

Stanford

Published on *Administrative Guide* (<https://adminguide.stanford.edu>)

Home > 1.7.1 Sexual Harassment

1.7.1 SEXUAL HARASSMENT

Last updated on:

08/02/2

Formerly Known As Policy Number:

2.2.4; 23.2

Stanford University strives to provide a place of work and study free of sexual harassment, intimidation or exploitation. Where sexual harassment has occurred, the University will act to stop the harassment, prevent its recurrence, and discipline and/or take other appropriate action against those responsible. See also: [Sexual Harassment Policy Office \[1\] website](#).

Authority:

Approved by the President.

Applicability:

Applies to all students, faculty, staff and others who participate in Stanford programs and activities including Stanford affiliates providing services to Stanford such as mentors and volunteers, and other third parties, such as contractors, vendors, and visitors. Its application includes Stanford programs and activities both on and off-campus, including overseas programs. Students may be complainants under this policy; however complaints against students will fall under [Guide Memo 1.7.3 \[2\] \[2\]](#) and its applicable processes. See Appendix "A" for applicability chart.

1. In General

a. Sanctions for Policy Violations

Individuals who violate this policy are subject to discipline up to and including discharge, expulsion, removal 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. Where sexual harassment has occurred, the University will act to stop the harassment, prevent its recurrence, and discipline and/or take other appropriate action against those responsible. Supervisors and "Responsible Employees" (as defined by [Guide Memo 1.7.3 \[2\]](#)) are expected to report any complaints of sexual harassment they are aware of to the Sexual Harassment Policy Office.

d. Confidentiality

The University recognizes the importance of confidentiality. Sexual harassment advisers and others responsible for implementing 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 law requires disclosure of information and/or when disclosure by the University is necessary to protect the safety of others.

e. Protection Against Retaliation

Retaliation is any materially adverse action that would dissuade a reasonable person from making or supporting a claim of harassment or discrimination. Retaliation violates the law and Stanford's policy. Retaliation can be direct such as changing an employee's work location, pay or schedule, or for students, changing a grade or denying access to a program, or it can be indirect such as intimidating, threatening, or harassing an employee or student who has raised a claim or participated as a witness in an investigation. All parties to a concern are prohibited from engaging in intimidating actions directly or through support persons.

However, intentionally making a false report or providing false information 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. However, sexual harassment 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.

g. Required Training

In compliance with California Government Code Section 12950.1, all supervisors (including faculty) who are employed by Stanford are required to participate in a minimum 2-hour sexual harassment training at least every two years. Other topics covered by this program include illegal discrimination, abusive behavior in the workplace, forms of sexual violence, how to be an active "upstander," supervisor's responsibility to report and how to appropriately respond to reports of sexual violence or harassment within the student and staff communities. Details on who is included and how this requirement can be met are located on the [Sexual Harassment Policy Office website](#) [3]. Further, Stanford may require sexual harassment training of non-supervisory employees. All new employees who are not faculty and who do not supervise other workers will be provided Harassment Prevention Training for New Non-Supervisory Staff generally within six months of hire. Participants will learn how to recognize sexual harassment in the workplace and about campus resources. Other topics covered by this program include illegal discrimination, abusive behavior in the workplace, forms of sexual violence, how to be an active "upstander," how to report and appropriately respond to reports of sexual violence or harassment within the student and staff communities. Registration is through [Axess on the STARS /Training tab](#) [4].

[Back to top](#)

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 (Quid Pro Quo), **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 (Hostile Environment).

Determining what constitutes sexual harassment depends on the specific facts and 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 same or different gender, gender expression, gender identity or sexual orientation.
- Occur between peers or between individuals in a hierarchical relationship.
- 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.
- Consist of repeated actions or may even arise from a single incident if sufficiently egregious.

The University's policy on Prohibited Sexual Conduct (see [Guide Memo 1.7.3 \[5\]](#)), may also apply when sexual harassment involves unwanted physical contact. Under Title IX, sexual violence (sexual misconduct and sexual assault) is a severe form of sexual harassment.

[Back to top](#)

3. What to Do About Sexual Harassment

Use these resources for additional information:

- For information, consultation, advice or to lodge a complaint, contact the Sexual Harassment Policy Office at 585 Capistrano Way, Mariposa House, Stanford, CA 94305-8210, (650) 724-2120; email to harass@stanford.edu [6]. **Note:** 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> [1].
- Any designated Sexual Harassment Adviser or resource person listed in Sections 3.a or 5.a.
- For incidents involving students, contact Catherine Glaze, Title IX Coordinator at (650) 497-4955; email to titleix@stanford.edu. [7] See also <https://notalone.stanford.edu> [8].

The following are the primary methods for dealing with sexual harassment at Stanford when the respondent is a faculty, staff, affiliate, or other third party. (For situations in which a student is the alleged wrongdoer, the process followed is provided in the [Student Title IX Process \[9\]](#)). There is no requirement to follow these options in any specific order. However, early informal methods are often effective in correcting inappropriate behavior.

a. Consultation

Consultation about sexual harassment is available from the Sexual Harassment Policy Office, Sexual Harassment Advisers including residence deans, human resources managers, employee relations specialists, counselors with the Confidential Support Team or Counseling and Psychological Services (CAPS) or the Faculty & Staff Help Center, deans at the Office for Religious Life at Memorial Church, the Ombuds and others. A current list of Sexual Harassment Advisers is available from the Sexual Harassment Policy Office and their web directory of [Sexual Harassment Advisers \[10\]](#). Consultation is available for anyone who wants to discuss issues related to sexual harassment, whether or not "harassment" actually has occurred or the person seeking information is a complainant, a person who believes their 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:

For students:

- The Stanford University Confidential Support Team is available 24 hours a day. Office: (650) 736-6933; after-hours hotline: (650) 725-9955; <https://vaden.stanford.edu/get-help-now/sexual-assault> [11]
- Counseling and Psychological Services (CAPS) [12] at (650) 723-3785

For faculty, staff and postdoctoral scholars:

- Counselors at the Faculty & Staff Help Center [13] at (650) 723-4577; helpcenter@lists.stanford.edu [14]

For all in the Stanford Community:

- Deans at the Office for Religious Life at Memorial Church [15]
- The University Ombuds [16],
- The Medical Center Ombuds [17]

In these cases, the level of confidentiality depends on what legal protections are held by the individual receiving the information and should be addressed with them before specific facts are disclosed. For more information see <http://harass.stanford.edu/help/resources> [18].

b. Student Processes

Unless the matter involves sexual harassment of a student by faculty, staff, affiliate, or other third party, allegations of sexual harassment against a student are not subject to Guide Memo 1.7.1, but are instead subject to the sexual harassment definition provided in [Guide Memo 1.7.3](#) [2] and allegations are reviewed under the [Student Title IX Process](#) [9].

To report a student matter contact Catherine Glaze, Title IX Coordinator, at (650) 497-4955; email to titleix@stanford.edu [7]. See also <https://notalone.stanford.edu> [8].

c. Faculty & Staff Processes

(1) Direct Communication

Although not required, 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.

(2) Third Party Intervention

Depending on the circumstances, third party intervention in the workplace or academic setting may be attempted. Third party may be the Sexual Harassment Advisers, human resources professionals, the Ombuds, other faculty or staff, or sometimes a mediator unrelated to the University. When third party intervention is used, typically the third party(ies) meets privately with each person involved, tries to clarify their perceptions and attempts to develop a mutually acceptable understanding that can insure 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 or other relief, where appropriate.

(3) Investigations

If significant facts are contested, a prompt investigation may be undertaken. The investigation will be conducted by impartial and trained personnel in a way that respects, to the reasonable extent possible bearing in mind the safety of the campus community, the privacy of all of the persons involved. In appropriate cases, professional investigators may be asked to conduct or assist in the investigation. In making a finding, the investigator will use the “preponderance of the evidence” standard; is it more likely than not that the reported allegations are true. The guideline for investigations to conclude is 60 days; however in some cases, there are unforeseen circumstances that may impact this timeline. The results of the investigation may be used in the third party intervention process or in a grievance or disciplinary action.

(4) Formal Grievance, Appeal and Disciplinary Processes

Grievance, appeal or disciplinary processes may be pursued as applicable.

(5) 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, of fact-finding process 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; the director of the Sexual Harassment Policy Office or the directors in Employee & Labor Relations, University Human Resources can help assure that this occurs. Stanford affiliates providing services to Stanford such as mentors and volunteers, and other third parties, such as contractors, vendors, and visitors do not have grievance or appeal rights under this policy.

In most cases, grievances and appeals must be brought within a specified time after the action in question. While informal resolution efforts will not automatically extend the time limits for filing a grievance or appeal, in appropriate circumstances the time for filing a grievance or appeal may be extended. See [Stanford's Grievance Policy 2.1.11](#); or as applicable, [19][Faculty Handbook](#) [20], section 4.1.C

A list of the grievance and appeal procedures are located online or from the Sexual Harassment Policy Office.

- For staff, refer to Guide Memo 2.1.11 [21]: Grievance Policy, or Frequently Asked Questions [22] on the grievance process.
- For Academic Staff-Librarians and Academic Staff-Research Associates, refer to the Research Policy Handbook at Grievance Procedure: Academic Staff [23].

(5) 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. Faculty members are subject to the [Statement on Faculty Discipline](#) [24].

[Back to top](#)

4. Procedural Matters

a. Record keeping

The Sexual Harassment Policy Office will track reports of sexual harassment for statistical purposes and report at least annually concerning their number, nature and disposition to the University President through the Dean of Research.

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.

b. 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/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 [Guide Memo 2.4.6](#) [25].

[Back to top](#)

5. Resources for Dealing with Sexual Harassment

a. Advice

Persons who have concerns about sexual harassment should contact the Sexual Harassment Policy Office, any [Sexual Harassment Adviser](#) [26] 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 delayed for a long period, 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** [26], 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 Sexual Harassment Adviser assigned

to each of the schools at the University and to each large work unit. All of the residence deans and deans in the Graduate Life Office 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. This 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 [1].
- As stated previously, individuals with concerns about sexual harassment may also discuss their concerns informally with psychological counselors (for example through the counselors with the Confidential Support Team, CAPS, or the Faculty & Staff Help Center) Deans in the Office for Religious Life, or the University or Medical School Ombuds. For more information, go to <https://harass.stanford.edu/help/resources> [27].
- **Title IX Coordinator:** students and others may confer with Catherine Glaze, Title IX Coordinator, at (650) 497-4955, titleix@stanford.edu [7].

b. External Reporting

Sexual harassment is prohibited by state and federal law. In addition to the internal resources just described, 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 \(EEOC\)](#) [28], the [Office for Civil Rights \(OCR\) of the U.S. Department of Education](#) [29], and the [State of California Department of Fair Employment and Housing \(DFEH\)](#) [30]. A violation of this policy may exist even where the conduct in question does not violate the law.

[Back to top](#)

6. Policy Review and Evaluation

This policy went into effect on October 6, 1993, and amended November 30, 1995, May 30, 2002, August 30, 2012, June 11, 2013, December 6, 2013, and August 2, 2016. It is subject to periodic review, and any comments or suggestions should be forwarded to the Director of the Sexual Harassment Policy Office.

APPENDIX "A"

Applicability of Stanford Policies Pertaining to Sexual Harassment

NOTE: The applicable policy for sexual harassment is based on the role of the alleged wrongdoer within the University. [Administrative Guide Memo 1.7.1](#) [31] applies to incidents in which a faculty, staff or other third parties is alleged to have engaged in sexual harassment of a University community member. Stanford's [Guide Memo 1.7.3](#) [2] (Prohibited Sexual Conduct policy) applies to incidents in which a student is alleged to have engaged in sexual harassment of a University community member. [Guide Memo 1.7.2](#) [32] applies to all University members who are alleged to be in a prohibited consensual sexual or romantic relationship.

	SEXUAL HARASSMENT	SEXUAL VIOLENCE, DATING OR RELATIONSHIP VIOLENCE, STALKING	PROHIBITED CONSENSUAL RELATIONSHIPS
Student Alleged Wrongdoer	Guide Memo 1.7.3	Guide Memo 1.7.3	Guide Memo 1.7.2
Faculty/Staff Alleged Wrongdoer	Guide Memo 1.7.1	Guide Memo 1.7.3	Guide Memo 1.7.2
Affiliate Alleged Wrongdoer	Guide Memo 1.7.1	Guide Memo 1.7.3	Guide Memo 1.7.2 (as to affiliates only)
Third Party Alleged Wrongdoer	Guide Memo 1.7.1	Guide Memo 1.7.3	Not applicable

[Back to top](#)

Source URL (modified on 08/03/2016 - 17:56): <https://adminguide.stanford.edu/chapter-1/subchapter-7/policy-1-7-1>

Links

- [1] <http://harass.stanford.edu>
- [2] <https://adminguide.stanford.edu/chapter-1/subchapter-7/policy-1-7-3>
- [3] <http://harass.stanford.edu/training>
- [4] <https://axess.stanford.edu>
- [5] <https://adminguide.stanford.edu/1-7-3>
- [6] <mailto:harass@stanford.edu>
- [7] <mailto:titleix@stanford.edu>
- [8] <https://notalone.stanford.edu>
- [9] <https://stanford.app.box.com/v/student-title-ix-process>
- [10] <https://harass.stanford.edu/help/advisers>
- [11] <https://vaden.stanford.edu/get-help-now/sexual-assault>
- [12] <http://vaden.stanford.edu/caps/about-us>
- [13] <http://helpcenter.stanford.edu>
- [14] <mailto:helpcenter@lists.stanford.edu>
- [15] <http://web.stanford.edu/group/religiouslife/cgi-bin/wordpress/>
- [16] <http://www.stanford.edu/dept/ombuds/>
- [17] <http://www.med.stanford.edu/ombuds/>
- [18] <http://harass.stanford.edu/help/resources>
- [19] <https://adminguide.stanford.edu/chapter-2/subchapter-1/policy-2-1-11>
- [20] <https://facultyhandbook.stanford.edu/>
- [21] <https://adminguide.stanford.edu/2-1-11>
- [22] <https://stanford.box.com/s/pgxevwjnpz5s5x17i2pk39it5uieht60>
- [23] <http://doresearch.stanford.edu/policies/research-policy-handbook/non-faculty-research-appointments/grievance-procedure-academic>

- [24] <http://www.stanford.edu/dept/provost/faculty/policies/handbook/ch4.html#statementonfacultydiscipline>
- [25] <https://adminguide.stanford.edu/chapter-2/subchapter-4/policy-2-4-6>
- [26] <http://harass.stanford.edu/help/advisers>
- [27] <https://harass.stanford.edu/help/resources>
- [28] <http://www.eeoc.gov/>
- [29] <http://www2.ed.gov/about/offices/list/ocr/index.html>
- [30] <http://www.dfeh.ca.gov/>
- [31] <https://adminguide.stanford.edu/chapter-1/subchapter-7/policy-1-7-1>
- [32] <https://adminguide.stanford.edu/chapter-1/subchapter-7/policy-1-7-2>