, and the Health Improvement Program (HIP). Students may contact the Health Promotion Program (HPP) through the Student Health Center for smoking cessation information or programs.
- b. **Repeated Violations**—Faculty, staff, and students repeatedly violating this policy may be subject to appropriate action to correct any violation(s) and prevent future occurrences.
4. **Implementation and Distribution**—Copies of this policy will be disseminated by the Manager of HR Policy/Staff and Labor Relations and the Vice Provost for Student Affairs to all faculty, staff, and students, and to all new members of the University community.

UNIVERSITY STATEMENT ON PRIVACY

Stanford University has an interest in ensuring that the privacy of its students, faculty, and staff is respected, and that no activities interfere with education, research, or residential life.

The University is private property; however, some areas of the campus typically are open to visitors. These areas include White Plaza, public eating areas (such as those at Tresidder Union), outdoor touring areas, and locations to which the public has been invited by advertised notice (such as for public educational, cultural, or athletic events). Even in these locations, visitors must not interfere with the privacy of students, faculty, and staff, or with educational, research, and residential activities. The University may revoke at any time permission to be present in these, or any other areas. Visitors should not be in academic or residential areas unless they have been invited for appropriate business or social purposes by the responsible faculty member, student, or staff member.

No commercial activity, including taking photos or similar audio or visual recordings that are sold to others or otherwise used for commercial purposes, may occur on the campus without the University's permission. Requests for permission should be submitted to the Director of University Communications or, as appropriate, the Dean of Students, the Department of Athletics, or the Office of Public Events. Recognized student groups and official units of the University will be granted such permission so long as they do not violate privacy or property interests of others; so long as any sale of their products is predominantly on campus to students, faculty, and staff; and so long as they comply with applicable University policies and procedures.

Violators of this policy may be subject to criminal and/or civil liability, as well as University disciplinary action.

COMPUTER AND NETWORK USAGE

For a complete text of the currently applicable version of this policy, see Administrative Guide Memo 62, Computer and Network Usage Policy, available at <http://adminguide.stanford.edu/62.pdf>.

POLICY

The following is quoted from the policy:

Users of Stanford network and computer resources have a responsibility not to abuse the network and resources. This policy provides guidelines for the appropriate and inappropriate use of information technologies.

SUMMARY

The following summarizes the policy on Computer and Network Usage:

In particular, the policy provides that users of University information resources must respect software copyrights and licenses, respect the integrity of computer-based information resources, refrain from seeking to gain unauthorized access, and respect the rights of other computer users.

This policy covers appropriate use of computers, networks, and information contained therein. As to political, personal and commercial use, the University is a non-profit, tax-exempt organization and, as such, is subject to specific federal, state, and local laws regarding sources of income, political activities, use of property, and similar matters. It also is a contractor with government and other entities, and thus must assure proper use of property under its control and allocation of overhead and similar costs. For these reasons, University information resources must not be used for partisan political activities where prohibited by federal, state, or other applicable laws, and may be used for other political activities only when in compliance with federal, state, and other laws, and in compliance with applicable University policies. Similarly, University information resources should not be used for personal activities not related to appropriate University functions, except in a purely incidental manner. In addition, University information resources should not be used for commercial purposes, except in a purely incidental manner or except as permitted under other written policies of the University or with the written approval of a University officer having the authority to give such approval. Any such commercial use should be properly related to University activities, take into account proper cost allocations for government and other overhead determinations, and provide for appropriate reimbursement to the University for taxes and other costs the University may incur by reason of the commercial use. Users also are reminded that the .edu domain on the Internet has rules restricting or prohibiting commercial use, and thus activities not appropriately within the .edu domain and which otherwise are permissible within the University computing resources should use one or more other domains, as appropriate.

The University's Information Security Officer is authorized in certain limited circumstances to inspect or monitor private data (including email), such as when there is a reasonable cause to suspect improper use of computer or network resources.

For further information on the topic of peer-to-peer file sharing, see the section above on Copyright.

CHAT ROOMS AND OTHER FORUMS USING STANFORD DOMAINS OR COMPUTER SERVICES

For a complete text of the currently applicable version of this policy, see Administrative Guide Memo 66, Chat Rooms and Other Forums Using Stanford Domains or Computer Services, available at <http://adminguide.stanford.edu/66.pdf>.

POLICY

The following is quoted from the policy:

1. Definition

From time to time, University departments, faculty, students and others may host electronic communication forums, such as chat rooms, newsgroups, bulletin boards, or web sites, whereby various parties may contribute their thoughts on various subjects and where such communication is made available for others to read and comment upon. For purposes of this policy, these sites are collectively referred to as forums.

2. Establishment of Forums

- a. *Connection with University Activities*—Forums that either use the Stanford.edu, Stanford.org, or other Stanford domains, or use University computing facilities, should be established only in connection with legitimate activities of the University.
- b. *University Role*—Unless specifically sponsored by an academic administrative unit of the University, the University's role in connection with these forums will be solely as a passive Internet service provider.
- c. *Terms of Use*—In all cases, as a condition to establishing a forum, forum homepages (where they exist) and each individual forum page should contain a header that states: Subject to Terms of Use and all pages should include a link to the page maintained by the University entitled "Terms of Use." The URL is <http://www.stanford.edu/home/atoz/terms.html>.

3. Operation of Forums

All forums shall be operated in compliance with the Terms of Use, as modified from time to time, and the University's various policies regarding computer facilities and services.

PROTECTION OF CONFIDENTIAL DATA

Stanford University maintains confidential data including Social Security numbers, financial information, health information, and student records. It is incumbent on every member of the Stanford community with lawful access to confidential data to protect it. Confidential data in electronic form should not be stored locally on desktop machines. Staff members should familiarize themselves with applicable laws and University policies on privacy as provided by the University, including Administrative Guide Memo 63, Information Security, <http://adminguide.stanford.edu/63.pdf>, Administrative Guide Memo 64, Identification and Authentication of Systems, <http://adminguide.stanford.edu/64.pdf>, Administrative Guide Memo 65, Electronic Commerce, <http://adminguide.stanford.edu/65.pdf>, and Administrative Guide Memo 67, Information Security Incident Response, <http://adminguide.stanford.edu/67.pdf>.