



**Report of the Committee  
on Sexual Harassment and Assault  
Prevention Education  
in Yale College**

**Submitted to  
Dean Peter Salovey  
May 22, 2008**

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Dean Peter Salovey on May 22, 2008**

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## **Executive Summary**

In March 2008, Dean Salovey appointed this committee to review sexual harassment and sexual assault prevention education and response in Yale College. The committee was charged with evaluating the programs currently in place and recommending alternative or additional programs and the best venues for presenting them. The committee was composed of nine members including three undergraduate students who are involved in a number of related student organizations on campus. It met on a weekly basis in addition to meeting separately as two working groups – one that focused on existing and immediate educational programs and outreach, and the other that focused on responses to the procedures concerning reported incidents. The committee met with the key faculty and administrators dealing with these issues, and collaborated on a unified report.

In each section of the report, the committee responsible for that section made appropriate recommendations it believes must be addressed in the near future. This executive summary provides the overall recommendations that the committee agree are critical to the issues of sexual harassment and sexual assault prevention education and response in Yale College.

The committee recommends all of the following:

- Allocating more resources to the SHARE Center
- Establishing a university-wide standing Committee on Sexual Harassment and Sexual Assault
- Clear and strong statements from campus leaders that sexual harassment and assault will not be tolerated in our community
- Improving programming and outreach related to sexual harassment and assault prevention to freshman during Freshman Orientation and throughout the freshman year, as well as to all Yale College undergraduates
- Improving training and education related to sexual harassment and assault prevention to freshman counselors, deans, and masters

# **Report of the Committee on Sexual Harassment and Sexual Assault Prevention Education**

## **I Background**

In March 2008, Dean Salovey appointed this committee to review sexual harassment and sexual assault prevention education and response in Yale College. The committee was charged with evaluating the programs currently in place and recommending alternative or additional programs and the best venues for presenting them. The committee was composed of nine members including three undergraduate students who are involved in a number of related student organizations on campus. Beginning in April 2008, the committee met twice a week and carefully reviewed current resources, as well as reports and procedures related to sexual harassment and sexual assault. It is hoped that the committee's immediate recommendations detailed in this report will be implemented in an expedient manner.

The committee was divided into two working groups – one focused on existing and immediate educational programs and outreach, and the other focused on response to the procedures concerning reported incidents.

## **II Committee on Educational Outreach and Training Related to Sexual Harassment and Sexual Assault Prevention**

The committee noted and applauded recent efforts in Yale College to enhance training and education related to sexual harassment and assault prevention, but still believes that more can and should be done about these issues. The following recommendations concerning the prevention education are divided into three categories: a) programs designed specifically for freshmen; b) programs designed for all undergraduates; and c) programs for freshman counselors, deans, and masters.

### **a) Programs for Freshmen**

The committee reaffirmed the critical importance of providing freshmen with educational programs related to sexual harassment and assault prevention. All students need to know – from their first days at Yale – that harassment, intimidation, and assault violate our most fundamental communal standards and dramatically impact both victims and perpetrators. Moreover, national statistics demonstrate that students are most vulnerable to sexual assault during the first semester of their freshman year. The committee, therefore, recommends that the Yale College Dean's Office consider ways to improve outreach to freshmen during Freshman Orientation and throughout the freshman year.

i) *Freshman Orientation*

The committee recognized and welcomed recent expansions to both the quantity and quality of programming devoted to sexual assault prevention during freshman orientation. Since 2004, the schedule has included “Sex Signals,” a presentation developed by two professional actors with training in sexual assault prevention. The performance examines gender stereotypes as a way of taking a provocative look at the miscommunication that can occur in intimate encounters. It also specifically explores the issue of consent through an acquaintance rape scenario. Although the program is successful and widely used at many college campuses, **the committee recommends asking the creators to revise the script to discuss topics more relevant to the Yale campus and emphasize more clearly the frequent role of alcohol in acquaintance rape. The committee also believes that small, same-sex discussion groups should be added following these presentations to give students an opportunity to discuss the material presented, as well as specific training should be provided to the freshman counselors to help them lead these group discussions.** In addition to Sex Signals, **the committee recommends giving more attention to the topic of sexual assault during the student-run “Connections Workshops” that take place at the end of Freshman Orientation.** These workshops, led by the Peer Health Educators, provide an important and helpful student perspective on these issues, but they need to continue to improve the timing, content, and delivery of these workshops. The committee also discussed the possibility of establishing “Connections Workshops II” that would take place in January. It would also be worthwhile to explore the possibility of producing a video much like the one that was produced for Deans and Directors on diversity – have students tell their stories, acted out by others and then shared with a group, followed by discussion sessions.

ii) *Other programs during freshman year*

Although it is very important to discuss sexual harassment and assault prevention during Freshman Orientation, **the committee believes that these topics should also be revisited throughout freshman year as students become more familiar with the rhythms of college social life.** A member of the committee, George Levesque, the current Dean of Freshman Affairs, reported that the Dean’s Office is hoping next year to **implement mandatory monthly freshman meetings with freshman counselors,** which would allow the Dean’s Office to continue several aspects of the orientation program. **The committee welcomes this addition and urges the Dean’s Office to include follow-up discussion of sexual assault and sexual harassment during those meetings. The committee also believes there is much to be gained by same sex break-out groups.** Much of the discussion is now centered on the appropriate message of “No means no.” The committee believes this message must continue but at the same time, men and woman must BOTH act responsibly and should avoid getting themselves in situations that inevitably lead to a bad outcome. Further, the committee thinks

that any and all change will come from peers telling the story, not the administration and thus, the more peers – freshman counselors and others – that get involved – the better.

**b) Programs for All Undergraduates**

In addition to programs designed specifically for freshmen, the committee believes that Yale College should engage all undergraduate students by promoting more high-profile and campus-wide events, developing programs for the residential colleges, and increasing public awareness of these issues and the resources on campus.

*i) Campus-wide events*

The committee recommends continuing to invite nationally-known and provocative speakers. In recent years, the SHARE Center has invited Brett Sokolow, an attorney and President of the National Center for Higher Education Risk Management, to deliver a presentation on “Drunk Sex or Date Rape: Can You Tell the Difference?,” which describes a true case involving two college students, alcohol, and an accusation of rape. His visits have been highly effective and have grown in popularity, but many more students would benefit from hearing his presentation. **The committee recommends inviting Mr. Sokolow to return to Yale every October before Halloween and before many of the annual campus-wide dances and parties take place. It also recommends inviting other nationally prominent speakers in the field of sexual assault education and prevention in the spring semester.** The committee recognizes that it would be impossible to make these presentations mandatory for all students, but it believes it is very important for a wide range of students to attend these events, and it asks the Dean’s Office to consider ways to encourage attendance. For example, the Dean’s Office might require all officers of student organizations to attend these events as a condition of receiving funding or other privileges, or the athletic department might require all captains to attend.

*ii) Residential college events*

Although the committee believes that large public events are very useful for raising awareness, it also recognizes that some of the best conversations on these topics take place in smaller contexts. The committee believes that residential colleges are ideal ready-made communities for these kinds of conversations: students know each other and have a meaningful relationship with the administrative leadership of the college. **It recommends, for example, offering “One-in-Four” presentations in each residential college. (“One-In-Four” is a men’s group that offers presentations specifically for men to raise awareness about sexual assault in general but specifically to a male audience.** Forming a similar group to present for a female audience is equally important (see above). The value of presentations like these is that they teach students both how to avoid



possible sexual assault situations, as well as how to support each other and seek help if a sexual assault occurs. **The committee then asks the Dean's Office and the Council of Masters to work collaboratively to host programs like these in all the colleges.**

iii) *Greater campus-wide publicity*

Finally, **the committee recommends greater campus-wide publicity about sexual harassment and assault prevention.** It suggests, for example, that the Yale College Dean's Office send an email to all students at the beginning of each semester detailing Yale's standards relating to sexual harassment and assault, as well as providing information about the SHARE Center and the Sexual Assault and Harassment Grievance Board. The committee recommends distributing durable and attractive posters about the issues of consent and about the resources of the SHARE Center that could be hung in each college and around campus.

c) **Training and Education for Freshman Counselors, Deans, and Masters**

In addition to improving the educational programs for students about sexual harassment and assault prevention, **the committee believes that training must be improved for freshman counselors, deans, and masters.** Sensitivity to the student and knowledge of the resources available are critical. Sometimes, swift action is necessary, and many staff members have acknowledged that they feel unprepared to respond to these situations adequately.

i) *Freshman counselor training*

After the SHARE Center was established in 2006, specific information and training concerning sexual assault prevention and response was added to the freshman counselor training schedule. The training sessions have included definitions and statistics for various levels of assault, state laws, prevalence of sexual assaults on college campuses, likely perpetrators and victims, the impact on victims, and possible actions and responses in the event of a sexual assault. Training has also included scenarios, the definition of consent, the role of alcohol in sexual assaults, the importance of prevention and peer support, resources for victims and their friends, information about the Sexual Harassment Grievance Board and the Executive Committee, and the purpose and role of the SHARE Center. Each Freshman Counselor also receives a two-sided protocol outlining the ways to respond and access resources when freshman come to them to report an experience of sexual assault.

The committee applauds this recent addition and strongly encourages continuing it, but **it also believes this training could be improved and should be expanded to cover sexual harassment.** Such training should include definitions, the impact of experiencing sexual harassment, how to respond to a student who has experienced sexual harassment, and the procedures and protocols to follow when

a student wishes to make a complaint. **The committee also recommends that a panel, similar to the one organized by RSVP and supported by the SHARE Center in the fall of 2007, be added to freshman counselor training, following the information sessions on sexual assault and sexual harassment.** This panel presentation was a successful campus event that provided an opportunity for students to hear how sexual assault calls are responded to and what resources are available. The panel would consist of a representative from the SHARE Center, Urgent Care of Yale Health Services, OBGYN, the Emergency Department of Yale New Haven Hospital, the Yale Police Department, the Sexual Harassment Grievance Board, the Executive Committee, and the New Haven Rape Crisis Center. Because any one or all of these representatives may be involved when a student reports a sexual assault, each representative would be able to address how he or she works as an individual resource as well as how all resources represented by the panel operate collaboratively in providing services to victims.

ii) *Training and education for masters and deans*

Masters, residential college deans, and deans in the Yale College Dean's Office currently receive very little direct information and training concerning sexual assault prevention and response. The committee believes that should change. At a minimum, **the committee thinks it would be very useful and efficient for masters and deans to attend the relevant portion of freshman counselor training.** It believes that the masters and deans would not only gain useful information but their presence during this training would help reinforce the importance of this topic and the importance of good communication among relevant parties whenever there is an alleged incident. The committee also thinks it would be useful for the Director of the SHARE Center, Dr. Carole Goldberg, to meet annually with the deans and masters, perhaps at a joint meeting, to provide updated protocols and receive feedback about campus programs.

### **III Committee on Response to Reported Incidents of Sexual Harassment and Sexual Assault**

The committee focused on the formal responses that Yale College offers to students who have a complaint of sexual assault or sexual harassment. It examined the functioning and procedures of the Executive Committee and the Sexual Harassment Grievance Board. The committee members met with Dean Jill Cutler, secretary of the Executive Committee, and with Prof. Peter Parker, the chair of the Sexual Harassment Grievance Board. We also read recent reports assessing the functioning of these two bodies, and looked at recent changes in Harvard's Administrative Board procedures (appendix H). Based on this information, our **main recommendation consists of establishing a committee in the fall 2008 to look closely at the procedures that both the Yale College Executive Committee and the Grievance Board for Student Complaints of Sexual Harassment use to handle sexual assault and sexual**

**misconduct cases.** It hopes that this body will include at least one individual from outside the university (specific recommendations are listed below).

**a) Yale College Executive Committee**

The Executive Committee, appointed by the Dean of Yale College, is the standing committee of the Yale College Faculty charged with hearing complaints of alleged infractions of the *Undergraduate Regulations*. It consists of ten regular voting members, including three tenured and three untenured members of the Yale College Faculty, three undergraduate students, and the Dean of Yale College or the Dean's representative. In addition, there are three officers of the Executive Committee (a chair, a fact-finder, and a secretary) which constitute the Coordinating Group. Rather than appear before the full committee, most students are involved in cases in which they admit the validity of the complaint and, hence, opt for a “disposition without a formal hearing” before the Coordinating Group. Cases in which students dispute their charges that involve the meeting of the full Executive Committee, are rare. The following penalties are among those that the committee can impose on students who do not follow the *Yale College Undergraduate Regulations*:

1. *Reprimand*. (This is a matter of internal record only. Upon graduation, records of reprimands in college deans' offices will be destroyed.)
2. *Probation*. The student is in official jeopardy. The commission of a serious offense while on probation will normally result in suspension or expulsion.
3. *Restriction*. Denial of the use of certain University facilities or of the right to participate in certain activities or to exercise certain privileges.
4. *Suspension*. Separation from the University for a stated period of time. A suspended student forfeits all privileges of enrollment, including residence, attendance at classes, participation in organized extracurricular activities, and use of University libraries as well as athletic and other facilities. Suspension may require petition for readmission.
5. *Expulsion*. Permanent separation from the University. Expulsion shall be recorded on the academic transcript.
6. *Fines*.<sup>1</sup>

In addition to imposing these penalties for offenses subject to disciplinary action, the University may refer students for prosecution.<sup>2</sup>

**Based on this information, this committee recommends that this new committee described above considers:**

- **a fact-finder who is fully-trained in investigating charges of sexual assault and is not a member of the Yale College faculty**

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<sup>1</sup> Penalty section reported from the *Undergraduate Regulations* on General Conduct and Discipline found at the following website: <http://www.yale.edu/yalecollege/publications/uregs/general.html#v> (access on 12 May 2008).

<sup>2</sup> Ibid.

- **training a sub-set of the committee in the issues surrounding sexual assault adjudication**
- **including the definition of consent in the *Yale College Undergraduate Regulations***
- **establishing an outcome other than guilty or not guilty, such as “take no action” (based on Harvard Administrative Board model, appendix H – page 144 and 145)**
- **finding a hearing room and confidential listening rooms for complainant and respondent that are more professional than the current *ad hoc* arrangements**
- **creating community service as a reprimand/probation/suspension alternative**
- **requiring release of the summary of Executive Committee decisions from the previous academic year within the first month of the following academic year**
- **enhancing the current Executive Committee website to describe its procedures and penalties**

**b) Yale College Grievance Board for Student Complaints of Sexual Harassment**

The Grievance Board for Student Complaints of Sexual Harassment, appointed by the Dean of Yale College, is the standing committee of the Yale College Faculty charged with informal hearing of complaints of sexual harassment and sexual assault. It consists of seven members, including two members of the Yale College Faculty, Dean of Student Affairs, a residential college dean, two undergraduate students, and a clinical psychologist. The Board receives complaints of sexual harassment of an undergraduate student by another undergraduate student, a member of the Yale College Faculty, an administrator, an employee in Yale College, or a teaching fellow. A student may also seek informal and confidential advice from any member of the Grievance Board. A student complaint of sexual harassment against another undergraduate may also be brought to the Yale College Executive Committee for a formal hearing.

Based on this committee’s brief investigation, the Grievance Board appears to fill an important need in the informal resolution of student complaints of sexual harassment and sexual assault. The composition of the board, the strategy of working in small groups on specific cases while discussing outcomes as a group, the ongoing training, and the relative continuity of many of the members appears to strengthen the Board’s effectiveness. **The committee recommendations include:**

- **adding training in techniques of questioning, since so much of the committee’s work is based on oral testimony**
- **annual training/review of sexual assault and sexual harassment prevention and information**
- **more thorough review of the Board’s procedures**
- **enhancement of the Grievance Board website to include its procedures and statistics**

## IV Overall Recommendations

The committee on sexual harassment and sexual assault prevention education agreed on the following over-arching recommendations:

### 1. Recommendation for allocating more resources to the SHARE Center

In all of our discussions with students and administrators, the work of the SHARE Center and its director, Dr. Carole Goldberg, received the highest praise. The Center provides a 24 hour a day, seven day a week response phone line for students, faculty and administrators who call for assistance, resources or crisis support. SHARE Counselors are available to meet with students emergently, to facilitate medical care, and/or to accompany him or her to the Emergency Department at Yale New Haven Hospital when requested. Follow-up care is also available when needed or desired. The Center, currently located at 55 Whitney Avenue, will be relocated in a prominent position in the new health services facility upon completion. The Center has a collection of books, articles, DVDs, posters, brochures and awareness/prevention material available for all students. The Center works closely with student groups such as RSVP (Rape and Sexual Violence Prevention) and One in Four – Men Against Rape to raise awareness by sponsoring and participating in campus wide, sexual assault prevention programs. The Center's director also meets biannually with directors of sexual assault services from other Ivy League schools to compare, update, and share information regarding procedures and programs. The committee agreed that SHARE website is currently the best source of information about sexual assault and sexual harassment. **It, therefore, strongly recommends that more resources be directed to this center, to allow its director to expand her staff and outreach activities, such as establishing a Speaker's Fund.**

### 2. Recommendation for establishing a university-wide standing Committee on Sexual Harassment and Sexual Assault

The committee found the recent report on Sexual Harassment and Sexual Assault from the Yale School of Medicine (Appendix D) to be very helpful. The report demonstrated an appreciation of how Yale's various schools are intertwined on these issues. The committee was interested in learning more about the current level of training that faculty and/or graduate student teaching fellows receive on sexual harassment. **It recommends, therefore, that Dean Salovey propose to the Provost or the President the establishment of a University-wide standing Committee on Sexual Harassment and Sexual Assault that might turn its focus each year on examining and making suggestions for improvement of the education and outreach, as well as the response procedures of each of Yale's Schools.**

### 3. Recommendation for clear and strong statements from campus leaders reinforcing that sexual harassment and sexual assault will not be tolerated in our community.

Much of our discussion was focused on ways to change the campus culture so that there is no tolerance for sexual harassment or sexual assault, and so that discussions of the need to establish verbal consent for sexual activity become commonplace. The committee noted the excellent discussion of consent on the SHARE website, and the statement that “members of the Yale community consider sexual harassment an intolerable form of behavior, one that seriously threatens the bonds of trust upon which our community depends” on the Grievance Board for Student Complaints of Sexual Harassment website. The committee hopes that the leaders of Yale College, including Dean Salovey and Dean Gentry, will use every opportunity to convey these messages.

The members of the committee appreciate the opportunity Dean Peter Salovey has given us to contribute to the improvement of sexual harassment and assault prevention education and response in Yale College. We hope that our immediate recommendations detailed in this report will be implemented in an expedient and effective manner. We are looking forward to hearing the views of the rest of the Yale College community and to providing any assistance we can in executing these recommendations.

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in Yale College**

**May 2008**

**APPENDICES**



**Appendix A**  
*Sexual Harassment and Assault Resources and Education (SHARE)*

## Sexual Harassment and Assault Resources & Education (SHARE) 203.432.6653

### Sexual Assault

- [What is sexual assault?](#)
  - [What is the definition of acquaintance rape and date rape?](#)
  - [What is the definition of consent?](#)
  - [What are “date rape drugs”?](#)
  - [How can you protect yourself against Date Rape Drugs?](#)
  - [What is the Sexual Harassment & Assault Resource & Education \(S.H.A.R.E.\) number and what will happen when you call?](#)
  - [What to do immediately following a sexual assault](#)
  - [What to do within 24 hours of a sexual assault](#)
  - [What to do in the days following a sexual assault](#)
  - [Should you disclose the sexual assault or take legal action?](#)
  - [What resources are there for men who have been sexually assaulted?](#)
  - [What are the Connecticut Laws concerning sexual assault and rape?](#)
  - [Who is likely to be a victim of sexual assault?](#)
  - [How can someone minimize their risk of being sexual assaulted?](#)
  - [How does someone recover from a sexual assault?](#)
  - [What are some common “Rape Myths”?](#)
  - [What are some important facts that should be known concerning rape and sexual assault?](#)
  - [What services are available for sexual assault survivors at Yale University Health Services and the Mental Health & Counseling Center?](#)
  - [Resources for sexual assault survivors](#)
  - [How would I help a friend who has been sexually assaulted?](#)
  - [Whom would I contact if I wanted more information?](#)
  - [What student groups at Yale focus on sexual assault prevention and information?](#)
- 

### Sexual Harassment

- **Yale College:**  
[www.yale.edu/yalecollege/students/services/harassment.html](http://www.yale.edu/yalecollege/students/services/harassment.html)  
[www.yale.edu/yalecollege/publications/uregs/complaint.html#d](http://www.yale.edu/yalecollege/publications/uregs/complaint.html#d)
- **Yale Medical School:**  
[www.med.yale.edu/owm/grievance\\_procedures.pdf](http://www.med.yale.edu/owm/grievance_procedures.pdf)  
[http://info.med.yale.edu/ysm/policy/sexual\\_harassment.html](http://info.med.yale.edu/ysm/policy/sexual_harassment.html)  
[www.yale.edu/equalopportunity](http://www.yale.edu/equalopportunity)

[Medical School Peer Advocates](#)

[Yale University School of Medicine Dean's Board on Sexual Harassment 2007-08](#)

- **Yale Law School:**  
[www.law.yale.edu/inside/pdf/student\\_affairs/RightsDuties.pdf](http://www.law.yale.edu/inside/pdf/student_affairs/RightsDuties.pdf)
- **Yale Graduate Schools:**  
[www.yale.edu/graduateschool/academics/sexual\\_harassment.html](http://www.yale.edu/graduateschool/academics/sexual_harassment.html)  
[www.yale.edu/graduateschool/academics/forms/grievanceProcedures.pdf](http://www.yale.edu/graduateschool/academics/forms/grievanceProcedures.pdf)
- **Yale School of Nursing:**  
<http://nursing.yale.edu/Academics/Policies/>
- **Yale School of Public Health**  
[http://publichealth.yale.edu/pdf/Code\\_of\\_Academic\\_%20and\\_Professional\\_Integrity.pdf](http://publichealth.yale.edu/pdf/Code_of_Academic_%20and_Professional_Integrity.pdf)

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## Sexual Assault

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### What is sexual assault?

Sexual assault is any undesired physical contact of a sexual nature perpetrated against another person. While associated with rape, sexual assault is much broader.

According to the U.S. Department of Health and Human Services, sexual assault is any type of sexual activity that you do **not** agree to, including:

- inappropriate touching
- vaginal, anal, or oral penetration
- rape/sexual intercourse that you say “no” to
- rape
- attempted rape
- child molestation

Sexual assault and rape can be perpetrated by a date, a friend, an acquaintance, a family member, someone in authority, or a stranger.

Sexual assault and rape may be accomplished by physical force but also by overpowering another by intimidation, and/or threat of force. The psychological damage done by this intimate violation may be substantial, both in cases where long-lasting physical injury is

sustained and in cases where there is not a long-lasting physical injury. Anyone is a potential victim of sexual assault and rape.

Sexual assault happens to both men and women regardless of race, class, religion, sexual orientation, age and ability. Perpetrators of sexual assault can also be a man or woman from any race, class, religion, sexual orientation, age and ability.

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### What is the definition of acquaintance rape and date rape?

Acquaintance rape is a non legal term used to highlight the fact that most victims know their assailants. Acquaintance rape is defined as a person being subjected to unwanted sexual intercourse, oral sex, anal sex, or other sexual contact through the use of force or threat of force by someone known to the victim. Sexual coercion is defined as unwanted sexual intercourse, or any other sexual contact subsequent to the use of menacing verbal pressure or misuse of authority (Koss, Hidden Rape: Sexual Aggression and victimization in the national sample of students in higher education, 1988).

- Acquaintance rape is one of the most common types of rape.
- Over two thirds of all sexual assault victims between the ages of 18-29 reported having a prior relationship with their attacker (Bureau of Justice Statistics, 1997).
- Like stranger rape, acquaintance rape is a crime of violence and an attempt by the attacker to assert power.
- When someone is sexually assaulted he or she may experience a wide range of reactions such as:

shock	depression	embarrassment
disbelief	anger	mood swing
fear	denial	irritability
restlessness	apathy	disturbed sleep
changes in eating habits		

- Victims of acquaintance rape experience the same reactions to the assault as victims of stranger rape, although loss of self esteem appears to be a particular problem when the perpetrator is known to the victim.
- Survivors of acquaintance rape may also feel guilty or responsible for the assault.

- Survivors of acquaintance rape may also question their judgment and/or have difficulty trusting people.
- Coping may be more difficult for a victim of date and acquaintance rape because of a failure of others to recognize that the emotional impact is just as serious.

Date rape is defined in the same manner as acquaintance rape but with the focus on the dating relationship. Date rape is any forced or coerced sexual activity within a dating relationship. This is also a non legal term that highlights the fact that most victims know their assailants.

- Date rape often occurs in a context that is confusing for both the rapist and the victim.
- Throughout their lives men are conditioned to act aggressively and to experiment with sex as part of their masculinity.
- Men may sometimes believe that spending money on a woman entitles him to sex at the end of the date.
- If a man has previously had sex with a woman, he may now believe that he now has the right to have sex with her again whenever he desires.
- A man may feel that if a woman has aroused him, then she is required to give in to his desire to have sex.
- While their behavior may legally constitute rape, many teen and adult males do not think of themselves as rapists.
- The victim may also be unclear about whether or not she has been raped.
- A victim of acquaintance or date rape may also believe the myths which are pervasive about sexual assault.
- The victim may fail to label forced sex by someone she knows as rape.
- If the victim does label the attack as rape, she may feel that she will not be believed if she reports the attack.
- If the victim was using drugs or alcohol at the time of the forced sex, she may also be reluctant to report the crime, especially if she is under age.

Acquaintance and date rape remains a controversial topic because of confusion around the definition of consent (see next section). Unclear or ambiguous situations in which consent is not clearly given are likely to be interpreted as rape. It is important to remember that sex with someone who is drunk, asleep, passed out, or in any compromised state is a crime because he or she is unable to give legal consent. Drinking alcohol or taking drugs appears to be associated with acquaintance and date rape.

## Date and acquaintance rape statistics\*

- Of rapes reported, 84% raped knew their attacker.
- Out of these 84%, 57% of rapes occurred on dates.
- In 1985 3,187 of 6,159 female college students surveyed reported:
  - 328 rapes
  - 534 attempted rapes
  - 837 episodes of sexual coercion (intercourse of continual argument or pressure)
  - 2,024 experiences of unwanted sexual contact
- Out of these 3,187 women:
  - 15.3% were raped
  - 11.2% were sexually coerced
  - 14.5% experienced sexual contact against their will
  - 11.8% experienced attempted rape
- Of those who were raped, 42% told no one: 5% reported the rape to police, and 5% sought help at a rape crisis center.
- 1 in 12 male students surveyed committed acts that met legal definitions of rape or attempted rape.
- Only 27% of women whose sexual assault met the legal definition of rape thought of themselves as rape victims.
- 30% of women who were raped contemplated suicide
- 82% of the women who were raped said that the experience permanently changed them.

\*Warshaw, R.(1988). *I Never Called it Rape*. New York, New York: Harper & Row.

Koss, Mary: University of Arizona Medical School Professor, survey of college women: National Institute of Health, 1987.

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## What is the definition of consent?

Intimate sexual activity requires consent. Consent is defined as a verbal agreement to engage in a specific activity. Body language, such as a smile, a nod, a wink, or a pat on the shoulder is **not consent**. One should presume that there is **no consent** in the absence of a clear, verbal, positive indication of consent. Verbal communication prior to engaging in sexual activity helps to clarify for the individuals involved whether or not there is consent. Consent and non-consent comes in many forms, and it is important for all

sexually active persons to seek clarity and mutuality with regard to the consensual nature of their sexual activity.

Failure to obtain consent can have consequences ranging from deep feelings of hurt and betrayal to charges of the crime of sexual assault. If a person is under the influence of drugs or alcohol, passed out, asleep, or in any compromised state, he or she cannot give legal consent. In these circumstances, someone may seem to go along with what is happening, but if he or she is in a compromised state, he or she **can not** legally give consent. Additionally, if someone has given consent in the past that does not mean that it applies to the present.

The use of alcohol or other drugs can cloud someone's understanding of whether consent has been given (or even sought). It is also important to recognize that, however potentially awkward it may seem, talking about your own and your partner's sexual desires, needs, and limitations is a basis for a positive relationship.

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### What are "date rape drugs"?

The three most common "date rape drugs" are **Alcohol**, **GHB** and **Rohypnol** or "roofies".

**Alcohol:** Alcohol lowers a person's inhibitions and interferes with their judgment and decision-making, which makes for potentially dangerous sexual situations. In one situation, deciding to have sex with someone while you are under the influence can put you in an embarrassing predicament the next morning. In another situation, it can cause you to be the victim of sexual assault or leave you with a serious condition such as AIDS or other sexually transmitted illnesses (STI's). For most individuals, keeping to a low risk drinking limit (3 or fewer drinks per occasion) prevents intoxication, minimizing the risk for sexual assault.

### Some important facts from the American Council for Drug Education:

([www.factsonatp.org](http://www.factsonatp.org)):

- 55% of female students and 75% of male students involved in acquaintance rape admit to having been drinking or using drugs when the incident occurred.

- 60% of college women who are infected with sexually transmitted illnesses (STI's), including genital herpes and AIDS, report that they were under the influence of alcohol at the time they had intercourse with the infected person.
- Female college freshmen are at the highest risk for sexual assault between the first day of school and Thanksgiving break. Many are away from home for the first time and unaccustomed to making personal decisions. Some may be experimenting with alcohol for the first time. For many, new friends and support systems may not yet be established, leaving them more alone than usual. Some may be targeted as vulnerable by upper classmen.

#### Alcohol discriminates between the sexes:

##### Ability to metabolize alcohol:

- Women have a smaller quantity of alcohol dehydrogenase, an enzyme that breaks down alcohol, thus causing them to become drunk on smaller amounts of alcohol.
- Men have a larger quantity of dehydrogenase, which allows them to break down the alcohol they take in more quickly.

##### Hormonal factors:

- Premenstrual hormonal changes cause intoxication to occur faster during the days immediately before a woman gets her period.
- Birth control pills or medicine with estrogen increase intoxication.

**GHB** (gamma hydroxyl butyrate), also known as liquid ecstasy, and **Rohypnol** or **Roofies** are central nervous system depressants that can cause dizziness, disorientation, loss of inhibition, memory blackouts, and loss of consciousness when mixed with alcohol. Both are odorless, colorless, and tasteless, so you may not even realize it if someone slips one of these substances into your drink. Because they may cause you to pass out, ingesting them may put you at risk for sexual assault.

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#### How can you protect yourself against Date Rape Drugs?

**Don't put your drink down** – If your drink is out of sight, even for a moment, don't finish it. Get yourself a new one.



**Don't accept an open drink from anyone.** If you order a drink in a bar or at a party, make sure you watch the bartender open the bottle or mix your drink.

**Avoid punch bowls.** With Roofies and GHB in circulation, you can't be sure what's in the punch, so think twice before you partake.

**Make a pact with your friends** to watch out for each other, and spread the word about these "date-rape-drugs" to everyone you know.

**If you think you have been given a date rape drug** call the Sexual Harassment & Assault Resource & Education crisis number 203 432-6653 or Urgent Care (203) 432-0123. It is important to be tested as soon as possible.

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**What is the Sexual Harassment & Assault Resource & Education (S.H.A.R.E.) number and what will happen when you call?**

The number is **203 432-6653**.

Calls will be answered by mental health professionals

**Weekdays, between the hours of 8:30AM and 5:00PM** you will be connected to the Sexual Harassment & Assault, Education & Resource Center.

During these hours call if:

- you or someone you know has been sexually assaulted and would like help in deciding how to proceed.
- you would like information about policies and procedures regarding sexual assault.
- you would like to talk to someone about an experience or sexual assault that you or a friend has had in the past.
- you would like information about student groups that focus on sexual assault prevention and education.
- you are interested in brochures, books, videotapes and general resources about sexual assault.
- you would like to plan a Sexual Assault Awareness/Prevention event.

**After hours, between 5:00PM and 8:30AM and on weekends,** you will be connected to the sexual assault crisis line.

Call this number if:

- you have been sexually assaulted and would like to talk.
- you have been sexually assaulted and you would like to know how to proceed.
- you would like help in contacting the police.
- you have been sexually assaulted and you would like someone to meet you at Urgent Care to assist you through the process of medical care.
- you would like help with decisions about evidence collection at Yale New Haven Hospital Emergency Department.
- you have a friend who has been sexually assaulted and would like guidance in helping him or her get immediate care.

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#### What to do immediately following a sexual assault

- Go to a safe place - consider going to your room, a friend's room, or anywhere you will feel safe.
- Call someone you trust - no matter how late it is, you should not be alone. Consider calling a close friend, roommate, Residential College Dean, freshman counselor, professor, or Yale religious minister.
- Call the Yale Sexual Harassment & Assault Resource & Education Center Crisis number **203 432-6653**

or

- Come to Urgent Care (17 Hillhouse Avenue – Ground Floor). You can arrange a ride to Urgent Care by calling the minivan at 203 432-2788, or call Urgent Care for assistance.
- Victims are encouraged to have evidence collected immediately following a sexual assault. Evidence collection is done at the Yale New Haven Hospital Emergency Department. If you would like to have an evidence collection
- exam, evidence must be collected as soon as possible after the assault. Evidence will be held for 60 days while the victim decides whether or not to press charges, but it is not possible to collect evidence at a future date. Medical attention, emergency contraception, pregnancy testing, and testing for HIV and other STI's

(sexually transmitted illnesses), for both men and women, is also provided in the Emergency Department.

- Try to preserve the evidence - resist the urge to cleanse yourself. It may be difficult to keep from washing yourself, but if you do you may destroy evidence that could be useful should you decide to report the assault to the police. Do not wash, douche, change clothes, eat, drink, smoke, brush your teeth, go to the bathroom, or brush your hair. Even if you are not sure about reporting the assault, it makes sense to preserve the option of reporting until you make a final decision.
  - If you decide to have evidence collected, bring a change of clothing with you since your clothes may be needed for evidence.
  - Victims are encouraged to seek medical attention – there may be internal injuries that can not be seen or felt. If you do not want to have evidence collected, but you are in need of medical attention, emergency contraception, pregnancy testing, and/or testing for HIV and other STI's (sexually transmitted illnesses) for both men and women, these services are available at Urgent Care at YUHS.
  - Note: Evidence collection, however, cannot be done at Urgent Care and must be done at Yale New Haven Hospital Emergency Department.
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#### What to do within 24 hours of a sexual assault

- Call the Yale Sexual Harassment & Assault Resource & Education resource number **203 432-6653**
  - to discuss how to proceed
  - to review options for reporting and/or contacting the police
  - to explore ways to get medical, emotional, and/or psychological care
- Call YUHS Urgent Care **203 432-0123** for medical services
- Students are encouraged to seek medical attention – there may be internal injuries that can not be seen or felt. Testing for pregnancy for women, and HIV and other STI's (sexually transmitted illnesses) for both men and women, may be suggested. If you do not want to have evidence collected, medical care is available at YUHS Urgent Care.
- It is still possible to collect evidence at this time, so this may be something you still might want to do. Even if you are not sure about reporting the assault, it may make sense to preserve the option to pursue prosecution until you make a final decision.

- Victims are encouraged to have evidence collected immediately following a sexual assault. Evidence collection is done at the Yale New Haven Hospital Emergency Department. If you would like to have an evidence collection
  - Exam, evidence must be collected as soon as possible after the assault. Evidence will be held for 60 days while the victim decides whether or not to press charges, but it is not possible to collect evidence at a future date. Medical attention, emergency contraception, pregnancy testing, and testing for HIV and other STI's (sexually transmitted illnesses) for both men and women are also provided in the Emergency Department.
  - If you decide to have evidence collected, bring a change of clothing with you since your clothes may be needed for evidence.
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### What to do in the days following a sexual assault

#### Consult with a counselor:

- Contact the Yale Sexual Harassment & Assault Resource & Education Center at **203 432-6653** for guidance and support and help in getting connected with a counselor for ongoing treatment

or

- Contact the Mental Health & Counseling Center directly (**203 432-0290**) and make an appointment to see a counselor.
- Many survivors of sexual assault experience troubling emotions following the assault. Sometimes these emotions occur immediately after the assault and sometimes they occur later. Survivors often experience shock, anger, helplessness, self-blame, shame, problems with eating or sleeping, difficulty concentrating, mood swings, irritability, denial and/or fear.
- A professional counselor can help you sort through and understand your thoughts and feelings. YUHS Mental Health & Counseling Center offers free individual counseling and support groups to all Yale students.

#### Self Care

- It is important to care for yourself after a sexual assault. Eat healthy foods and get exercise to help keep your strength up.
- Try to do the things you have always enjoyed.

- Don't look for simple answers to explain what happened.
- Know your rights and how to get the help you need.
- Say positive things to yourself to help restore your sense of well being. Use phrases like "I'm strong," "I did not deserve this," "I am taking back my personal power," "I am healing each and every day."
- Be patient with yourself. It takes time to move on. Healing is physical, emotional and psychological.
- Believe in yourself and know that you will get through this.
- Seeking professional help enables you to express your thoughts and feelings in a neutral setting where you do not feel that you have to protect the listener or be concerned about how the other person is feeling.
- Some survivors find it helpful to tell a trusted friend.
- It is more important to focus on what you are feeling than on the actual details of the assault.
- It is not necessary to talk about the incident all at once. Take your time and do so in a way that you feel comfortable.
- If talking is difficult try drawing or writing things down.
- Some people find it useful to keep a journal, or to write stories or poems.
- Try not to let others make decisions for you.

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### Should you disclose the sexual assault or take legal action?

While it often makes sense to call the sexual assault services line and talk to someone about what happened and make decisions on how to proceed, the decision to do so is very personal and entirely up to you. It is important that you do not feel pressured to do something you are not willing or ready to do.

From a safety and investigatory standpoint, the sooner a sexual assault is reported, the better; even so, reports that are given in the weeks or months following an assault can be helpful as well.

### Survivors of sexual assault choose to report the assault for many reasons:

- They may want to regain a sense of control over the situation, and may want to work against the "blame the victim" tendency that sometimes presents itself in these situations.
- They may want the assailant to be punished for the crime.

- They may be concerned that the assailant will assault them or someone else again.

#### You can report the sexual assault to:

- the counselor on the sexual assault service's line
  - the Yale Campus Police
  - the Dean of Student Affairs in the Yale College Dean's Office
    - a member of the Yale College Grievance Board for Student Complaints of Sexual Harassment - link
    - a member of the Yale College Executive Committee – link
  - Academic Deans
  - Residential College Deans or Masters
  - Professor or trusted administrator
    - Graduate and professional schools link
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#### What resources are there for men who have been sexually assaulted?

As a man, it is probable that you never thought sexual assault could happen to you. Men are socialized to see sexual assault as a crime against women, not men. Because of this, many men have a hard time understanding that sexual assault is a crime that is motivated by the wish for power and control. Sexual assault can happen to anyone, male or female.

Sexual assault can be devastating to all victims, regardless of gender, and many reactions are shared by both men and women survivors. You may feel rage, shame, guilt, powerlessness, concern for your safety, and/or symptoms of physical illness.

There may be some concerns that are different for you as a male survivor. Many men express concerns about what being sexually assaulted means to their sexuality or masculinity. There is a myth in our culture that only gay men rape other men or only gay men are raped. This is not true. Men rape women and men rape men. Women rape men and women rape women. Sexual assault has no boundaries. It is important to know that strong or weak, outgoing or shy, gay/straight or bisexual, old or young, you have done nothing that has caused or justified being assaulted. The responsibility lies with the assailant.

Men are strongly encouraged to seek help for the same reasons that women are. Men may be more likely to sustain injuries when sexually assaulted by another man so there is an additional emphasis on seeking medical care in these instances. In those cases where men are sexually assaulted or raped by a woman, medical attention is also encouraged. Men are also encouraged to have evidence collection exams and to call the Sexual Harassment & Assault Resource & Education crisis line at **203 432-6653** or Urgent Care **203 432-0123** for assistance in all services.

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What are the Connecticut Laws concerning sexual assault and rape?

### **Definitions**

Sec. 53a-65. [Definitions pertaining to sexual assault.](#) (page 112-113)

### **CT State Laws**

Sec. 53a-70. [Sexual Assault in the first degree: Class B or A felony.](#) (page 116)

Sec. 53a-70a. [Aggravated sexual assault in the first degree: Class B or A felony.](#) (page 120)

Sec. 53a-70b. [Sexual assault in spousal or cohabitating relationship: Class B felony.](#) (page 121-22)

Sec. 53a-71. [Sexual assault in the second degree: Class C or B felony.](#) (page 122-23)

SEC. 53a-72a. [Sexual assault in the third degree: Class D or C felony.](#) (page 125)

Sec. 53a-72b. [Sexual assault in the third degree with a firearm: Class C or B felony.](#) (page 126-7)

Sec. 53a-73a. [Sexual assault in the fourth degree: Class A misdemeanor or class D felony.](#)

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Who is likely to be a victim of sexual assault?

- Although women are the most frequent target of sexual assaults and rape, men, women, and children of all ages are potential rape and sexual assault victims.
- Sexual assault can happen to both men and women at any point in their lives.
- Sexual assault knows no barriers in regard to race, class, religion, gender, sexual orientation, age and ability.

- Although sexual assaults can happen at any time in one's life, the first semester of freshman year for college women is a highly vulnerable time. This is a time when the student may be on her own for the first time, experimenting with new freedoms and possibly alcohol. New friendships and support systems may not be established yet.
- Alcohol consumption and the use of date rape drugs often play an important role in the likelihood of being sexually assaulted - 55% of female students and 75% of male students involved in acquaintance rape admit to having been drinking or using drugs when the incident occurred.

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### How can someone minimize their risk of being sexual assaulted?

There are a variety of precautions that may be taken to minimize one's risk of falling victim to a sexual assault.

- It is estimated that approximately 80% of rapists are known to their victims, making acquaintance or date rape the **most common** type of sexual assault.
- Don't allow yourself to be alone with someone you do not know or trust.
- If you are in trouble or feel you are in danger, don't be afraid to attract help in any way you can. Scream, yell or run away to safety.
- If you choose to drink alcohol, avoid getting intoxicated and be alert to the possibility of someone putting a date rape drug in your drink.
- Be informed about the effects of **Alcohol & Date Rape Drugs - GHB and Rohypnol** or "roofies".

### Some important alcohol facts from the American Council for Drug Education

([www.factsontap.org](http://www.factsontap.org)):

- 55% of female students and 75% of male students involved in acquaintance rape admit to having been drinking or using drugs when the incident occurred.
- 60% of college women who are infected with STI's, including genital herpes and AIDS, report that they were under the influence of alcohol at the time they had intercourse with the infected person.
- Female college freshman are at the highest risk for sexual assault between the first day of school and Thanksgiving break. Many are away from home for the first time and unaccustomed to making personal decisions. Some may be experimenting with alcohol for the first time. For many, new friends and support systems may not



yet be established, leaving them more alone than usual. Some may be targeted as vulnerable by upper classmen.

- **Alcohol:** Alcohol lowers inhibitions and interferes with decision-making, which makes for some potentially dangerous sexual situations. At best, deciding to have sex with someone while you are under the influence can put you in an embarrassing predicament the next morning. At worst, it can cause you to be the victim of sexual assault or leave you with a serious condition such as AIDS or other sexually transmitted illnesses (STI's).
- **GHB** (gamma hydroxyl butyrate) also known as liquid ecstasy, and **Rohypnol** or **“roofies”** are depressants that can cause dizziness, disorientation, loss of inhibition, memory blackouts, and loss of consciousness when mixed with alcohol. Both are odorless, colorless, and tasteless, so you may not even realize it if someone slips one of these substances into your drink. Because they may cause you to pass out, ingesting them may put you at risk for sexual assault.

#### How can you protect yourself against date rape drugs?

**Don't put your drink down** – If your drink is out of sight, even for a moment, don't finish it. Get yourself a new one.

**Don't accept an open drink from anyone.** If you order a drink in a bar or at a party, make sure you watch the bartender open the bottle or mix your drink.

**Avoid punch bowls.** With “roofies” and GHB in circulation, you can't be sure what's in the punch, so think twice before you partake.

**Make a pact with your friends** to watch out for each other, and spread the word about these “date-rape-drugs” to everyone you know.

**If you think you have been given a date rape drug** call the Sexual Harassment & Assault Resource & Education Crisis number: **203 432-6653** or Urgent Care **(203) 432-0123**. It is important to be tested as soon as possible and someone will help you get to the Yale New Haven Emergency Department.

**Stranger Rape:** There are a variety of precautions that may be taken to minimize one's risk of falling victim to sexual assaults by strangers. Various reputable organizations and legal agencies have provided suggestions to this end, including the U.S. Immigration & Customs Enforcement, The U.S. Department of Health & Human Resources, The

Canadian Women's Sexual Assault Centre, Rapecrisis.org.uk, and Amnesty International. The advice given is extensive, and it varies in specifics, but they all tend to include the following precautions:

- Avoid being alone in public, particularly at night, or in dark and/or isolated places.
- Maintain situational awareness. Be aware of other people around you.
- Keep personal information (such as name, address, telephone number) on your person and not on key chains.
- Keep your vehicle, home, and room locked.
- Avoid isolated places such as deserted parking lots or stairwells in office buildings as much as possible.
- If a motorist asks for assistance, keep a distance from the vehicle.
- Be alert. Never sleep in public – including buses, cabs and benches. Have car, house, and room keys ready before you reach your door.
- Walk facing traffic.
- Trust your instincts – if you feel you are being followed, if you have suspicions about a minor auto accident, or being stopped by a police official, keep driving to a well lit, populated area before stopping.
- If you choose to carry any item for self-protection, give careful consideration to your ability and willingness to use it. Remember there is always the chance that it could be taken away and used against you.

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### How does someone recover from a sexual assault?

After a person has been sexually assaulted, it is normal to experience a wide range of feelings and reactions. There is no right or wrong way to react. Everyone copes in his or her own way. Some people have very strong overt reactions after being sexually assaulted and others appear outwardly calm. Some feelings and reactions may be experienced directly after the assault while other feelings and reactions may occur days, weeks, months or even years after. These feelings and reactions are likely to interfere with how one copes and how one interacts in the world. Understanding that these feelings are normal and experienced by others who have been sexually assaulted may help some people deal with their feelings and to see them as less frightening.

- It is important to care for yourself after a sexual assault. Eat well and get exercise to help keep your strength up.

- Try to do the things you have always enjoyed.
- Don't look for simple answers to explain what happened.
- Know your rights and how to get the help you need.
- Say positive things to yourself to help restore your sense of well being. Use phrases like "I'm strong," "I did not deserve this," "I am taking back my personal power," "I am healing each and every day."
- Be patient with yourself. It takes time to move on. Healing is physical, emotional and psychological.
- Believe in yourself and know that you will get through this.
- Consider seeking professional help. It is often helpful to be able to express your thoughts and feelings in a neutral setting where you do not feel that you have to protect the listener or be concerned about how the other person is feeling.
- Some survivors find it helpful to tell a trusted friend.
- It is more important to focus on what you are feeling than on the actual details of the assault.
- It is not necessary to talk about the incident all at once. Take your time and do so in a way that you feel comfortable.
- If talking is difficult try drawing or writing things down.
- Some people find it useful to keep a journal, or write stories or poems.

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### What are some common "Rape Myths"?

**Myth:** She's lying.

**Reality:** This belief is false and hides rape behind the stereotype of the vindictive woman.

**Myth:** No real harm was done.

**Reality:** Rape causes long-term debilitation in many survivors. The threat of rape affects all women all the time. This myth only serves the interest of the rapist.

**Myth:** She wanted it.

**Reality:** Women never want to be raped. The myth confuses rape as sexual desire. Rape is a violent act motivated by the need to overpower, humiliate, and dominate.

**Myth:** She deserved it.

**Reality:** Whether she was flirting, dressed attractively, engaging in certain sexual activity, and so forth, no woman (or man) ever deserves to be raped. All women (and men) have the right to say “no” at any time.

**Myth:** Most rapes are committed by strangers.

**Reality:** 80% of survivors of rape know the person who raped them.

**Myth:** Survivors are hysterical or angry after an assault.

**Reality:** People cope in a variety of ways, including joking, sleeping, drug or alcohol use, eating disorders, depression, denial, or minimizing the seriousness of the experience.

**Myth:** He couldn’t help it.

**Reality:** Men can control their sexual desires just as women can. It’s never too late to stop.

**Myth:** Real men don’t take no for an answer.

**Reality:** Cultural views of masculinity include being assertive, active, sexual, and superior, which can contribute to sexually aggressive actions. Peer pressure to have sex as proof of manhood can also increase the likelihood of rape. Men may not be trained to take no for an answer or stop when they encounter resistance (but they can learn).

**Myth:** She said no, but she meant yes.

**Reality:** Cultural views of femininity include being submissive, passive, weak, and saying no to sex, which can result in women being more vulnerable to being raped, keeping silent, and blaming themselves. Only explicit consent means “yes”.

**Myth:** Men are seldom, if ever raped.

**Reality:** Experts estimate that 1 in 6 men is sexually assaulted in his lifetime.

**Myth:** Most rapists are mentally disturbed and can be easily spotted.

**Reality:** There is no profile of a typical rapist.

**Myth:** Acquaintance rape is less traumatic than stranger rape.

**Reality:** Rape is always traumatic, whether perpetrated by a stranger or someone known to the survivor. For many survivors, acquaintance rape can have more devastating long-term repercussions because of a deep sense of betrayal and because the survivor doubts his/her ability to judge who can be trusted.

**Myth:** Women/Lesbians don't rape.

**Reality:** Rape occurs in every community and can occur in any relationship, regardless of gender, sexuality, size, and age.

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#### What are some important facts that should be known concerning rape and sexual assault?

- Every two and a half minutes, somewhere in America, someone is sexually assaulted.
- (Calculation based on National Crime Victimization Survey ( NCVS), U.S. Department of Justice, 2003.)
- 1 in 4 college women will be sexually assaulted by the time they graduate. (Fisher, Cullen, and Turner. Sexual Victimization of College Women, U.S. Department of Justice, Dec. 2000.)
- Of rapes of college students, 59% of completed rapes occurred in the victim's residence, 31% occurred in other living quarters, and 10% took place in a fraternity house. (Sexual Victimization of College Women, U.S. Department of Justice, 2000.)
- Less than 5% of completed and attempted rapes of college students were reported to law enforcement officials. (Sexual Victimization of College Women, U.S. Department of Justice, 2000.)
- Approximately 70% of female rape victims and 74% of male rape victims know their perpetrator. (National Crime Victimization Survey, U.S. Department of Justice, 2003.)\*
- In 9 out of 10 cases, the offender is known to the victim, usually as a classmate, friend, or acquaintance. (Fisher, Cullen & Turner: The Sexual Victimization of College Women. Washington D.D.: National Institute of Justice and Bureau of Justice Statistics, U.S. Department of Justice, 2000.)\*

- In studies comparing rates of student victimization and persons of similar ages in the general population, students were victims of violence overall at rates lower than those of non students except for rape and sexual assaults. The prevalence of sexual assaults and rapes on campuses matched the national average. (Bureau of Justice Statistics, 2006.)
- One in every 10 rape victims is male. (National Crime Victimization Survey, U.S. Department of Justice, 2003.)
- About 44% of rape victims are under the age of 18. (Sex Offences and Offenders. U.S. Department of Justice, 1997.)
- During the academic year, 2.8% of college women will experience a completed and/or attempted rape. (Sexual Victimization of College Women. U.S. Department of Justice, 2003.)
- More than half of raped college women tell no one of their victimization. (Koss, Woodruff, & Koss, 1990.)
- 1 out of every 5 rape victims attempts suicide. (U.S. Senate Judiciary Committee and the FBI.)
- 6.5% of all reported rapes end in the murder of the woman (U.S. Senate Judiciary Committee and the FBI).
- 1 in 6 boys are sexually assaulted by the age of 18. (U.S. Department of Justice)

\* Statistics vary depending on the measures and the reporting source.

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### What services are available for sexual assault survivors at Yale University Health Services and the Mental Health & Counseling Center?

- Yale University Health Services is comprised of a network of over 100 individuals including physicians, nurses, nurse practitioners, physician's assistants, nutritionists, psychiatrists, psychologists, social workers, health educators, peer counselors, and highly qualified support and administrative personnel. We are here to serve you.
- Yale University Health Services (YUHS) is located at 17 Hillhouse Avenue
- Emergency medical care is available 24 hours a day, 7 days a week in Urgent Care: 203 432-0123
- Additional information and department phone numbers are available on the website: [www.yale.edu/yhp](http://www.yale.edu/yhp)
- All basic care including mental health counseling is free of charge to all registered Yale students.

- The Mental Health & Counseling Center located on the 3rd floor of YUHS has regular hours between 8:30AM and 5:00PM
- Call 203 4342-0290 to make an appointment or come in person during these hours.
- After hours, call Urgent Care (203 432-0123) and ask to speak to the Mental Health Counselor on-call. There is someone to speak to or to meet with in person, 24 hours a day, 7 days a week.
- In addition to providing general therapy for individuals, couples, and groups, the department also offers general sex counseling, as well as support groups and/or individual therapy for rape and sexual assault survivors.

For more information, or if you have specific questions, contact:

Carole Goldberg, Psy.D. at 203 432-0290 or 203 432-6653 or e-mail at:

[carole.goldberg@yale.edu](mailto:carole.goldberg@yale.edu).

**Note:** If you have waived the Yale hospital and specialty services insurance, you are still entitled to free basic services, including Student Medicine, Mental Health Counseling, Urgent Care, and GYN, but you will be billed for hospital visits. More information is available at [www.yale.edu/yuhs/](http://www.yale.edu/yuhs/).

### Resources for sexual assault survivors

Sexual Assault Crisis Services

Women & Family Center

24 Hour Toll Free

Sexual Assault Crisis Hotline:

- 1-888-999-5545 (English)
- 1-888-568-8332 (Spanish)

All Services Are Free & Confidential

### Locations:

New Haven - 1440 Whalley Avenue, New Haven, CT 06511 - 203 389-5010

Meriden - 169 Colony Street, Meriden, CT 06451 - 203 235-9297

[www.womenfamilies.com](http://www.womenfamilies.com)

- Connecticut Sexual Assault Crisis Services (CONNSACS): 203 624-CARE (2273)
- Planned Parenthood of Connecticut: [www.ppfa.org](http://www.ppfa.org)
- National Women’s Health Organization: [www.4woman.gov/faq/sexualassault.htm](http://www.4woman.gov/faq/sexualassault.htm)
- Rape, Abuse, and Incest National Network (RAINN) operates the National Sexual Assault Hotline: 1-800 656 HOPE (4673) [www.rainn.org/](http://www.rainn.org/)
- Sexual Assault Care Center: [www.sacc.to](http://www.sacc.to)
- Go Ask Alice: [www.goaskalice.columbia.edu](http://www.goaskalice.columbia.edu)
- National Sexual Violence Resource Center: [www.nsvrc.org/](http://www.nsvrc.org/)

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### How would I help a friend who has been sexually assaulted?

If your friend has been sexually assaulted, he or she may experience a wide range of reactions such as:

shock	depression	embarrassment
disbelief	anger	mood swings
fear	denial	irritability
restlessness	apathy	disturbed sleep
changes in eating habits		

Realize that coping with sexual assault is a long-term process. For some, the emotional impact of sexual assault can be immediate and short term. For others, the effects can be long lasting.

**Support:** Of all the things you can do at this time, perhaps the most important is to be yourself and to try to be the best friend you can. Your friend is feeling a lot of emotions right now, probably including loneliness and isolation. It is especially important for you to be supportive.

**Safety:** It is important to ensure that your friend is not going to do something to hurt himself or herself or somebody else. If you are worried about anyone’s safety, you must get help even if your friend does not want you to tell anyone. Call the Sexual Harassment & Assault Resource & Education Crisis Center **203 432-6653** or Urgent Care **203 432-0123**.



**Believe your friend.** Statistics show that there is no reason to think that he or she is lying about having been sexually assaulted. More than almost anything, your friend needs your trust. Additionally, be sure not to blame your friend. Don't ask "why" questions such as: "Why did you...?" or "Why didn't you ...?" "Why" questions tend to make people feel guilty about what happened. It is not their fault. No one asks to be sexually assaulted.

**Let your friend make the decisions.** In having been sexually assaulted, your friend has had her or his power taken away. Throughout the healing process, you must let your friend make his or her own decisions. She or he may want to be taken care of, but it is important that you only present options and give your friend the power to make his or her own decisions. Be supportive of the decisions he or she makes.

**Don't define the experience.** As part of helping and giving the survivor the ability to make his or her own decisions, it is important that he or she be allowed to define the experience. Do not label the experience "rape" or "assault" before the survivor is willing and able to do so. Do not assume the person who assaulted your friend is of the opposite sex. Same-sex sexual assault is seldom talked about but it is just as painful, whether your friend identifies as gay, straight, bisexual or questioning.

**Show you want to listen.** Your friend may confide in you 10 minutes or ten years after the assault. At that time, you only need to listen. Remember that someone has violated your friend's sense of trust, so one of the most important things you can do is to respect your friend's need to confide in someone.

**Don't search for things your friend could have done differently.** No one asks to be sexually assaulted. Avoid blaming questions and judgmental phrases such as "why didn't you scream?" or "If I could get my hands on that disgusting..." or "I would have...!"

**Don't talk about your own feelings.** This is a time to focus on your friend. Guidance and support is available at the Sexual Harassment and Assault Resource and Education Center at 203 432-6653 and ongoing counseling is available at 203 432-0290.

**Respect your friend's privacy.** Whatever he or she tells you is his or her experience and his or her information to share. Telling someone else what your friend has told you is a breach of trust. If you feel the need to talk, make an appointment with a counselor for yourself.

**Encourage your friend to get medical attention as soon as possible.** Your friend can get medical attention at Yale University Health Services at 17 Hillhouse Avenue, any time day or night, 7 days a week. Call Urgent Care (**203 432-0123**). A counselor can meet him or her there and help with the decision on how to proceed, if they want an evidence collection exam, and/or to make a police report. He or she may have injuries or need special tests. Emergency contraception is also available when needed.

**Encourage your friend to seek counseling or support.** Your friend can talk to someone at the Sexual Harassment & Assault Resource & Education center at **203 432-6653**. The Mental Health and Counseling Center (203 432-0290) provides individual therapy and support groups for survivors.

**Encourage** your friend to get in touch with his or her feelings. It is OK if your friend feels the need to protest loudly.

**Assure** your friend that when a person does not stop when they are told “no” or there is no response, that person is wrong, not the survivor.

**Protect yourself.** It is very difficult to hear stories about sexual violence. Throughout the process, remember to take care of yourself, to find someone to talk to, and to get counseling if necessary. All of the resources available to survivors are available to friends as well.

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**Whom would I contact if I wanted more information?**

Carole T. Goldberg, Psy.D. is the head of the Sexual Harassment & Assault Resource & Education Center. Dr. Goldberg can be reached by phone at the center at: **203 432-6653** or in the Mental Health & Counseling Center at 203 432-0290 or by e-mail at [carole.goldberg@yale.edu](mailto:carole.goldberg@yale.edu)

**Other members of the sexual assault resource team are:**

Lisa Driscoll, Psy.D.

Naomi Panza, LCSW

Erin Scanlon, MSW

Karen Wetzel, Ph.D.

They can be reached at 203 432-0290

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What student groups at Yale focus on sexual assault prevention and information?

Peer Health Educators - [www.yale.edu/uhs/med\\_services/student\\_health.html](http://www.yale.edu/uhs/med_services/student_health.html)

RSVP - [www.yale.edu/wc/rsvp/](http://www.yale.edu/wc/rsvp/)

NO MORE “One in Four” <http://oneinfourusa.org/>

NOMORE - a residence group on the Women's Center page:

[www.yale.edu/wc/residence.html](http://www.yale.edu/wc/residence.html)

2-TALK - WALDEN - 203 432-TALK (8255) 8:00PM – 8:00AM Daily or [view brochure](#).

**Appendix B**  
*Sexual Assault Crisis Response*

**YALE UNIVERSITY**  
**SEXUAL ASSAULT CRISIS RESPONSE**  
**The “S.H.A.R.E. Center” 203 432-6653**

If a student comes to you or calls to say he or she has been sexually assaulted or raped it is important for you to seek help immediately. Rape or any form of sexual assault is a serious matter and requires an empathic, sensitive and expedient response. This is a highly vulnerable time for the student and he or she is likely to be confused as well as upset. Remember to be sensitive and nonjudgmental, encouraging but not forceful. It is recommended that you **call the S.H.A.R.E. response line** and get help from the on-call counselor as soon as possible. If the student is hesitant about taking this step, here are some ways to be encouraging:

**1. Some important reasons to call:**

- Did this just happen?
  - If the assault occurred within the last 24 hours, some medical decisions may need to be made.
  - He or she may need medical attention for external and/or internal cuts, bruises, broken bones, etc.
  - Both men and women are encouraged to get testing for STI's.
  - Women are encouraged to have a pregnancy test.
  - Emergency contraception is available and most effective if taken within 72 hours of the assault.
- Did someone give you a drug or something you were not aware of at the time?
  - Testing for date rape drugs must be done within 24 hours of the incident.
  - Testing for date rape drugs is done at YNHH Emergency Department.
- Are you able to walk or do you need transportation or an ambulance?

**2. If the student is confused and asking for guidance, encourage him or her to call the S.H.A.R.E. number. Generally, medical attention is recommended, and evidence collection and talking to the police is also encouraged. If the student is unsure of how to proceed, encourage him or her to call the S.H.A.R.E. number (432-6653), or ask if he or she would like you to make the call. The S.H.A.R.E. counselor can help the student make decisions on how to proceed. Whatever the student decides to do, his or her wishes must be respected.**

**The S.H.A.R.E. counselor can help the student with:**

- Emotional support and counseling for their reactions at this vulnerable time. The counselor can also assist the student with the following:
  - If he or she might want to prosecute the assailant, evidence collection is essential.
  - For evidence collection, the student is instructed not to shower, go to the bathroom, brush their teeth, destroy their clothing, comb their hair, and so forth.
  - They are the evidence (the best source of information) and it is important to preserve the evidence when possible.
  - Evidence collection is done at the YNHH Emergency Department.

- Offering to accompany the student or encouraging him or her to bring a friend for support is helpful.

**3. A sexual assault response counselor is available for counseling and to meet the student at Urgent Care or the Yale New Haven Hospital, 24/7. Call S.H.A.R.E. (203) 432-6653.**

**4. If the student is not interested in testing for date rape drugs or evidence collection, he or she can receive medical attention at YUHS Urgent Care (432-0123), 24/7. The S.H.A.R.E. counselor is available to meet the student at YUHS Urgent Care.**

**YUHS Urgent Care Provides:**

- Emergency medical attention and/or transportation to YNHH for evidence collection and/or testing for date rape drugs (Taxi vouchers are available)
- Arrangements for pregnancy testing
- STD testing and/or prophylactic treatment
- Emergency contraception
- Referral to OB/GYN on-call person
- Referral to Mental Health & Counseling Center (Mental Hygiene) on-call person

**5. In order to be sensitive and supportive there are other important points to remember when talking to a student:**

- **Do Not Ask** details about the assault – let them talk if/when they are ready
- **Do Not Ask** what they were wearing
- **Do Not Ask** if they were drinking, drunk, high, or using drugs
- **Do Not Ask** where the assault happened – let them talk if/when they are ready

**Also:**

- **Do Not** define the experience – do not label the experience as “rape” or “abuse” or “assault” if the student is unable or unwilling to do so
- **Do Not** assume the assailant is of the opposite sex
- **Do Not** make decisions for the student. If someone has been assaulted their power has been taken away. Provide information and be encouraging, but let the student describe his or her own feelings and decide what to do.
- **Do Not** bring in your own emotions –anger, disgust, criticism, hurt, outrage - although this may be meant as supportive it frequently has the opposite effect.

**6. If the situation is not urgent and the student wants help dealing with an incident from the recent or distant past, or if he or she has a specific request to see someone relating to sexual assault or rape, refer him or her to one of the sexual assault contact persons at the YUHS Mental Health & Counseling (432-0290):**

Karen Wetzell, Lisa Driscoll, Naomi Panza, Erin Scanlon, Carole Goldberg

**7. It is also important to inform the student about other options they have on campus, such as the Sexual Assault/Harassment Grievance Board and the Executive Committee, and how to proceed (432-2907).**

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Please contact Carole Goldberg ([carole.goldberg@yale.edu](mailto:carole.goldberg@yale.edu)) for further questions

**Appendix C**  
***Student Health Education***

## Student Health Education

**Telephone:** 203-432-1892

55 Whitney Avenue, 2nd Floor

Student Health Education coordinates education-based programming on health topics for Yale's undergraduates, graduate and professional students, faculty and staff. Training and support is also provided for undergraduate [Peer Health Educators](#) and [Graduate and Professional Health Advocates](#). Our goal is to empower the student community with knowledge that promotes healthy lifestyle choices both on and off campus.

Rebecca Schrier, MSW, MPH  
Health Educator

Carole Goldberg, PsyD  
Psychologist

### [Peer Health Educators](#)

Yale's Peer Health Educators are a group of undergraduate students trained to provide information on substance abuse, HIV/AIDS, risk reduction, and safer sex practices, covering such topics as abstinence, contraception, sexually transmitted diseases, and sexual assault. Their greatest accomplishment is the annual Connections Workshop held during orientation for all incoming freshmen, however programs and presentations are available for special student groups, cultural centers, fraternities, sororities, and any other interested parties within the Yale and New Haven communities.

If you are interested in becoming a Peer Health Educator, please complete our online [application](#).

### 2006-2007 Peer Health Educators

Kanya Balakrishna	Allyson Goldberg	Natoya Pert
Sean Bland	Lindsay Haines	Sor Piawah
Christopher Brusalis	Mallory Irons	Axel Schmidt
Laura Chandhok	Brittany Kelso	Zharna Shah
Elizabeth Crawford	Jessica Lane	Lisa Tian
Jennifer Ding	Nicole Mayard	Kathy May Tran
Jon Gaulding	Christina Passarella	Jasmine Walker



## Graduate and Professional Health Advocates

The Health Advocates are student representatives of the graduate and professional schools. Students meet monthly to plan informational programs and events for their peers. The Health Advocates provide awareness programs on HIV/AIDS, smoking cessation, stress management, YUHS services, and more. Representatives distribute educational pamphlets, flyers, and risk reduction materials to their respective schools, as well as sponsor campus-wide educational awareness programs that are open to all students. For more information or to join the group, [click here](#) or call Student Health Education at 432-1892.

### **2007-2008 McDougal Wellness Fellows:**

Laura Frye, EPH

Elizabeth Sheets, Nursing

**Appendix D**  
*2007 Report of the Working Group in  
Examining Sexual Harassment and Sexual Assault Procedures  
at the Yale School of Medicine*

To: Dr. Robert Alpern, Dean of Yale School of Medicine

Date: December 7, 2007

Re: Findings of the Working Group in Examining Sexual Harassment and Sexual Assault Procedures and Processes at the Yale School of Medicine

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## **I. Introduction**

### **A. The Charge of the Working Group**

From Dean Robert Alpern, July 11, 2007:

"A number of students have communicated their impression that the mechanisms presently in existence at Yale School of Medicine to address alleged instances of sexual harassment and sexual assault are not optimal and should be examined. To address these concerns, a group of concerned students, faculty, and administrators met on two occasions and determined that an internal committee should be appointed.

The charge for this committee is as follows:

1. Examine the procedures and processes presently in existence to address allegations of sexual harassment and sexual assault.
2. Determine whether and specifically how these procedures and processes can be improved upon.
3. Examine whether students and the school's community are sufficiently aware of these procedures and processes.
4. Examine the educational initiatives and other mechanisms presently in existence to discourage and prevent sexual harassment and sexual assault.
5. Determine whether and specifically how these educational initiatives and mechanisms can be improved upon.

Following a review of these issues, please provide your recommendations to the dean."

### **B. Members of the Working Group**

Chair: Carolyn Mazure, Ph.D., Associate Dean for Academic and Faculty Affairs, Professor of Psychiatry, Director, *Women's Health Research at Yale*

Members (in alphabetical order):

- Palav Babaria, YSM IV
- Sanjay Basu, YSM V
- Carole Goldberg, Psy.D., Psychologist, Yale University Health Services Mental Health & Counseling Center; Assistant Clinical Professor, Department of Psychiatry; Director, Sexual Harassment and Assault Resources and Education (SHARE) Center

- Ravi Kavasery, YSM II
- Serge Kobsa, YSM V
- Kiera Levine, YSM V; Peer Advocate
- Thomas McDow, Dean, Branford College; Member, Sexual Harassment Grievance Board, Yale College
- Jennifer McNiff, M.D., Professor, Dermatology and Pathology; Director, Yale Dermatopathology Laboratory; Co-Chair, Status of Women in Medicine
- Susan Overton, Research Associate, Yale University Women Faculty Forum

## **II. Background**

In the winter of 2005, a number of Yale medical students expressed concerns to the Office of Student Affairs that incidents of sexual harassment and sexual assault were occurring at the Yale School of Medicine (YSM). Such concerns had been raised previously, yet an anonymous e-mail distributed by a graduating medical student alleging that the administration ignored incidents of rape and harassment once again brought this issue into greater relief. Furthermore, a number of incidents of alleged harassment in the class of 2008 brought these issues to the forefront.

In response to these concerns, the Associate Dean of Student Affairs assembled a series of town hall meetings and commissioned a student committee, led by Dr. Richard Belitsky, who was then the deputy chair for education in the Department of Psychiatry, to examine these concerns and make recommendations about the issue. Since the submission of the committee's final report to the Associate Dean of Student Affairs in April 2005, the administration has implemented a few of the report's recommendations. These include training in reporting and prevention of sexual harassment for first year medical students conducted by Ombudswoman Merle Waxman, and increased emphasis on responsible drinking at school-sponsored events. Despite these measures, sexual harassment--including groping, intimidation, and verbal abuse--and acts of sexual assault--including rape--have continued to be reported within the YSM community. Consequently, many students continue to feel that the issues have not been adequately addressed, and that the report submitted to the Dean of Student Affairs in 2005 was neither widely distributed nor were its recommendations widely implemented.

In May 2007, a letter signed by over 150 current Yale medical students was submitted to the Deans of Education, Student Affairs, and the School of Medicine as well as to the Ombudsperson. The letter requested that university administrators conduct an external review of the content and efficacy of YSM's sexual harassment and sexual assault policies, create a dedicated position and office for medical student counseling, reinstate a year-end annual survey of each class dedicated to assessing sexual harassment and sexual assault, and develop a zero tolerance policy as part of its long-term solutions to the problems of sexual harassment and sexual assault at YSM.

In response to the May 2007 letter, meetings were held with members of the YSM Dean's Office, faculty, staff and students to determine the action to be taken. The current Working Group was formed and began to meet in May 2007. The Working Group was

given its charge and formally convened in July 2007 to review procedures and processes relevant to these concerns and, as stated in the charge to the Working Group, provide recommendations for improving upon YSM procedures and processes.

### **III. Review of Relevant Literature**

The medical literature concerning sexual harassment and assault on medical campuses is extensive, dating back to at least 1968 [1]. The literature reveals that both sexual harassment and sexual assault remain common on many medical campuses, and are particularly directed towards female medical students; such acts are typically perpetrated by other medical students in the preclinical years of medical education, and by supervisors or hospital staff in the clinical years of medical education [2-45]. Typical problems reported by medical students included: (1) sexual assault by male classmates, particularly during the pre-clinical years; (2) inappropriate sexual advances in the context of the operating room environment during surgical rotations; and (3) inappropriate touching by attending or resident physicians [6, 46-49]. Common barriers to reporting include the sentiment that reports would not result in disciplinary consequences due to unclear institutional policies, and fears of negative career consequences to the reporting student.

High-profile sexual harassment and sexual assault court cases during the 1990s have resulted in policy changes at several medical schools; the medical schools at Brown University and Stanford University have experienced the most publicized cases [34, 50-52]. As a result of comprehensive reviews that look at several medical schools, studies have been conducted to examine the impact of policy changes on the incidence of sexual harassment and assault [2, 45, 53, 54]. A few such studies included comparative studies of several medical schools [9, 47, 55]. Among these studies, the most common reforms found to be effective at reducing reports of sexual harassment and sexual assault have involved (in decreasing order of efficacy):

- (1) the institution of "no tolerance" statements, with established and available protocols for disciplinary procedures in cases of sexual harassment and sexual assault;
- (2) the appointment of trained medical school counselors accessible to students for complaints involving sexual harassment or sexual assault, to whom all staff are instructed to direct concerned medical students; and
- (3) mandatory staff and student trainings [2, 9, 45, 47, 53-55].

The efficacy of the third intervention was varied; it appeared that only a subtype of training sessions was clearly effective when assessed by systematic reviews. This subtype involved skills-training and a review of legal issues, conducted by personnel explicitly trained to provide such information. The training followed a protocol established and evaluated at Stanford University School of Medicine over the course of several years, and further revealed that classical instruments for assessing general satisfaction or concerns (e.g., end-of-year surveys of the medical school licensing body) were rarely reflective of the problem, and needed to be replaced with surveys that specifically describe and address sexual harassment and sexual assault [56, 57].

The Working Group investigated these policies in detail to provide specific comparisons and contrasts among them (see Appendix 1).

#### **IV. Current Written Policy at Yale School of Medicine**

Currently, the Yale School of Medicine utilizes the Yale University policy on sexual harassment as its official policy (Appendix 2). It reads:

“Sexual harassment is antithetical to academic values and to a work environment free from the fact or appearance of coercion. It is a violation of University policy and may result in serious disciplinary action. Sexual harassment consists of nonconsensual sexual advances, request for sexual favors, or other verbal or physical conduct of a sexual nature on or off campus, when: (1) submission to such conduct is made either explicitly or implicitly a condition of an individual’s employment or academic standing; or (2) submission to or rejection of such conduct is used as the basis for employment decisions or for academic evaluation, grades, or advancement; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual’s work or academic performance or creating an intimidating or hostile academic or work environment. Sexual harassment may be found in a single episode, as well as in persistent behavior. Conduct that occurs in the process of application for admission to a program or selection for employment is covered by this policy, as well as conduct directed toward University students, faculty or staff members.”

The aforementioned policy is available on the Office of Women in Medicine website, last updated on July 10, 2006. The website describes the university policy on student-faculty relations, prohibiting sexual relations between faculty and the students whom they are supervising. The website also contains a link to the YSM Grievance Procedures for Complaints of Sexual Harassment, as well as a list of Grievance Committee members and contact information. The document outlines what types of situations the grievance board handles, and describes “general procedures” for how complaints are handled. For formal complaints, this includes an initial meeting with a board member, an initial review and investigation, and then a meeting with the overall board. The committee also hears informal complaints, which do not follow a stated procedure. The document lists “possible sanctions,” ranging from “verbal warning” to “expulsion,” without further details. This document was created in 1985 and last updated on January 28, 2000.

In addition, the School of Medicine endorses a Human Relations Code of Conduct, distributed to all medical students during their White Coat ceremony. Although it does not specifically address sexual harassment, it does state, “It must be ensured that our school is free from discrimination and acts of intolerance such as those based on race, gender, sexual orientation, religion, national origin, ancestry, age, or physical handicap. Such personally directed behavior will not be tolerated; it is antithetical to academic values, debilitates its victims, compromises the offenders, and undermines the

University's fundamental commitment to individual freedom and respect for all its members.”

## **V. Findings: Existing Resources and Current Challenges in Addressing Sexual Harassment and Sexual Assault**

At the request of the Dean of YSM, the Working Group reviewed the sexual harassment and sexual assault policies and practices at the Yale School of Medicine. The Working Group engaged in a comprehensive review of written policies, interviewed pertinent individuals regarding policies and practices, and examined policy and procedure statements from other institutions. The Working Group would like to note the following findings, which serve as the basis for our recommendations.

### **A) Student reports**

First, and most importantly, reports of incidents and concerns of sexual harassment and sexual assault at the Yale School of Medicine have made members of the community feel unsafe. Some of these incidents became well-known among the student body, and have resulted in the feeling that YSM has not provided a clear message to all members of the community indicating “zero tolerance” for sexual harassment and assault.

Students expressed concern that procedures for the redress of these complaints have not been followed, or that the procedures themselves are inadequate in their disciplinary aspects, as we discuss further below. A common concern is that student reports will not be believed; students who have reported experiences of sexual assault or sexual harassment at YSM have felt dismissed as over-reactive or overly-sensitive by key YSM personnel. Students have expressed concern that there are conflicts of interest for these key administrators because of their position responsibilities, and that they are not adequately trained to advise students of their rights and choices.

The Working Group also learned that students fear breaches of confidentiality should they report sexual harassment or sexual assault to YSM key personnel.

Medical school launches young doctors into a demanding profession marked, most immediately, by competition among highly qualified candidates for limited numbers of coveted residency positions. YSM students, faculty, and administrators all recognize that students perceive that a misstep in medical school may seriously limit future professional opportunities.

### **B) Interviews with key YSM personnel**

The Office of Student Affairs states that sexual harassment and sexual assault resources include: informational material distributed to students during Second Look weekend for incoming students and during the Survival Week program for third year students; a blue brochure on professionalism, given to students in their orientation packets; four emails per year to students listing support services for students; and provision of the Sexual

Harassment policy. In addition, anonymous data from exit interviews conducted by the Associate Dean of Students regarding harassment are reviewed by the Office of Student Affairs.

Awareness of such resources among students is varied, according to our interviews with the Office of Student Affairs and the Ombudsperson. However, the Working Group found that information and documentation on policies and procedures are not well publicized or understandable to students. Most notably, YSM procedures are available primarily in a print format. Therefore, it is difficult to locate information about sexual harassment at YSM on the Yale University website, and this is likely the first place that many students would look for such information.

### C) Review of procedures

Students who choose to make complaints about sexual harassment typically approach the Office of Student Affairs, the Office of the Ombudsperson, peers and Peer Advocates, Clerkship Directors, or teaching faculty. The Working Group found that consistent, specialized training to address complaints of sexual harassment and assault is not provided to these key persons.

Other personnel and offices that can respond to reports of sexual harassment and sexual assault include a Member of the Dean's Board on Sexual Harassment (nine members drawn from students, faculty, and staff); the Yale University S.H.A.R.E. Center (Sexual Harassment and Assault Resources & Education); and campus religious leaders. These resources do not appear to be well known to or utilized by YSM students.

The Office of Student Affairs and Office of the Ombudsperson report the following options for YSM students to report or address incidents of sexual harassment and sexual assault:

- contact the Ombudsperson by a confidential telephone line;
- seek advice outside of the Medical School through the S.H.A.R.E. Center for sexual harassment or sexual assault or the local police in regard to sexual assault;
- seek guidance, suggestions, or information from other multiple sources within YSM.

Further, students can choose to:

- address the complaint informally;
- take formal action;
- withdraw complaints at any time or delay action on a complaint if formal action is taken;
- ask the Ombudsperson or a member of the Dean's Board on Sexual Harassment to act on their behalf to speak directly to the alleged perpetrator, confront the perpetrator accompanied by Ombudsperson, confront the perpetrator by letter, or, on the wards, meet with the Ombudsperson and Section Chief to address harassment.



The Working Group did not find a centralized location (either virtual or real) where YSM students are notified of all these options.

Students expressed the following concerns with these procedures: (1) lack of trust that their experiences will be kept confidential when reported to these key personnel and (2) lack of clarity regarding how these reporting procedures will adequately resolve their concerns.

#### D) Review of reporting practices

Students indicate that a number of cases of sexual harassment and/or sexual assault at YSM are not reported. Many cases of sexual harassment and assault go unreported nationwide: the Department of Justice estimates that only 36% of rapes, 34% of attempted rapes, and 26% of sexual assaults were reported to police between 1992 and 2000. As noted earlier, the Working Group found several deterrents to reporting for YSM students who might wish to report cases.

- The process by which YSM addresses incidents of sexual harassment is not clear to students.
- Students are not aware of all their options and rights in cases of sexual harassment. A detailed explanation of the process of reporting an incident or making a complaint would make students more aware of their options.
- The disciplinary consequences of sexual harassment and sexual assault are not clear.
- The complaint process currently relies on non-standardized resolutions to cases, implemented by different individuals with varied levels of training in this specialized area.

Currently, there is no avenue that allows a YSM student to make an anonymous report of an incident of sexual harassment or sexual assault. Although anonymous reporting would not help in disciplinary or corrective matters, it would enable the administration to track and compile statistics of incidents of sexual harassment, and to investigate alleged habitual or repeat student and faculty offenders which has been of increasing concern to students at YSM. Anonymous reporting has been implemented at several other institutions, with follow-up studies indicating that reports of assault and harassment have declined over time after implementation of policies that explicitly allow anonymous reporting (see Appendix 1).

The structure of clinical education acts to discourage students from reporting incidents of sexual harassment or assault. During clerkships, students feel that making a complaint may affect their evaluation or tarnish their reputation, and possibly lead to retaliation or embarrassment. These perceptions are fed by doubts about confidentiality in a small community, especially in situations in which key personnel (and sources of information and support) are the friends or partners of prominent faculty members. Thus, in some cases, students are understandably hesitant to seek advice or register a complaint.

These findings are of particular concern as a number of studies [6, 46-49] show that the most common reasons why students do not report sexual harassment are that they fear retribution or damage to their careers, and/or that there will be no action taken.

#### E) Review of follow-up procedures

YSM's Dean's Board on Sexual Harassment (DBSH) has not convened in at least six years, though student reports of harassment and assault have occurred each year. Some students have reported that they were discouraged from making formal complaints to the DBSH, and pressured to resolve complaints informally. Students expressed concern that they have no direct input into the membership of the Board. The operating procedures of the DBSH are not clear to students, and its credibility is undermined by vague language which appears to offer no redress. For example, there are no clear statements of disciplinary consequences for behaviors that constitute sexual harassment or sexual assault (see Appendix 1 for examples from other institutions). The way in which the Board functions appears to promote reconciliation between alleged victims and perpetrators; this places the burden to resolve the incident on the victim and mitigates institutional responsibility for disciplining perpetrators. Statistics about either the incidence of sexual harassment complaints or information about their disposition are not available to the community.

A clear statement of YSM's disciplinary policy may serve to deter potential perpetrators and, as importantly, encourage victims to report sexual harassment or sexual assault. YSM'S Student Code of Conduct addresses expectations of student behavior more clearly than any other policy document. With regard to disciplinary processes, however, students believe there is a gap between the community embodied in the Code of Conduct and procedures and practices that fail to discourage sexual harassment and sexual assault.

As stated earlier, students perceive conflicts of interest for administrators in both the Office of Student Affairs and the Office of Women in Medicine in their roles as entry points for sexual harassment and sexual assault complaints. The Associate Dean of Student Affairs is responsible for writing Dean's letters for residency applicants and is necessarily involved in resolution of charges of sexual harassment and sexual assault for both victims and perpetrators. The work of the YMS Ombudsperson and the Director of the Office of Women in Medicine are performed by the same person; the Ombudsperson's role is to ensure that all members of the YSM community are treated fairly and equitably, while the Director of the Office of Women in Medicine is charged with advising and advocating on issues of particular concern to women. These dual roles, inherent in the responsibilities of each position, may discourage students from reporting incidents of sexual harassment and sexual assault, particularly when they involve faculty members whom either the Associate Dean or the Director/Ombudsperson may know on a collegial or personal basis.

#### F) Professional environment

Students noted a difference in the professional environments between the first two years of medical school and the time spent on the wards. During the first two years, complaints of sexual harassment and sexual assault generally arise between medical students as peers.

During their clinical clerkships, some students have been surprised and angered by encounters they have had with medical residents and attending physicians. Some stated that residents and attending physicians do not seem well trained in appropriate behavior and understanding what constitutes sexual harassment or sexual assault, concluding that the administration of YSM and Yale-New Haven Hospital do not send a strong message to prohibit sexual harassment and sexual assault. Students have requested further training on how to handle common situations in the workplace. They would specifically like programs that more fully address the concerns of medical students in a clinical environment, are taught by trained professionals, and make clear the disciplinary consequences of sexual harassment and sexual assault.

## **VI. Recommendations**

### **A. Dean's Policy Statement**

Because the Dean and the members of the Working Group understand the importance of making this review process as transparent and public as possible, we request that the Dean send out, via email, a statement reflecting the Yale School of Medicine's community commitment to "zero tolerance" for sexual harassment and sexual assault. A link to this report should be included in this statement. The report should be available online on the Yale School of Medicine website.

This statement should be sent to all faculty and students in the Schools of Medicine, Nursing, and Public Health, as well as to all house staff at the Yale-New Haven Hospital through the office of the Associate Dean for Graduate Medical Education. Hardcopies of this report should also be delivered to all clerkship and module directors at the School of Medicine, with additional copies made available in Harkness Hall. This is an urgent and important issue that requires immediate attention. Therefore, in the interest of advancing this process, we request that distribution of this report occurs no later than early February, 2008.

### **B. Sexual Harassment and Assault Resource and Education (SHARE) Center: Access and Advocacy**

We recommend that staff members from the Yale University SHARE Center be invited and empowered to serve as Advocates to address incidents of sexual harassment and sexual assault at the Yale School of Medicine. We envision SHARE staff members having well-publicized weekly office hours on the Medical School campus that will enable them to provide support and advice for

those who have suffered sexual harassment or sexual assault, and to participate in the planning and implementation of educational efforts at YSM. We recommend that responsibility be extended to the SHARE Center staff to include the following:

i. An emergency response in the event of a sexual assault and/or an experience of sexual harassment. The S.H.A.R.E. Center services are available to the YSM community, 24 hours-a-day, 7-days-a-week. These services include: immediate consultations by telephone or face-to-face, scheduled meetings, and ongoing sessions as needed. The SHARE counselor should be available to help the student decide how he or she would like to proceed, explain various options, and provide information about the steps and procedures throughout the reporting process.

ii. SHARE counselors should be available to serve as direct liaisons to the YSM student body. This can be arranged by designating one or more specific counselors for this purpose. If desired, YSM students can assist in the liaison selection process. Specific hours can be scheduled for the SHARE liaison to be present on the YSM campus in order to encourage students to drop-in for consultations or to discuss or register a complaint. The SHARE staff will also conduct educational activities for the YSM community.

iii. The Advocate(s) designated by the SHARE Center would have responsibility for advocating with regard to scheduling issues on behalf of those who have suffered sexual harassment or sexual assault, and for those who experience stress from interacting with their alleged perpetrators. She/he would serve a role in resolving sexual harassment and sexual assault complaints that is distinct from roles of the Director of the Office of Women in Medicine, and the Associate Dean of Student Affairs.

iv. The SHARE Advocate should be the primary referral for all students seeking advice regarding sexual harassment or sexual assault, as well as for advice regarding pursuit of disciplinary action in cases of sexual harassment and sexual assault.

v. The SHARE Advocate will be responsible for compiling information from all YSM sources (including the Office of Student Affairs, the Office of Women in Medicine, DBSH proceedings) to create and disseminate an annual report on sexual harassment and sexual assault incidents.

### **C. Collection, Compilation and Reporting of Data**

We recommend that the Office of Student Affairs modify the current E-value system to include at least two questions regarding sexual harassment; responses to these questions will be anonymous. Questions should be phrased in such a way

that sexual harassment and sexual assault are specifically defined to ensure accuracy in responses and reporting. We also recommend the addition of at least one binary (yes/no) question to the survey, e.g. “Did you experience sexual harassment or sexual assault?”, so that responses can be quantified to facilitate the tracking of patterns.

We recommend that a similar evaluation be implemented for the first and second year pre-clinical students.

The SHARE Advocate will be in charge of compiling data from the E-value system used by medical students during clerkships, and communicating this information to the Dean of the School of Medicine. The Dean will be responsible for reporting this information to the YSM community on an annual basis. In the interest of promoting transparency and trust in “the system,” we recommend that the Dean’s office implement a sexual harassment and sexual assault Reporting Protocol modeled on that being developed for Yale College. Specifically, this report will include numbers of incidences that take place on any part of the grounds of the Medical Center (whether considered “on campus” or “off campus” for compliance with federal Clery Guidelines).

#### **D. Training programs**

Training should be mandatory for all individuals who serve as entry points for students seeking counsel for the resolution of incidents of sexual harassment and sexual assault. These individuals include key personnel serving in the Office of the Ombudsperson, the Office of Student Affairs, as well as Peer Advocates and Clerkship directors. Training should emphasize confidentiality. In addition, we recommend that an intake protocol be developed for all those who may be consulted regarding sexual harassment and sexual assault, so that those providing service to students can consult a checklist to ensure that they are giving students advice that is clear, consistent, and comprehensive.

#### **E. Creation of a centralized website on Sexual Harassment and Sexual Assault for the YSM community**

We recommend the creation of an easily accessible, centralized website of YSM’s Policies, Procedures, and Resources for Resolving Incidents of Sexual Harassment and Sexual Assault. A link to this website should be available on websites of the Yale School of Medicine, the Office of Student Affairs, and the Office of Women in Medicine. The centralized website would include:

1. Descriptions, policy statements, and disciplinary procedures that the YSM utilizes to resolve sexual harassment and sexual assault incidents.
2. A step-by-step resource guide outlining options and decision making points for students who are victims of incidents of sexual harassment or sexual assault.
3. Emergency contact information.

4. A review of the legal rights and legal recourse for victims of sexual harassment or sexual assault. This would include information regarding the time frame necessary for reporting of incidents, collection of evidence, and options for pursuing internal YSM sexual harassment or sexual assault procedures and/or external legal procedures.
5. Hyperlink to the Dean's Board on Sexual Harassment website.

We recommend changing the heading of the "Mental Health and Counseling Center" Webpage to include definitions and descriptions of sexual harassment and sexual assault and a hyperlink to the S.H.A.R.E. Center site so that individuals accessing the site through search engines will not have difficulty locating YSM's policies and resources.

#### **F. Amendments to language of YSM policy documents**

The vague language currently included in the policy document "Grievance Procedures for Complaints of Sexual Harassment Brought by Faculty, Students, & Postdoctoral Fellows at the Yale University School of Medicine" should be replaced with a clear, "zero tolerance" statement that sexual harassment and sexual assault will not be tolerated at the Yale School of Medicine. The language should include clear statements of the consequences of engaging in sexual harassment or sexual assault; resulting disciplinary action should be made explicit (see Appendix 1 for example from Johns Hopkins).

Policy statements should be amended to specify exactly how the Code of Conduct is enforced.

#### **G. Office of Student Affairs: Separation of roles**

Because of the conflict of interest that it poses, the role of disciplining students responsible for acts of sexual harassment or sexual assault should not be held by the same individual entrusted with writing letters of recommendation for residency placements.

While the Associate Dean of Students will continue to serve as one of the entry points for students who have experienced sexual harassment or sexual assault, she/he will make a direct and immediate referral to the SHARE Advocate for those students who wish to pursue further options or counseling to resolve their complaints.

The SHARE Advocate should be the primary referral for all students seeking advice regarding sexual harassment or sexual assault, as well as for advice regarding the pursuit of disciplinary action in cases of sexual harassment and sexual assault.

## **H. Office of Women in Medicine: Separation of roles**

While the Director of the Office of Women in Medicine will continue to serve as one of the entry points for students who have experienced sexual harassment or sexual assault, she/he will make a direct and immediate referral to the SHARE Advocate for those students who wish to pursue further options or counseling to resolve their complaints.

The SHARE Advocate should be the primary referral for all students seeking advice regarding sexual harassment or sexual assault, as well as for advice regarding the pursuit of disciplinary action in cases of sexual harassment and sexual assault.

## **I. Reforms to the YSM Dean's Board on Sexual Harassment**

We recommend that a vigorous reappraisal be undertaken to assess the structure, functioning, and composition of the Board. The appraisal should be completed by June 2008 and implemented in the Fall Term 2008.

Procedures and issues to be examined include (but are not limited to):

- Assessment and rationale for membership on the Board, including student representation.
- Preparation and training of Board members to hear cases of sexual harassment and sexual assault, including determination of Board members' potential conflicts of interest.
- Formal standards for disciplining YSM community members found to have engaged in sexual harassment or sexual assault.
- Confidential documentation of proceedings for complainants and respondents.
- Annual reporting of utilization of DBSH and a record of its disciplinary actions.

## **J. Enforcing Accountability**

An annual review of incidents of sexual harassment and sexual assault at YSM (including the activities of the Dean's Board on Sexual Harassment) should be reported to a publicly accessible website and emailed to all members of the medical school campus community on an annual basis. The SHARE Advocate will be responsible for compiling this information from all YSM sources, (including the Office of Student Affairs, the Office of Women in Medicine, DBSH proceedings). We recommend that the Dean appoint a Review Committee that will be responsible for conducting this annual review, and that the Committee should be composed of students and faculty, following the precedent of similar committees appointed to examine educational matters and other aspects of student life. Students should be elected by the student body, with one student serving per class year. Faculty should be appointed by the Dean of the Medical School. The

committee would be responsible for providing input into the SHARE Advocate's effectiveness, examining the data provided through anonymous reports to all entry points for reporting sexual harassment and sexual assault at YSM, and reviewing the enforcement of current protocols.

### **K. Follow-up to this report**

One year from the distribution of this report, the Dean should ask the members of this Working Group or a similarly representative group to reconvene and review the progress in acting upon these recommendations and to report the progress to the Dean.

#### Appendices:

1. Policies of other institutions regarding sexual harassment and sexual assault.
2. Current policy at the Yale School of Medicine.

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## Policies of other institutions regarding sexual harassment and sexual assault

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## 1 Points of entry for students

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### 1.1 Brown

Our group thought the clearest point of entry from the student perspective came from Brown Medical School.

When you Google "Brown Medical School sexual harassment", you get <http://bms.brown.edu/wim/policy.html>.

Three key features of the website are:

- a) a clear copy of the school's policy, with resource numbers and details of the procedure that will be followed by all university officials;
- b) contact information for the school's three personnel responsible for following-up on medical student complaints of sexual assault or harassment; and
- c) a copy of the form that all medical students (at any stage in their schooling) fill out to describe the incident and clarify the reporting student's desire for action/confidentiality as well as the signature of the responsible university official receiving the form (e.g., one of the three appointed persons):

<http://www.brown.edu/Administration/EEO-AA/images/shrf.sudents.pdf>

### 1.2 University of Chicago

<http://pritzker.uchicago.edu/current/students/ombudsmen.shtml>

The Pritzker School's policies were similar. They include:

- a) a clear copy of the school's policy,
- b) resource numbers to call, and details of the procedure;
- c) a copy of the guide to services, with a protocol for students to follow if they think they are being harassed or have been assaulted.

Unlike Brown, they do not include a form for students. However, the two contact persons are faculty members elected by the student body to serve as "advocates" and the primary contact people to guide the student through the process.

### 1.3 Washington University, St. Louis

<http://aladdin.wustl.edu/facilities/facility.nsf/Protective/54E5D80127342BC386256AD400583CE7>  
<http://medschool.wustl.edu/students/policies.html>

WUSL's policies are also similar. They include:

- a) a clear copy of the school's policy;
- b) definitions of harassment/assault, and examples;
- c) a confidentiality statement;
- d) contact information for four "sexual harassment coordinators and advisors";
- e) informal and formal complaint process description;
- f) details of sanctions.

#### **1.4 University of Washington**

The medical school at UWash has a separate, free counseling office:

<http://www.uwmedicine.org/Education/MDProgram/StudentAffairsAndServices/CounselingService/>

They refer assaulted students to one of four Seattle-area services:

<http://www.uwmedicine.org/Education/MDProgram/StudentAffairsAndServices/CounselingService/Resources.htm>

Their policies on harassment are not as clear as the aforementioned schools. However, they do specify harassment and assault definitions, standards of behavior, and procedures in the contracts for physicians and residents:

<http://www.uwmedicine.org/NR/rdonlyres/A767821F-AF62-43A4-AE6261CABBF9AC59/0/RPA0607.pdf>

<http://www.uwmedicine.org/NR/rdonlyres/ADD861A9-F3E9-4DF7-8DDC-2663F2330A6F/0/FPA0607.pdf>

#### **1.5 University of Pennsylvania**

UPenn has a “sexual harassment handbook” that immediately comes up on Google:

<http://www.upenn.edu/affirm-action/shhandbook.html>

It includes:

- a) Definitions and examples;
- b) Policies regarding consensual relationships;
- c) Who to contact;
- d) Procedures that will be followed by university officials who receive a complaint;
- e) Statement of confidentiality.

They also employ a form that goes to a central university office, to initiate investigations:

<http://www.upenn.edu/affirm-action/DiscriminationFrm.pdf>

## 2 Follow-up protocols

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We have detailed one follow-up protocol (Brown) and summarized how other protocols are similar or different from it, since it is the clearest and most thorough protocol we could find.

### 2.1 Brown

<http://www.brown.edu/Administration/EEO-AA/sexpol1.html>

Brown's policy starts with a "no tolerance" statement and definitions of sexual harassment and assault. This is followed by the protocol for following-up complaints:

<http://www.brown.edu/Administration/EEO-AA/sexpol2.html>

The protocol is summarized as follows:

- a. Three personnel responsible for complaints are trained in sexual assault counseling. University officials who face a student complaint are told to refer the student to these three persons. The three liaisons give the student a form to complete, and follow the same flowchart for any student complaint. They first coordinate any referrals to medical services, scheduling or personnel matters, and referrals to the police. Then, they discuss:
  - "1. the details of the informal and formal grievance process;
  2. the issues involved;
  3. possible resolutions;
  4. provisions in the policy for protection of the grievant's interest (e. g., parameters of confidentiality; need for truthfulness by all parties; keeping the grievant fully informed of steps taken during the process; protection of the grievant and witnesses against retaliatory action);
  5. provisions in the policy for protection of the interests of the accused (e. g., parameters of confidentiality; need for truthfulness by all parties, right to be notified of existence of any formal grievance; opportunity to respond to the grievant's allegations);
  6. that use of an informal resolution method does not prevent the grievant from later deciding to use the formal method, nor does the use of any internal grievance method prevent the grievant from utilizing external grievance resolution resources."
- b. Once the above information has been discussed with the student, the individual may then decide whether to:
  - "1. do nothing (rarely recommended);
  2. take personal action (such as a letter to the alleged harasser);
  3. request third-party informal resolution;
  4. request a formal investigation and resolution of the grievance.When the person seeking assistance desires to utilize the Brown University Informal or Formal Grievance Resolution Procedures, the University resource person (if not an informal/formal resolution official) will make the referral and establish an appointment with the appropriate University informal or formal grievance resolution person as requested by the individual requiring assistance."
- c. Informal resolution consists of the following:

"The aim of the informal grievance resolution process is not to determine whether there was intent to harass but to ensure that the alleged offending behavior ceases and

that the matter is resolved promptly at the lowest possible level. Intent is not generally relevant to defense of sexual harassment behaviors. In fact, sexual harassment need not be intentional. Under Brown's sexual harassment policies, the intent of the person who is alleged to have behaved improperly is not relevant to determining whether a violation of Brown's policy has occurred. The relevant determination is whether a reasonable person could have interpreted the alleged behavior to be sexual. No disciplinary action is taken in resolving informal grievances. Hence, informal grievance resolution procedures should not be used for severe cases of sexual harassment/sexual assault, nor should they be used when the alleged harasser has been the subject of a previous formal grievance... In severe cases of sexual harassment/sexual assault or instances involving a repeated offender, the University may conduct a University-generated investigation if there is sufficient reason to believe that sexual harassment/sexual assault could have or does exist.

Some informal actions that may be appropriate are:

1. Writing a confidential letter to the alleged harasser informing him/her of the negative behavior, the resulting impact on the writer, and what the writer wants next, usually "I want the behavior stopped", or "I want to be treated the way a student or fellow employee should be treated".
2. Asking that a workshop be conducted for the unit/division.
3. Asking that someone speak to the alleged offender.
4. Meeting with the alleged offender and a third party to explain the grievant's feelings and the University's policy.

Possible outcomes of an informal process include:

1. The grievance is resolved to the satisfaction of both parties.
2. Grievance not resolved: In cases where resolution of the grievance is not possible, the University Resource Person will advise the grievant of the option of filing a formal grievance within the University and the options outside the University that may be pursued, i.e., filing with the R.I. Commission for Human Rights, EEOC, and/or the Office of Civil Rights."

d. The formal resolution process is as follows:

A board is called by: (a) the Dean if a student is the alleged; (b) the Provost if a faculty member is the alleged; (c) the Office of Equal Employment if staff are alleged. The board then starts the following investigation:

"The specific issues to be investigated/reviewed may include but are not limited to:

1. Whether the specific conduct has occurred and constitutes a violation of Brown's sexual harassment policies, the type(s) of conduct; frequency of occurrence; date(s) on which or time period over which the conduct has occurred; location of alleged occurrence and all factual circumstances upon which the grievance is based;
2. The specific relationship of the respondent to the grievant (e.g., professor-student, supervisor-employee, employee-student, etc.);
3. The effect of the respondent's conduct on the grievant, including any consequences that may be attributed to the conduct;
4. Whether the respondent is aware of the grievant's concerns;
5. Whether the department chair or supervisor is aware of the grievant's concerns;



6. The names of witnesses having factual knowledge of the circumstances surrounding the grievance;
7. Whether any prior steps were taken to resolve the grievance; and/or
8. Whether there are any additional resources that may be helpful to resolve the grievance.

Please Note: Sexual harassment need not be intentional. Under Brown's sexual harassment policies, the intent of the person who is alleged to have behaved improperly is not relevant to determining whether a violation of Brown's policy has occurred. The relevant determination is whether a reasonable person could have interpreted the alleged behavior to be sexual.

Some possible outcomes of a formal investigation include:

1. a finding that there is a reasonable basis for believing that the alleged violation occurred; or
2. a finding that there is no reasonable basis for believing that the alleged violation occurred; or
3. a finding that there is a reasonable basis that other misconduct may have occurred.”

This may be concluded with a decision to impose sanctions, which are conducted: “In cases involving a faculty member, (contract and/or adjunct), or other instructional personnel as the respondent, by the Provost or the Provost's designee. In cases involving a staff person as the respondent, by the senior officer for the department/unit employing the charged party or by that person's designee. In cases involving a student as the respondent, by the Senior Associate Dean of Student Life or the Dean's designee.

Appropriate sanctions may range from a written reprimand up to and including separation of the offending party from the

University in accordance with established University procedures. In addition to the University disciplinary process, rape and other forms of sexual assault may be prosecuted criminally by the Attorney General of the State of Rhode Island. Use of the University procedures, or a lack thereof, does not preclude a grievant from filing charges under State criminal statutes. Both parties should be informed of the existence of their rights in other forums.” An appeals process is also provided, in the event that new information becomes available.

## 2.2 Stanford

Unlike Brown, Stanford’s policy is centralized through a specific University office rather than through a separate medical school mechanism:

<http://www.stanford.edu/dept/shpo/>  
[http://adminguide.stanford.edu/23\\_2.pdf](http://adminguide.stanford.edu/23_2.pdf)

Stanford’s policy is very similar to Brown, including:

- a) Statement of no tolerance, and definitions of harassment and assault;
- b) Contact information for designated Sexual Harassment Advisers;
- c) Two mechanisms of action: informal (“direct communication” and “third party intervention”) and formal (“grievance investigation”)
- d) Investigation of complaints by the office, listed disciplinary procedures, and an appeals process to a higher Stanford office if the complainant is dissatisfied.

Stanford's policy differs in that one administrator in the office is responsible for investigation, rather than a board. There is also no designated complaint form for students to complete. Unlike Brown, the policy specifies what consensual relations are, and further states: "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... 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."

### **2.3 University of Chicago**

<http://pritzker.uchicago.edu/current/students/ombudsmen.shtml>

Pritzker's policies are similar to Brown's, in that two tiers of interventions are permitted ("mediation" and "formal"), and the guidelines for both procedures are specified. A protocol for the informal process is clearly outlined, which includes a meeting with an advisor trained in sexual assault. Within the formal complaint process, a panel is called to investigate. Like Brown, reports from the panel go to the Dean of the medical school if the accused is a student, to the Provost if the accused is faculty, and to the Office of Human Resources of the medical school or the hospital if the accused is staff at either location. Like Stanford, the policy specifies requirements for faculty if they are involved in consensual relationships with students. There are two unique aspects of the Chicago policy:

- a) statistics and brief, anonymized summaries of all complaints go to the student senate at the end of each year;
- b) two ombudspersons are elected from the faculty by the students, and serve as student advocates and the primary contacts for students. They are not allowed to be involved in other aspects of student evaluation.

### **2.4 Hopkins**

<http://www.jhuuaa.org/>

Hopkins is similar to Stanford in that it has a separate office, as part of the larger university, to which student complaints are reported. The office includes a more extensive reporting form than Brown: <http://jhuuaa.org/Text/ComplaintForm.doc>

Their follow-up protocol is less clear than Brown's, in that the Office investigates the matter but does not specify the process of investigation. However, complaints related to medical students are reported to the Dean of the medical school, and follow a more specific protocol than at the previous schools. The process for addressing complaints against a medical student is: <http://www.hopkinsmedicine.org/som/students/policies/discipline.html>

- a) "A student's record within the School of Medicine will contain documentation reflecting conduct during the period of enrollment.
- b) A student will have access to his School record, including those documents, if any, reflecting conduct, in accordance with the standards set forth in the Family Educational Rights to Privacy Act and applicable University policy. The University's policy on access to and release of student records is published annually and a copy may be obtained from the Office of the Registrar of the School of Medicine.
- c) When information reaches the School indicating that a student has engaged in behavior unbecoming a physician and/or a medical scientist, the student will be requested to confer with the Associate Dean for Student Affairs.
- d) Where a matter involving student conduct cannot be resolved to the satisfaction of the Associate Dean for Student Affairs, or where the gravity of the acts with which the student is charged appears to warrant further attention, the Dean of the Medical Faculty will appoint an ad hoc committee of the Advisory Board of the Medical Faculty to hear the charge of misconduct. The Committee may include such other persons, for example, student peers, as may be deemed appropriate. Each person appointed to the ad hoc committee shall be free of bias or personal interest in the matter. The Dean, Vice Dean, Associate Dean and Registrar shall be non-voting ex-officio members of the ad hoc committee. The Dean, Vice Dean, or an Associate Dean shall preside at meetings of the ad hoc committee and may vote when the ad hoc committee is equally divided on a question.
- e) A student charged with misconduct will be given written notice of the charges and of the date and time of the Committee hearing. Prior to the hearing an accused student shall be given access to all documentary evidence to be presented against him. An accused student may request an opportunity to consult with the Dean, Vice Dean, or an Associate Dean prior to a hearing.
- f) A student may be accompanied to the hearing by a faculty member or student advisor. Representation of the accused student or the accusing party at the hearing by attorneys will not be permitted.
- g) In the course of the hearing, a student will be given the opportunity to present evidence and witnesses in his behalf, to question all witnesses, and to make statements to the Committee.
- h) Members of the ad hoc committee may ask questions of the student charged and of witnesses appearing before the Committee.
- i) A hearing before the ad hoc committee will be closed and persons other than Deans appearing as witnesses will be asked to absent themselves before and after their testimony. Parents of the accused student will be permitted to accompany a student throughout the hearing, and, if they should wish to do so, to make a statement.
- j) A hearing shall be recorded but the deliberations of the ad hoc committee shall not be recorded. Following the hearing, the accused student shall be permitted to listen to the recording upon request, but all copies of the recording shall remain in the School's possession.
- k) All parties, witnesses, and representatives shall be excused at the conclusion of the hearing and the ad hoc committee shall deliberate privately. The Committee shall make findings as to the truth or falsity of the charges against the student and, where necessary, shall submit to the Dean a recommendation of a penalty.

l) The options for disciplinary action, should the Committee decide that the student's behavior warrants discipline, will include, but will not necessarily be limited to the following:

- a. Reprimand without probation or suspension.
- b. Probation for a specified time period or until explicit\* conditions are met. Review and final decisions to be administrative.
- c. Suspension for a specified time period or until explicit\* conditions are met. Review to be administrative.
- d. Suspension for a specified time or until explicit\* conditions are met. Review by the ad hoc committee of the Advisory Board.
- e. Unconditional Expulsion

\*Explicit conditions are to be unambiguous and as objective as the conditions allow.

m) A student may appeal an adverse decision to the Dean of the School of Medicine, or, in the absence of the Dean, appeal may be made to the Vice Dean or an Associate Dean. A student may appeal an adverse decision of the Dean, Vice Dean, or Associate Dean to the Provost of the University.

n) A student may attend classes pending the proceedings before the ad hoc committee unless the student is judged by the Dean, Vice Dean, or Associate Dean to be a danger to himself or others. A student must seek the permission of the Dean, Vice Dean, or Associate Dean in order to continue the educational program pending appeal from the recommendations of the ad hoc committee.”

## **2.5 Washington University St. Louis**

In addition to having a similar university-wide mechanism to deal with sexual harassment and assault complaints through a grievance board, UWash specifies a mechanism to additionally deal with complaints involving such concerns where they involve a medical student and a superior: <http://medschool.wustl.edu/students/teacher.html>

“The Associate Dean for Medical Student Education will be responsible for hearing complaints of student abuse...He/she will be responsible for reviewing the complaint and obtaining additional information. If the initial review discloses that the complaint warrants further review, he/she will convene an ad hoc committee to hold a hearing. The accused will be notified in writing of the complaint and the policy for handling such complaints, and will be invited to attend the hearing. A confidential copy of the notification will be sent to the accused's department chair (for faculty and residents), training program director (for residents), or the Associate Dean for Student Affairs (for students).”

## **2.6 Cornell**

Weill Medical College parallels the above protocols, but specifies some additional administrative activities that the school will engage in if a student reports being the victim of sexual harassment or assault:

“The Medical College will change a victim's academic or living situation after an alleged sexual offense if requested by a student and reasonably available. Disciplinary action in the case of an alleged sexual offense may be available under various policies and procedures including the

applicable code of conduct, and the employee and academic grievance procedures. The accuser and the accused will each be permitted the same opportunities to have others present during a disciplinary proceeding. Additionally, both the accuser and the accused will be informed of any outcome of any institutional disciplinary proceeding involving a sex offense. Sanctions which may be imposed by the Medical College following a determination of a disciplinary proceeding regarding rape, acquaintance rape, or other forcible or non-forcible sex offenses include suspension and dismissal from academic programs and termination of employment.”

## **2.7 University of Michigan**

The school has clear guidelines regarding discipline following any acts of unprofessional behavior: <http://www.med.umich.edu/medstudents/policies/Procedures2006.pdf>

In addition to paralleling the Hopkins disciplinary protocol, the Michigan protocol includes: “If a student’s behavior poses potential for danger to patients, staff, or other students, or faculty, the department can take immediate action to suspend the student temporarily from his/her responsibilities. Within two working days of a suspension, or as soon as practicable, the Department Chair or designee must: begin fact-finding, including providing the identified student with an opportunity to meet with the Chair or designee, and notify the Associate Dean for Student Programs of the incident and of any action taken. Within two additional working days, or as soon as practicable, the department will conduct a review of the case, and decide whether or not further action is indicated. If further action is indicated, the Department will make a formal recommendation to the Associate Dean for Student Programs. If further action is not indicated, the department will notify the student and the Associate Dean for Student Programs. In cases where a recommendation is forwarded from the faculty/department, the Associate Dean for Student Programs may determine that no further action is indicated or may refer the case to the Associate Dean for Medical Education, who will convene a Hearing Committee for further action.”

## 3 Training procedures

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### 3.1 Stanford

Stanford School of Medicine started a program to educate faculty and students to diminish sexual harassment, following a high profile resignation of a neurosurgeon:

<http://query.nytimes.com/gst/fullpage.html?sec=health&res=9E0CEEDD153AF930A15750C0A964958260>

The following article was published in May 2000 to review the impact of the program: Jacobs CD, Bergen M, Korn D. Impact of a Program to Diminish Gender Insensitivity and Sexual Harassment at a Medical School. *Academic Medicine*. 75(5):464-469, 2000.

The authors developed a survey instrument to assess perceptions regarding environment (five scales) and incidences of sexual harassment. Participants were surveyed twice during the interventions (1994 and 1995). “Between the two years, the authors measured significant improvements in mean ratings for positive climate ( $p = .004$ ) and cohesion ( $p = .006$ ) and decreases in perceptions of sexual harassment ( $p = .0006$ ), gender insensitivity ( $p = .001$ ), and gender discrimination ( $p = .004$ ). The faculty also reported fewer observations of harassing behavior during the study period.”

The training consisted of: “required that all faculty attend sexual-harassment education sessions, ...provided sexual-harassment workshops for students, established a diversity council to address issues of gender and ethnicity and report to the dean, and contributed to the strengthening of university-wide procedures for dealing with sexual harassment...In 1991, the dean sent a message to the entire medical school community affirming a policy of zero tolerance for sexual harassment and calling attention to issues of gender insensitivity and its adverse impact on the community. Between 1992 and 1994, 50 faculty in leadership positions, including deans, department chairs, and program directors, attended one- or two-day diversity retreats. These were conducted by an experienced and highly regarded consulting team (Equity Institute, Emeryville, CA). The objectives of these retreats were to improve individual insight and enhance sensitivity regarding issues of gender and race, to assist leaders in implementing practical strategic changes, and to develop broad leadership on these issues....In 1994, the dean made participation in sexual-harassment workshops mandatory.”

The description of the medical student training exercise is provided in more detail in a separate article: Jacobs C, Bergen M. A sexual harassment workshop for medical students. *Acad Med*. 1995;70:434–5. The following is an excerpt:

**Description:** We have designed and conducted a 2½-hour workshop in which medical and graduate students learn

what legally constitutes sexual harassment, develop strategies to confront this behavior, and develop skills to prevent and interrupt sexual harassment. Directed by two trained leaders, attendees actively participate in small-group exercises to define sexual harassment and describe reactions of “recipients.” The legal definition and common misperceptions are covered in lectures. Students learn how to assess an incident, are given tips on what to say, and learn about the importance of the “meta-message.” They learn to assess and handle an incident through role playing, using three cases, and they develop a variety of strategies. Finally, they are given the school’s policy and procedures and are encouraged to build alliances.

**Discussion:** To date, five workshops have been conducted and they have been well received. We have modified the workshop based on student advice from focus groups; specifically, we have added more skills development and role playing. We have encountered two major pitfalls. The first is “sidetracking.” Groups often begin to intellectualize about the issue of sexual harassment, leaving less time for skills development; also, the students often begin to tell personal stories. The second problem we call “opening Pandora’s box.” If sexual harassment has not been discussed in any formal way before the workshop, students may become quite upset when the problem is acknowledged.

We will continue to hold workshops and we plan to extend them to postdoctoral fellows and house staff.

**Evaluation:** Immediately before and after the workshop, the students complete an instrument that measures their knowledge of the topic and their ability to assess incidents. Focus groups give additional feedback. In addition, the entire student body receives a yearly survey that assesses the medical school’s climate and how frequently students experience or observe behaviors categorized as sexual harassment.

To review the impact of these trainings, a survey is available in the literature, which is now administered annually to Stanford medical students:

Bergen MR, Guarino CM, Jacobs CD. A climate survey for medical students: a means to assess change. *Eval Health Prof.* 1996;19:30–47.

The training video is also available on the web, but requires a Stanford email address:

[http://www.stanford.edu/dept/shpo/training\\_students.html](http://www.stanford.edu/dept/shpo/training_students.html)

### **3.2 Hopkins**

Johns Hopkins requires faculty, staff, and students to complete sexual harassment training each year, which is designed by a body of legal experts on sexual harassment law. Recipients have the choice of three training sites: (1) through a scheduled departmental training (for faculty), (2) online, through the secure training system used for HIPAA and IRB training, or (3) through school-wide trainings in the medical school auditorium.

The training video is available at:

[http://www.hopkinsmedicine.org/fac\\_development/video/sexualharrasment\\_laguerrebrown.Wmv](http://www.hopkinsmedicine.org/fac_development/video/sexualharrasment_laguerrebrown.Wmv)

The student online training session (University-wide) and follow-up exams are available at:

<http://training.newmedialearning.com/psh/jhu/student/message.htm>



## **Yale University Statement on Sexual Harassment**

*Sexual harassment is an affront to human dignity and fundamentally at odds with the values of Yale University. Because the University is committed to maintaining a community for study and work that is free from sexual harassment, the University will not tolerate any member of that community sexually harassing another.*

Sexual harassment is antithetical to academic values and to a work environment free from the fact or appearance of coercion. It is a violation of University policy and may result in serious disciplinary action. Sexual harassment consists of nonconsensual sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature on or off campus, when: (1) submission to such conduct is made either explicitly or implicitly a condition of an individual's employment or academic standing; or (2) submission to or rejection of such conduct is used as the basis for employment decisions or for academic evaluation, grades, or advancement; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating or hostile academic or work environment. Sexual harassment may be found in a single episode, as well as in persistent behavior. Conduct that occurs in the process of application for admission to a program or selection for employment is covered by this policy, as well as conduct directed toward University students, faculty or staff members.

This text is available online here:

<http://www.yale.edu/equalopportunity/policies/>

**Appendix E**  
***2007 Report of the Committee to Review  
the Yale College Executive Committee***

## Preliminary Report of the Committee to Review the Yale College Executive Committee

April 27, 2007

Last summer Dean Salovey constituted a Review Committee to study and prepare recommendations considering the “composition, procedures, and outcomes” of the Yale College Executive Committee, which is charged with dispensing justice to Yale undergraduates charged with infractions of the *Undergraduate Regulations* –

“as well as other actions on the part of students that may in the judgment of the committee warrant disciplinary action because they may imperil the integrity and values of the Yale community or the well-being of its members.”

(<http://www.yale.edu/yalecollege/publications/uregs/index.html>)

The Executive Committee was last reviewed in 1988. The Review Committee consists of Professors J. Michael McBride (Chair), Mary Miller, and Peter Parker, Deans Jill Cutler, Stephen Lassonde (Secretary), and Betty Trachtenberg, and Susan Sawyer of the General Counsel’s Office. It has met throughout the 2006-2007 academic year.

The nature of the Executive Committee’s business is such that at least one individual is typically dissatisfied with each decision, and the necessity for enough confidentiality to protect privacy occasionally disconcerts a significant segment of the college community in cases that have become widely, if imperfectly, known. Despite these inevitabilities, the Review Committee was impressed by how well the current procedures function and by the skill and conscientiousness of those who serve on the Executive Committee.

The Review Committee is in the process of preparing an advisory report to the Dean and the Executive Committee that it hopes will help minimize residual problems. One recommendation will be creation of an Executive Committee website that will make nonconfidential information relating to its procedures, the types of cases it considers, and the range of penalties it assigns more readily accessible to interested parties.

The Review Committee has decided to recommend several modest **changes in the procedures of the Executive Committee**, detailed below, which it hopes the Yale College Faculty will adopt for the coming academic year.

### **(1) Composition of the Executive Committee**

The current composition of the thirteen-member Executive Committee (*three tenured members of the Yale College Faculty; three untenured members of the Yale College Faculty; three undergraduates; the dean of Yale College or the dean's designated representative; and the three officers of the committee, the chairman, the secretary, and the factfinder*) is satisfactory. In recent years, however, an increasing fraction of students have chosen not to contest charges. In such cases the full Executive Committee does not meet and the penalty is assigned by the Coordinating Group, which typically consists of two faculty members (the chair and the factfinder) and one member of the Dean’s Office (the secretary). Student participation in the work of the committee as a whole is

important, and we feel that such participation in the Coordinating Group would also be valuable.

**We recommend that the Coordinating Group be augmented by inclusion of one student, to be chosen on a rotating basis from the membership of the Executive Committee.**

**(2) Recusal on Appeal**

A student who has chosen not to contest the charges, but who feels that the penalty assigned by the Coordinating Group was too harsh, has the option of appealing the penalty to the full Executive Committee. Under current procedures the appeal hearing is chaired by the same individual who chaired the Coordinating Group when it assigned the initial penalty.

**We recommend that when a penalty is appealed, members of the Coordinating Group who assigned the original penalty should be excused, and the chair should be replaced by the longest-serving faculty member of the Committee, who would assume the chair's prerogative of voting to break a tie.**

**(3) Recording of Reprimand**

The lightest disciplinary penalty that may be assigned by the Executive Committee is "*Reprimand. (This is a matter of internal record only.)*" Although it is widely assumed that records of reprimand are expunged (except from the minutes of the Executive Committee) upon a student's graduation, there is currently no directive to that effect.

**We recommend that all communications from the Executive Committee regarding an instance of reprimand specify that the records be destroyed upon a student's graduation.**

**(4) Recording of Expulsion**

The most severe disciplinary penalty that may be assigned by the Executive Committee is "*Expulsion – Permanent separation from the University.*" No record of disciplinary penalties appears on the academic transcript. When a student is suspended or expelled, the only transcript notation is "withdrawn," the same notation that would appear after withdrawal for any other reason.

**We recommend that when a student is expelled a notation to that effect be added to the academic transcript.**

**(5) Procedures in Cases of Sexual Assault or Sexual Harrassment**

As a class the most challenging cases heard by the Executive Committee are those involving accusation of sexual assault or sexual harassment. The number of such

cases is small, perhaps too small, since there is reason to believe that accusers are discouraged from bringing charges by a perception of imbalance in the Committee's procedures. At present the accused and accusing students are typically not present to hear one another's testimony before the Executive Committee, but the accused student is entitled to listen remotely to the accuser's testimony. We believe the procedure would be better balanced if the same right were extended to the accuser.

**We recommend that in cases involving sexual assault or sexual harassment the accusing student be entitled to listen remotely to all testimony before the Executive Committee, to submit appropriate written comments or questions to the Executive Committee, and at the committee's discretion to appear again in person to provide clarification.**

Jill Cutler  
Stephen Lassonde  
Michael McBride  
Mary Miller  
Peter Parker  
Susan Sawyer  
Betty Trachtenberg

**Appendix F**  
***2006 Report by the Yale College Sexual Harassment Grievance Board  
to Dean Peter Salovey***

# **Report by the Yale College Sexual Harassment Grievance Board to Dean Peter Salovey**

April 27, 2006

On September 14th, Dean Peter Salovey met with the Sexual Harassment Grievance Board and requested that we carry out a thorough review of the current system at Yale for responding to complaints of sexual assault and that we consider possible changes to the present system to make it more transparent and helpful to students bringing complaints. Having conducted our review, we have two principal recommendations. In order to improve sexual assault responses on campus, we recommend that Yale create a sexual assault position under the auspices of YUHS, which would oversee a website, hotline, and educational programs, as well as provide support and advice to students. Additionally, in order to increase awareness and prevention of sexual assault at Yale, we recommend that the university should enhance its tracking of reported sexual assault cases and issue an annual, internal report to the Yale community

During the fall of 2005 semester, the Board collected extensive comparative information from ten sister institutions (UC Berkeley, Brown, Chicago, Columbia, Dartmouth, Harvard, MIT, Penn, Princeton, and Stanford), which described their procedures and their organizational structure for dealing with sexual assault. This material helped us evaluate Yale's own programs, and a summary of "best practices" is attached to this report as an [appendix](#).

During the fall semester, the Board also met with a variety of interested undergraduate organizations - including Consent, RSVP, Walden, and YCC - and with a variety of relevant University administrators, such as Jill Cutler (Yale College Executive Committee), Dr. Carole Goldberg (Clinical Psychologist, YUHS), Caroline Hendel (Assoc. General Counsel), Martha Highsmith (Deputy Secretary, Yale Univ.), James Perrotti (Chief, University Police), Susan Sawyer (Assoc. General Counsel), and Dr. Lorraine Siggins (Chief Psychiatrist, YUHS).

## **Sexual Assault Resource Coordinator**

One specific comparison that the Board examined in detail was the contrast between systems that could be characterized as centralized or focused (with limited but well defined entry points) vs. systems which could be characterized as more diffuse with a

variety of diverse (but not always transparent) entry points. In this spectrum, Yale's system has evolved (not necessarily deliberately) to be closer to the diffuse model, and the key issue for the Board in this review has been to examine whether Yale's current system is optimal or whether, for example, steps should be taken to make it somewhat more centralized and transparent while still retaining the diversity of its entry points.

It was the unanimous consensus of the Board that in dealing with the diversity of the Yale undergraduate student body, there was a strong advantage in providing a wide variety of entry points for students to use in reporting such a personal trauma as sexual assault. Residential College Masters and Deans, Yale College Deans, peers, religious counselors, the members of the SHGB, and even faculty members may provide the most comfortable approach for a specific student. That choice should be left to the assaulted student.

It also seemed clear to the Board, on the basis of comments from various student groups, that there was a need to have a better defined, more visible, centralized position that could serve as an easily accessed entry point for students and that could complement other, already existing resources. The Board recognizes definite advantages, as far as anonymity is concerned, for locating this service physically in a satellite facility, outside of YUHS. Nonetheless, the most obvious administrative location for such a contact would seem to be under the auspices of YUHS. We recommend this person coordinate a dedicated 24-hour hotline for immediate assistance, as well as oversee follow-up programs and help to direct the student to the other available resources, both at Yale and externally. This coordinator could work directly with the assaulted student and would also be a valuable resource for someone such as a Residential College Dean, for example, in assisting a specific student who has come to him or her.

The coordinator should have a budget that would allow this person to also be actively involved with campus education as part of a preemptive program to help reduce the incidence of sexual assault within the Yale community. This can come from the liaison coordinating with student groups to educate students about risk reduction strategies, as well as to promote a continuing campus discussion of issues of sexual assault through targeted educational programs.

Recognizing that students instinctively turn to the internet as a source of information, the Board also feels strongly that another aspect to making Yale's response to sexual assault more visible and accessible is the implementation of an easily navigated website, which would allow the student to understand and compare the procedures and options available



within the University. (Other schools have used the internet as a way to reach students, as UC Berkeley's online prevention course illustrates.) Links to this website should be readily visible and accessible from the Yale College home page. The Board is working actively with YUHS and the University Police to ensure that this webpage will be available by the beginning of the fall, 2006 semester.

### Reporting Sexual Assault Statistics

The Board also examined the issue of reporting statistics related to sexual assaults and other sexual harassment incidents together with the related issue of the definitions of what incidents belong in those reports. The Board was initially concerned with the narrowness of the federal reporting definitions, which do not take into account assaults that take place off campus. The Board proposes that there also be an annual internal report that includes all incidents of interest to the Yale community, regardless of their specific geographical location. The Office of the Secretary and the Office of the General Counsel, which are responsible for responding to the federal reporting requirements, have been very supportive and encouraging in discussions about issuing a complementary report to the University community that details all sexual assaults that happen each year without regard to whether or not they meet the federal reporting requirements.

On this basis, each fall the Board will collect and distribute to the University community (via the Yale Bulletin and Calendar and the internet) a compilation of all reports of sexual assault and sexual harassment against Yale College undergraduates. This compilation will include all cases that have come to the Board's attention during the previous academic year - either directly or through our active solicitation of such data through all other counselor-entry-points such as, for example, Residential College Deans or the centralized counselors connected with YUHS as described above. In this report, every effort will be made to protect the anonymity of the individuals involved in the complaint and to avoid the double counting of incidents.

It is recognized that probably the biggest problem associated with the under-reporting of such incidents is the hesitancy of students to come forward with a complaint. Some of this hesitancy will likely be eroded once this more visible system is actively in place. Additionally, it is our hope and expectation that the transparency of the system - that the new sexual assault liaison, website, and internal reporting of sexual assault statistics - will not only help assaulted students access support but also foster a community that is deeply aware and responsive to issues of sexual assault.

## Yale College Sexual Harassment Grievance Board

Lisa Driscoll (YUHS)

Thomas McDow (Dean, BR)

Janet Pan (Electrical Engineering)

Peter Parker (Physics), Convenor

Alexandra Suich (TD, '08)

Betty Trachtenberg (Assoc. Dean, YC)

Dara Young (SM '07)

## Appendix

In assessing Yale's policies and programs on sexual harassment, the Sexual Harassment Grievance Board (SHGB) found it useful to look at the resources and services that other universities offer to their students. The following four schools had several features to their sexual assault programs that the SHGB found particularly noteworthy.

### **University of California, Berkeley (UCB):**

- A detailed and well-organized website that showcases the abundant resources available on campus. The SHGB noted the importance of this online dimension, as universities might have resources, but students will only use those services if they are clearly advertised on a website. Additionally, this website provides resources for both graduate and undergraduate students.
- University-sponsored training for campus groups. This includes prevention activities for fraternities and sororities and self-defense classes for the entire campus, which are run by both the Office of Student Life and the Housing Office. The SHGB remarked on the effect of having these activities conducted through the university (which makes the issues appear as a priority to the campus) and would like to see Yale have similar events and offerings.
- A Sexual Harassment/Sexual Assault Resource Specialist at the Gender and Equity Resource Center who provides information, crisis intervention, referrals, and support through the complaint process. This person does not conduct counseling and serves only as a resource for advocacy and information. It is this type of job - an adviser, not counselor - that Yale would like to integrate into its own offerings on campus.

- An appendix of services - both on and off-campus - that provide advising, medical, and legal services. The detail and breadth of the outlined offerings are impressive. Additionally, the services outlined are both for survivors of sexual assault and those accused of sexual assault, the latter of which is absent from Yale's programs.
- An outline of the steps for mediation and filing sexual harassment suits.
- A message from a UCB Chancellor, urging students to complete a training program on sexual assault and expressing support for UCB's sexual harassment policies and programs. The SHGB found this letter to be noteworthy, as it publicly demonstrated official university support for prevention of sexual assault.
- An online prevention course, which allows students to scroll through dozens of slides on sexual assault's definitions, details, and outcomes. The course - sponsored by UCB and designed by New Media Learning - provides a wonderful tool for prevention and the ability for students to resolve questions and uncertainties about sexual assault on campus without having to go in person to speak with someone. The SHGB would like for Yale to look into purchasing this course for Yale's website and students.

#### **Barnard/Columbia:**

- A Rape Crisis/Anti-Violence Support Center, which provides peer counseling, advocacy, and prevention activities to the entire community. Counseling can take place over the phone or in person, and Crisis Intervention staff members are available 24 hours a day to meet with students after they have contacted hospital or police authorities.
- A list of Frequently Asked Questions, such as "Can I contact a lawyer" or "How do I file a complaint?" One of the primary goals of the SHGB is that complaint processes be more transparent to those questioning filing a complaint, and having a question-and-answer section of the website illuminates the complex and often confusing procedures.
- University resolutions that state the university's commitment to continue the university policy on sexual misconduct and to improve education and training.

#### **Brown University:**

- A website that outlines definitions and disciplinary outcomes of sexual assault that is well laid-out and concise. Also found on the website are statistics on rape and sexual

assault in college and questions and responses to frequently asked questions (for example: "What happens during the medical exam?").

- A list of resources and links to services available both in the university and outside of it.
- The Advocates Program, like UCB's staff person, helps student understand the process of filing claims and their various options.
- A telephone line where students can call anonymously and get referrals for psychological services. At the suggestion of the SHGB, Yale University Health Services is planning to have a similar phone-line dedicated to the needs and questions of sexual assault survivors.

**Stanford:**

- A guide on "Sexual Harassment and Consensual Sexual or Romantic Relationships," which states clearly that the President reviewed and approved the policies on sexual harassment. This guide outlines university policy, procedure, and definitions of sexual harassment. Of particular note to Yale is Stanford's policy on recordkeeping, which is outlined in this online guide. Stanford's policy states that numbers of sexual harassment reports will be tracked and reported to the President's office in addition to the Federal government.
- An online video on sexual harassment, which allows students to learn about prevention and sexual harassment's definitions in their own rooms.
- A detailed list of confidential resources. Included in this list is an individual from almost every academic department who has agreed to serve as a "Sexual Harassment Policy Adviser" and has received appropriate training. The email address and phone number of every Policy Adviser is listed, and the program includes members from all departments, including athletics.

**Appendix G**  
*2008 Report to the Yale Administration from the Yale Women's Center*

**Date:** February 8, 2008

**To:** President Richard Levin, Provost Andrew Hamilton, Dean Peter Salovey, Dean Marichal Gentry

**Cc:** Dean Edgar Letriz, Maria Trumpler

**From:** The Yale Women's Center Board '07 and '08

Presca Ahn, Hannah Burnett, Stacey Fitzgerald, Claire Gordon, Kathryn Olivarius, Chase Olivarius-McAllister, Elizabeth Olson, Isabel Polon, Valerie Steinberg, Jessica Svendsen, Lorraine Van Kirk

**Subject:** A Report to the Yale Administration from the Yale Women's Center

The Yale Women's Center Board has compiled the report after the recent incident defacing and disrespecting the single space on campus designated for women.

In our view this incident is representative of a larger problem of misogyny on campus, which has deep roots and seriously diminishes the quality of education and campus experience for Yale students.

In this report, we ask you to (1) address specific grievances against the Zeta Psi fraternity; (2) establish an official institutional relationship with fraternities; (3) overhaul sexual harassment education and assault education; (4) and improve the resources available to the Women's Center.

We would like to meet with you to discuss this report by Friday, February 15<sup>th</sup>.

We expect you will need to consider our requests in detail, and will be looking to you for an official response by Friday, March 7<sup>th</sup>.

# **A Report to the Yale Administration from the Yale Women's Center**

Compiled by the Yale Women's Center Board '07 and '08

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## **I. Fraternity Culture**

### **A. Party Themes and Dress Codes**

Misogyny is pervasive in fraternity culture at Yale. Fraternity parties with sexist themes are a fixture of undergraduate life. These parties are frequently and widely publicized. In 2005, Sigma Nu plastered Yale bulletin boards with posters for its annual “Champagne and Schoolgirls” party. Each poster featured a cartoon schoolgirl dressed in a revealing school uniform; the schoolgirl was pictured bent over from behind so that her underwear was visible. This is just one example of the demeaning sexual stances fraternities often publicize.

In recent years fraternities have also thrown parties with the themes “CEOs and Corporate Hoes,” “Ski Pros and Snow Bunny Hoes,” and “Golf Pros and Tennis Hoes.” When throwing parties, DKE brothers often make women’s entrance into the fraternity house contingent upon revealing dress. SAE holds a semi-annual party themed called “Crush” in which each brother and pledge invites three females as dates. Yale’s DKE throws its own version titled “Pound.” These themes and dress codes, explicit and implicit, institutionalize a view of women as sexual objects.

The fraternities that hold the parties may argue that their themes and implied dress codes create an environment of sexual freedom that is gender neutral. Such arguments are patently false. Fraternities at Yale almost exclusively encourage women to dress in a sexualized way. The “hoes” are never male. The result is a sexually predatory environment in which women are objectified and pressured to appear sexually available. This is perpetuated by an age gap between attendees and hosts. Female attendees at fraternity parties are largely first years, for as women get older and find other options for socializing and drinking, many stop going to these uncomfortable and even threatening party environments.

### **B. Targeting First Year Women**

Fraternities deliberately target first year women when advertising parties. Such advertisements are posted in entryways and bulletin boards on Old Campus and sent via email to the entire student body. To newly-arrived students, fraternity parties are immediately available as the most well-advertised and all-inclusive party scene. Anyone is welcome and alcohol is readily available, making fraternity parties the most well-known and well-attended social events of freshman year.

Fraternity houses are off-campus, where only upperclassmen can live. Fraternity parties are therefore hosted by upperclassman men—usually experienced drinkers—who buy and serve alcohol to mostly underage women. This arrangement underpins the entire fraternity social scene and creates a predatory power dynamic. Alcohol is dispensed on male terms, in a male controlled environment, on male property.

The argument that first years are free to turn down fraternity parties is a misplaced one, which betrays ignorance of the particular social pressures facing most new students. The fraternity scene is a strong presence in most first year students’ lives. Frequently,



fraternity parties are the only parties that new students know about, or can access. This problem not only affects first year students; it plays a major role in pre-frosh visits and Bulldog days events, forming first impressions of the Yale social scene.

### **C. Fraternity Sponsored or Enabled Sexual Harassment, Assault, and Rape**

Fraternities are a powerful sub-culture at Yale. Their advertisements are circulated widely and publicly. Once the initiation process begins, many first year boys are engrossed in the pledge process until halfway through their second semester, overwhelming their social experience at Yale.

Fraternities are powerful because they are major sources of underage drinking. The bar at a fraternity party often has a “mystery punch,” the contents of which are unknown. The presence of such a drink is one example of the gendered nature of drinking within fraternities. Frequently girls are offered punch that is made up of grain alcohol, while boys are given beer. The implied purpose of the punch is sinister: to diminish women’s capacity to properly reason, and consequently, to diminish their resistance to sexual advances from male fraternity members or guests. Even more worrisome is the threat of date-rape drugs with the overabundance open containers in the crowds at fraternity parties.

The party themes, dress codes and advertisements described above—and the University’s implied permission of them—are degrading to Yale’s women. More harmful still is the ingrained culture of misogyny that they represent, in which demeaning women is seen as a way to gain entrance into the bonds of ‘brotherhood.’ Zeta Psi’s recent prank in front of the Women’s Center is only the latest example of this culture. Misogyny is not limited to words and so-called pranks; it undeniably informs acts of violence against women. Such violence is a fact of life at Yale.

Yale does not have a formal relationship with its fraternities, which is anomalous given the importance they have gained as residences for undergraduates and venues for social life, although its officials have been aware of the pain, violence, abuse, and degradation that fraternity activities have brought upon women since their admission to Yale College. Moreover, although Yale has established processes by which a woman can file a complaint about sexual harassment, sexual assault, and rape, the University’s attempt to comply with Title IX has failed to prevent fraternities from enabling the sexual harassment, assault, and rape of women undergraduates. Yale does not report rapes that occur off-campus, where all fraternity houses are located. As a result, Yale women are not sufficiently informed about previous acts of violence, leaving them unable to make informed decisions about where they go to socialize.

## **II. Grievance Against The Zeta Psi Fraternity**

Just after 12:00 am on the morning of Wednesday, January 16, Jessica Svendsen MC ’09 approached the Yale Women’s Center. Grouped in front of the Women’s Center were at least a dozen men holding a sign and taking pictures. The men appeared to be drunk and were behaving in a loud and rambunctious way, chanting “Dick, dick, dick!” Svendsen is a

former Women's Center board member, and she chose instead to avoid the crowd blocking the door and enter through the back. Later that week, the photos taken by the men in front of the Women's Center were posted on Facebook: 12 men around a sign that read "We Love Yale Sluts." Svendsen has since filed a complaint with the Sexual Harassment Grievance Board. She and many male and female students and faculty members expect all the men in the photograph, and all who were involved in its planning, to be sent to the Executive Committee; she also expects the University to take proper and expeditious disciplinary action.

Under the University's policy, this incident clearly constitutes sexual harassment.

"Sexual harassment consists of nonconsensual sexual advances, requests for sexual favors, or other verbal or physical conduct on or off campus, when: (1) submission to such conduct is made either explicitly or implicitly a condition of an individual's employment or academic standing; or (2) submission to or rejection of such conduct is used as the basis for employment decisions or for academic evaluation, grades, or advancement; or (3) *such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating or hostile academic or work environment. Sexual harassment may be found in a single episode, as well as in persistent behavior.*" (Appendix G, Yale Undergraduate Regulations)

The Women's Center serves as a workplace for its seven paid board members and as meeting and study space for all of its constituents. When members of Zeta Psi blocked the Women Center's entrance, they not only interfered with both an academic workplace, but physically undermined the safe environment for Yale women that the Women's Center works to provide. The pledges' chant ensured that anyone who approached the Center would feel intimidated.

Zeta Psi deliberately chose the Women's Center as a target for harassment. The sign the pledges held was typed and printed out ahead of time, demonstrating that their actions were premeditated. The Women's Center is the one place on campus that explicitly works to further feminist issues. Zeta Psi's harassment of the Center mocks its mission. Furthermore, their use of the word "slut" not only harmed active members of the Women's Center; it targeted all Yale women. It reduced women to sexual objects and then insulted them for being such. The sign's placement outside of the Women's Center reveals an attitude held toward all Yale women.

## **A. Sexual Harassment and Yale's Compliance with Title IX**

According to the Office of Civil Rights of the US Department of Education, sexual harassment of students is a form of sex discrimination prohibited by Title IX. The circumstances under which this is true are described in a guidance released in 2001:

A. The guidance clarifies that gender-based harassment, including that predicated on sex-stereotyping, is covered by Title IX if it is sufficiently serious to deny or limit a student's ability to participate in or benefit from the program. Thus, it can be discrimination on the basis of sex to harass a student on the basis of the victim's failure to conform to stereotyped notions of masculinity and femininity. Although this type of harassment is

not covered by the guidance, if it is sufficiently serious, gender-based harassment is a school's responsibility, and the same standards generally will apply. We have also added an endnote regarding Supreme Court precedent for the proposition that sex stereotyping can constitute sex discrimination.

B. Though beyond the scope of this guidance, gender-based harassment, which may include acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex-stereotyping, [16] but not involving conduct of a sexual nature, is also a form of sex discrimination to which a school must respond, if it rises to a level that denies or limits a student's ability to participate in or benefit from the educational program.

Revised Sexual Harassment Guidance, Office of Civil Rights, Department of Education (2001) (<http://www.ed.gov/about/offices/list/ocr/docs/shguide.html>)

The Zeta Psi incident is just one striking example of the many manifestations of misogyny on campus over the years. By law, the University must institute the changes necessary to ensure that this kind of behavior does not recur. But this is not just a legal obligation, it is an opportunity. Something is frankly wrong with the way Yale's culture treats and affects women. The Zeta Psi incident illuminates a way of thinking about and behaving towards women that the University's leadership does not wish to condone. They can now properly fulfill their roles as leaders and educators by taking practical steps to curtail the culture of misogyny they may not have fully realized is still a powerful influence on campus life.

## **B. Denunciation, Not Prevention: Yale's Current Policy**

The University has made efforts to comply with Title IX by instituting a process by which students can file complaints about sexual harassment to the Sexual Harassment Grievance Board. The Grievance Board hears the complaint first and may or may not forward the complaint to the Executive Committee.

This system allows a vast number of cases of sexual harassment to remain unaddressed. It does not take into account the shame and fear that often inhibits victims of sexual violence from coming forward and taking a strong stance against the abuse. It is unusual for students who have experienced sexual harassment to file a complaint; it is more unusual for students' complaints to end up in the Executive Committee; it is most unusual for students who perpetrate sexual harassment to receive punishment more severe than a reprimand from the Executive Committee.

It is not sufficient for University policy to merely denounce and retroactively apologize for the misogyny that fraternities incubate, instill in their members, and encourage their brothers to freely express. Yale University should not nominally censure harassment of women, while practically sanctioning the organizations of individuals who perpetrate such harassment. The University cannot continue to ignore a fraternity's role in the hateful and disrespectful acts of its members.

## **C. Transparency in Sexual Assault Reporting**

In the Executive Committee's summaries of disciplinary action, the number of sexual assault cases that occur and the punishments meted out to perpetrators of sexual assault are not published. This omission, it says, protects the identity of the victim. In reality, however, the omission leaves future victims unaware that they are in danger. Yale students are given a false sense of security. The number of rapes that the Yale College Dean's Office encounters is not conveyed in a timely manner to Yale College students. Because of this undergraduates have an inaccurate impression of the frequency of rape at Yale. Even beyond the scope of the Cleary Act, Yale should ensure the safety of its students by reporting non-campus rapes.

## **III. Need for New Institutional Policy: Yale Should Develop an Official Relationship with Fraternities**

### **A. Fraternity Recognition**

Yale has no official relationship with fraternities; its rules and regulations do not mention fraternities, and administrators do not have clear channels of communication with fraternity leaders. Fraternities are the only student organization at Yale that entails off-campus housing. Unlike a cappella groups and sports teams that casually pass university owned meeting places, fraternity property is owned by a group of alumni. Furthermore, fraternities are controlled by national non-Yale organizations.

While researching dozens of Yale's peer universities, we found that every other university had a fraternity-specific policy that either bans or regulates their existence. The benefits of university regulation are numerous; for example, they regulate hazing and generate higher academic performance. The level of university involvement may vary, ranging from written regulations to an office devoted to Greek life.

### **B. Acknowledging the Problem: Collective Discipline**

The power of fraternity organizations is gendered. The men who chanted "dick" outside the Women's Center, and who were photographed holding a sign that read "we love Yale sluts," should be disciplined by the University as members of the larger organization that put them there to do those things. The main problem is the initiation process in which they were involved; the main problem is their fraternity, which incited its pledges to engage in hate speech and sexual harassment as a step towards acceptance.

Requiring fraternities to be recognized by the university, if accompanied by a good mix of benefits and discipline, is an effective way to ensure that fraternities are not a negative addition to campus culture. Because so much fraternity action (including hazing and party-hosting) is collective, it is imperative that there be some method of disciplining an offending fraternity as a whole, rather than disciplining the individual members who

happen to get caught, or who are encouraged by peer pressure to commit crimes or infringe university regulation. If university recognition of fraternities is required administrators will be able to suspend or withdraw fraternity recognition in response to individual or collective malfeasance.

If Yale becomes able to hold fraternities collectively responsible for individual member's actions that are fraternity-sponsored, -enabled, or -condoned, it will need to develop methods of discipline that clearly distinguish between individual and collective acts. Individuals should not be punished for their brothers' actions if such actions are unrelated to the fraternity. For example, an instance of underage drinking might be considered an individual action if it involves a single person with a fake ID, but a group action if it occurs on fraternity grounds or via the assistance of an older member. Therefore, a process must be created to thoroughly investigate and evaluate the role of the fraternity in any given incident.

Fraternity discipline and regulation is also necessary to combat hazing. Hazing can take many forms, depending on the fraternity, but it can be placed into two categories: activities that only involve members of the fraternity, and actions that affect non-members.

An example of the first category is forced drinking within a fraternity house. This occurs on a regular basis; many pledges spend the first week of spring semester shopping period without sleep, unwashed, and constantly sick from forced binge-drinking. Fraternities' arguments that members are "not actually forced" to drink to excess are not convincing. Another example is the forced viewing of pornography or forced interaction with a stripper. This is sexual harassment toward pledges.

Some examples of the second category include scavenger hunts—a staple of most Yale fraternities—that may require theft, trespassing, or harassment of members of the public. Although the national chapter usually condemns these activities, history demonstrates that their jurisdiction is not enough to prevent them. While pledges may be held personally responsible for actions undertaken during hazing, local fraternity chapters should also be held liable for actions that they require of their pledges.

## **C. Forms of Collective Discipline**

Most universities adopt similar approaches toward fraternity discipline. They have the power to suspend or withdraw university recognition in response to violations of university discipline regulations. We recommend Yale adopt this approach too. If a fraternity continues to operate despite withdrawal of university recognition, individual members are suspended from the university until they revoke their membership. This system of regulation means that if the university withdraws recognition, the national Greek organization would shut down its Yale chapter.

In addition, Yale should require that both pledges and party attendees be given access to information about a fraternity's past violations of university regulations. These should be made public.

These are only two recommendations. More detailed consideration of ways to align fraternities more closely with the university's standards and values would be best explored through a committee of administrators, staff and students. The Women's Center suggests such a committee should research and implement some combination of the following policies:

- **Official University warnings** (see University of Pennsylvania, page 9)
- **A three strikes policy** (see University of Pennsylvania, page 9)
- **Sunshine Policy** (see Cornell University, page 11)

## **D. Fraternity Policy at Peer Institutions**

Below are direct quotes from peer universities' policies on fraternities, collective responsibility and discipline.

### **University of Pennsylvania**

Responsibility: "By undertaking the process of recognition, the fraternity or sorority assumes certain obligations and responsibilities to the University community: ... 2. To accept collective responsibility for the activities of individual members of the undergraduate chapter as they relate to the following: ... b. Conduct of members and conduct of guests of members which is knowingly tolerated by members of the fraternity and is in violation of the University's Code of Conduct; c. Obligation to cooperate with the administrative and law enforcement functions of the University..."

Discipline: "On finding that the chapter has jeopardized its recognition status through failure to maintain the standards in this policy, the Director of Fraternity/Sorority Affairs ... may implement any of the following actions: Administrative Warning... Chapter Probation... Suspension of Recognition... Withdrawal of Recognition. At the time of withdrawal, the alumni corporation will cease its operations of a chapter house, terminate residence for members of the fraternity, and revoke all privileges and authority for the undergraduate chapter to function. Current individual members registered at the University could be liable for suspension from the University for failure to comply in accordance with any such Withdrawal of Recognition.

Source: "Recognition and Governance of Undergraduate Social Fraternities and Sororities," University of Pennsylvania,  
[http://www.vpul.upenn.edu/osl/recognition\\_policy.pdf](http://www.vpul.upenn.edu/osl/recognition_policy.pdf)

Note: The above is disseminated via both the campus-wide regulations and policy website as well as a Greek-specific information portal. The latter site, "Greeknets," also contains easily accessible links to the Student Code of Conduct, Alcohol and Drugs

Policy, Anti-Hazing Policy, Charter of the University of Pennsylvania Student Disciplinary System, and Student Grievance Procedures.

### **Dartmouth College**

Responsibility: “CFS [Coeds, Fraternities and Sororities] organizations will be held accountable for irresponsible behavior when it occurs inside or outside the confines of the house, on or off campus, when an individual or group is engaged in an organization-sponsored or organization-related activity.” “It is understood that CFS organizations are accountable to Dartmouth College and the Dartmouth community, to the membership of each individual organization, and to their CFS peers.”

Discipline: “Violations of policies will result in the loss of privileges, up to and including the possible loss of College Recognition... In some instances, an organization found to be in non-compliance in any area may be given a reasonable amount of time to correct the deficiency.”

Source: “Coed, Fraternity, Sorority Organization Handbook & Policies,” Dartmouth College Office of Residential Life, <http://www.dartmouth.edu/~orl/documents/cfs-handbook-0708>

Note: The Office of Residential Life conducts regular assessment of CFS administration

### **Princeton University**

Similar to Yale, Princeton does not officially recognize fraternities and sororities, yet approximately 15% of students join them. There is thus no recognition of fraternities or sororities in official undergraduate regulations.

The Office of the Vice President for Campus Life issues a letter to freshmen and their parents: “Princeton does not officially recognize fraternities and sororities because we do not believe that, in general, they contribute in positive ways to the overall residential experience on campus. They can contribute to a sense of social exclusiveness, and in the cases of some fraternities, they detract from the quality of the residential experience by placing an excessive emphasis on alcohol. We are especially concerned when students elect to participate in fall rush their freshman year, thereby restricting themselves to one set of activities and acquaintances before they have had a full opportunity to explore a variety of interests and develop a diverse set of friendships. We hope that students coming to Princeton will want to expand their circle of acquaintances and experiences, not prematurely narrow them. We have asked the fraternities and sororities to defer rush until students have been here for several months, but they have declined to do this. While we do not prohibit students from joining fraternities or sororities, we strongly discourage such membership and, as we indicated earlier, we do not formally recognize these organizations or officially permit them to operate on campus. We especially discourage students from being rushed into making a choice about membership in these organizations that can—and should—wait until they have been at Princeton long enough to understand the role they play on campus and to appreciate the many other social, recreational, and service opportunities that Princeton provides.”

Source: <http://web.princeton.edu/sites/campuslife/fratsorletter.htm>

### **Columbia University**

Responsibility: “A person is in violation of these Rules when such person individually or with a group engages in conduct which places another in danger of bodily harm... interferes over a very short period of time with entrance to, exit from, passage within, or use of, a University facility but does not substantially disrupt any University function... continues for more than a very short period of time to prevent physically, or attempt clearly to prevent, passage within, or unimpeded use of, a University facility, whether or not a University function is substantially disrupted... aids and abets others or other groups in a simple violation of these Rules.”

Source: “Rules of University Conduct,” Columbia University Judicial Affairs and Community Standards,  
<http://www.columbia.edu/cu/senate/committees/RulesofUniversityConduct.htm>

Note: Office of Fraternity & Sorority Affairs issues detailed education manual on risk management to all Greek organizations, including sections on alcohol, sexual harassment, and sexual assault.

### **Cornell University**

Responsibility: “Each fraternity or sorority seeking Full Recognition must demonstrate... collective responsibility for the behavior of the members when in their chapter house or when acting as a group outside of a chapter house... The following basic expectations for fraternity and sorority members have been established... I will not harass, whether physical or verbal, oral or written, which is beyond the bounds of protected free speech... I will not physically harm or threaten physical harm to any person or persons, including but not limited to assault, sexual abuse, or other forms of physical abuse.”

Discipline: “The Associate Dean of Students for Fraternity and Sorority Affairs or another member of the community may lodge a complaint with the Office of Fraternity and Sorority Affairs (OFSA) against a chapter by completing a Judicial Complaint Form, outlining the alleged violation(s) of policy/ies (The Fraternity and Sorority Expectations for Membership, The Recognition Policy for Fraternities and Sororities...)... Disciplinary files may be shared within the University with other faculty, staff, or administrators or their agents or representatives where such disclosure serves a legitimate educational purpose, as determined by the Associate Dean or his/her designee. The Greek Judicial System aims to promote a safe fraternity and sorority community that promotes student health and well-being. Therefore, the Greek community supports a “Sunshine Policy” related to chapter misconduct that exhibits hazing and/or a threat or disregard for students’ mental and physical health and safety. Such violations that result in a sanction will be publicly disclosed. In addition, the results of hearings are subject to subpoena by appropriate civil and criminal court authorities.”



Source: “Fraternity and Sorority Policies Handbook,” Cornell University Fraternity & Sorority Affairs,  
<http://www.greeks.cornell.edu/PDFs/06/OFSA%20Policies%20Handbook%2006-07.pdf> and  
<http://www.greeks.cornell.edu/PDFs/06/OFSA%20Policies%20Handbook%2006-07.2.pdf>

### **Brown University**

Approximately 10% of Brown students are in fraternities; all fraternities have on-campus residences so disciplinary processes are similar to any on-campus dorm.

### **Harvard University**

Harvard explicitly refuses to recognize fraternities as undergraduate student organizations.

## **IV. Sexual Harassment / Assault Training Reform**

### **A. Sexual Harassment training at universities**

Yale students receive little guidance as to what constitutes harassment or assault, not to mention how to prevent or respond to it. Student-on-student harassment remains a common occurrence at Yale.

The American Association of University Women reported in 2006 that 62% of female college students and 61% of male college students said they have been sexually harassed while at college; 80% of these incidents were student-on-student situations. While some may dismiss this statistic with the thinking “boys will be boys,” many psychologists recognize that student-on-student harassment is associated with a desire to exercise power and cause fear. This has drastic effects on social interactions, health, and academic performance, which are not limited to women. In fact, hazing—denounced by universities—often takes the form of sexual harassment, causing harmful social and academic repercussions for pledges.

Yale offers no comprehensive sexual harassment prevention program for students. Because college is a time when many become sexually active, and because during college most are living with their peers for the first time, students must learn “the hard way” what constitutes sexual harassment including its more subtle forms and how to prevent it.

### **B. The flaws of Yale’s sexual assault education**

This program on sexual harassment prevention should go hand-in-hand with revamped sexual assault prevention training.

The current freshman orientation programs are inadequate. “Sex Signals,” while entertaining, is but a single event. It fails to clarify what constitutes rape or sexual harassment. Rather, it depicts such situations, asks students what they think, and pronounces them “rape” or “not”—without explaining why. “Sex Signals” fails because students leave the auditorium under the impression that the definition of rape is debatable. Most follow-up discussions are ineffective because they are mixed-gender, involve freshmen who have just met each other, and often do not provoke real discussion or thought. Small, single-sex, discussion oriented groups lead by a trained individual create a better forum for students to comprehend the terrible implications of sexual assault.

Several student organizations have attempted to address this problem. Rape and Sexual Violence Prevention, in conjunction with the SHARE center, have addressed the difference between “drunk sex” and “date rape.” Yale Men Against Rape offers effective presentations for men designed to educate them about the impact of rape. YMAR understands that to prevent rape, students must understand why rape is bad—not merely what rape is. These programs are commendable and require the endorsement and support of the administration. They should also be expanded, and extended. While it is imperative that some training take place during freshman orientation, the training should be extended to cover all of freshman year. New students change considerably over the course of their first year, and are confronted with new social experiences. It would be best if continuing training allowed them to process and learn from these experiences. “Refresher” training should also be required of upperclassmen.

### **C. Individual, supplemental training**

Students or groups who have been accused of sexual harassment or assault should undergo individual, supplemental training which makes it clear that university does not tolerate these behaviors. This training would also ensure that the students understand the gravity of the offense and that they do not repeat these actions.

The Department of Education’s Title IX Sexual Harassment Guidance makes similar recommendations:

“Finally, a school should take steps to prevent any further harassment and to prevent any retaliation against the student who made the complaint (or was the subject of the harassment), against the person who filed a complaint on behalf of a student, or against those who provided information as witnesses...To prevent recurrences, counseling for the harasser may be appropriate to ensure that he or she understands what constitutes harassment and the effects it can have. In addition, depending on how widespread the harassment was and whether there have been any prior incidents, the school may need to provide training for the larger school community to ensure that students, parents, and teachers can recognize harassment if it recurs and know how to respond.” (“Revised Sexual Harassment Guide: Harassment of Students by School Employees, Other Students, or Third Parties, Title IX,” US Department of Education Office for Civil Rights, January 2001)

## V. Yale Women's Center

### D. Current State of the Center: A Need for Adequate Resources and Facilities

The Women's Center is located in the basement of Durfee Hall. The Center contains three rooms: a front entrance area with general resources and literature, a center room used for events, and a back room that serves primarily as a storage space for archives. The Center has no proximate bathroom or kitchen (food is served at almost every Women's Center event). The heating system cannot be adjusted, allowing the temperature to rise into the eighties during crowded events. There are exposed pipes and stray wires dangling from the ceiling. The overhead fluorescent lights lack covers. When toilets are flushed upstairs, the noise of swirling water is distinctly audible. Yale's Women's Center is very obviously a basement space. It is also located behind dumpsters, next to the campus convenience store. It is a small, unassuming space, unknown to a significant proportion of the student body. Also, as the recent incident with Zeta Psi indicates, it is not a respected space.

Despite its cramped space, its unpaid staffers, and its lack of administrative support from the University, the Women's Center is one of the most vital and vibrant organizations on campus. Run entirely by seven student coordinators, the Women's Center puts on two to four events every week. In the past semester alone, the Center has hosted talks on pornography, virginity, hip-hop music, religion, Hillary Clinton, the birth control pill, and the impact of fraternities on campus life. The Center has sponsored open-mic nights, concerts, and all-female comedy showcases, drawing crowds of over 150 people in its small center room. The Women's Center has hosted speakers on 'opting out,' the feminist American dream, and pink collar ghettos; and staged a protest against a notoriously sexist speaker at the Yale Political Union. Due to the Women's Center's outpouring of activism, it has been the subject of news reports and editorials in the Yale Daily News, features in the Herald, and a front-cover spread in YDN Scene. Women's Center also supports and houses twelve residence groups, which meet about topics like reproductive rights, rape prevention, mentoring for New Haven girls and feminist comedy. At least two hundred students, from different student organizations, meet in the center every week.

The goal of the Women's Center is to raise awareness about sexism in order to improve the lives of women and men at Yale. Equally important, the mission of the Women's Center, comparable to that of the cultural houses, is to create a safe space for women free from the sexist and misogynist assumptions that are prevalent elsewhere on campus. The effect of the Women's Center is not to isolate women, but to celebrate and support them, and thereby allow them to succeed in a world that is sexist, where the cards are *a priori* stacked against them.

### E. Lack of Institutional Memory: A Women's Center Director and Assistant Dean to Yale College

The Women's Center has no means of creating institutional memory or an ongoing campus presence because its student coordinators only serve one-year terms. Coordinators are devoted and dedicated, but must constantly reinvent the wheel; despite the Center's recent faculty advisory board reinstatement and reorganization, the Center has no way to transmit history and practices from year to year. It is near impossible to instigate long-term change. This situation could be easily remedied by the appointment of a Women's Center director.

We would like the administration to hire an Assistant Dean in the Yale College Dean's Office, who specifically focuses on women's issues on campus and also serves as the Director of the Yale Women's Center. Though all of the cultural houses on campus have an adult leader who is both a Director and Assistant Dean, the Women's Center is without any adult leadership or administrative staff.

## **F. Need for Paid Student Staffers**

When the Education of Women fund was established at the onset of coeducation, it was intended to pay student coordinators and staffers to run the Women's Center. This account pays for 50% of staffing costs while work-study accounts for the rest. Yet throughout recent years, the fund has not fulfilled this purpose. The Education of Women fund has increased only minimally in comparison to the rate of other general accounts. Yale's minimum wage has increased exponentially, and although student coordinators are paid for 5 hours a week, there is not enough money to pay Women's Center staffers as well. [At present, the fund contains approximately \$7,000 every fiscal year, \$5,500 of which is used for coordinator salaries. To pay staffers to man the Center for 32 hours a week for 14 weeks a semester at \$11.00 would require approximately \$5,000 more per year.]

Without paid staffers, the Women's Center has remained largely unopened and unstaffed. At present, the Women's Center relies upon unpaid student volunteers. Despite the extensive efforts of the past three Constituency Coordinators to ensure that volunteers regularly staff the Center, Women's Center staffers have consistently come to the Center for no more than ten hours a week.

Having the Women's Center open as a resource for students is clearly desirable. It is a part of the Center's founding mission: to exist as an open, safe space for Yale women. But, without paid staffers, this is not a practical possibility because the Women's Center is not reliably or regularly open. It is not a resource. This situation can be fruitfully compared to that of the cultural houses, which are maintained by paid staffers. In comparison, the African American Cultural House has 12 paid staffers, allowing for it to remain open for ten hours a day during the school week. The La Casa Cultural House also pays 12 students to staff during its open hours. Women are nearly half of Yale students, yet the Women's Center has no paid student staffers. With an increase to the Education of Women General Account, the Yale Women's Center could be a comparable and accessible resource for the Yale community.

## G. Almost 40 Years: How Much has Changed Since '69?

Complete coeducation did not occur immediately upon the arrival of women in 1969. It took years, even decades, for women to be considered full participants in academic, extracurricular, and social spheres at Yale. Women were not allowed into the Linonia and Brothers Reading Room in Sterling Memorial Library until the mid-70s and Mory's did not allow women as members until 1974. In 1975, twenty members of the women's crew team stripped before the director of physical education, showing the words "Title IX" written across their posteriors in protest against the lack of equal locker room facilities; the Yale Political Union did not elect its first female president until 1978 and in 1981 when Andy Perkins '81, the first female editor-in-chief of the Yale Daily News was elected, she wrote her first editorial about the realities of sexism. Even when the Women's Studies Major was approved by the faculty in the fall of 1981, English Professor Leslie Brisman voiced his doubts about the program: "It's like comparing fat things to thin things." In 1989, History Professor Nancy Cott and English Professor Margaret Homans called for parity between men and women on the faculty—a residual problem for women faculty members that continues to be ignored. Even in the spring of 1992, Whim n' Rhythm, the senior women's singing group, had to discontinue for a year due to the small number of auditioning juniors. Whereas Whiffenpoofs are critically acclaimed and revered throughout campus, Whim n' Rhythm has had to discontinue periodically due to insufficient interest. Women throughout Yale's history, and not just graduates from the class of '71, have faced challenges of learning within this patriarchal framework.

Women arrived on this all-male campus and tried to assimilate into the pre-existing social structure. Yet women faced open hostility and harassment: male professors and graduate students continually solicited women, so that some "switched out of classes to try to avoid certain situations." During the initial years of coeducation, women from neighboring schools would still be bussed in for dances, as if the girl who sat across the table in the dining hall or in class was somehow different from the girl one would take to the Pump and Slipper Ball. Summing up her initial experiences at Yale, Nina Glickson '73 said, "I realized that this was a man's university."

Yet the first Yale alumnae faced more threatening forms of sexual harassment and violence. Within a period of two months in the fall of 1969, locks had to be placed on bathroom doors because of frequent incidents of flashing, attempts to enter into a shower with a woman, and even an incident of an intruder with a knife. Within one week in February of 1978, a female professor was stabbed and a female undergraduate was raped. Presented with the increased need for a safe space on campus, women organized the Women's Space in Hendrie Hall. After several relocations and two years later, when the Yale Women's Center moved to its current location on Elm Street. In a commemorative journal of coeducation, Jessica Moss '95 and Shira Weinert '95 write, "On the one hand, the Center was formed in response to the fact that all women at Yale wanted things they weren't getting anywhere else. On the other hand, it was, all along, the special project of women who defined themselves against the grain, as feminist, some as lesbians—women who wanted a way to set themselves apart as women, rather than merely integrating into the already established traditions of Yale" (1 Different Voices: A

Journal Commemorating 25 Years of Coeducation at Yale College. Ed. Rachel Donadio. 1995.).

Yale has come a long way since its founding as an all-male institution. Women are now fifty percent of the undergraduate student body, making the markings on the Women's Table seem like an archaic ritual. Women no longer face academic and social structures that are organized around the exclusion of women. Yale has become a place for women in some ways. But in 2008, Yale women still need the Center, though perhaps for different reasons. The Center offers a home for women who remain marginalized in this community. There is reluctance from female and male students on campus to identify with feminism. They believe that women's liberation was "accomplished" in the 1970s, just as coeducation was achieved in 1969 when women were first allowed to walk through Phelps Gate. Yet women continue to face misogyny and sexism on campus, and to institutionalize a space as the Yale Women's Center acknowledges that reality as well as the University's promise to and for women.

With the anniversary of coeducation rapidly approaching, the University has the opportunity to demonstrate its dedication to creating an environment in which women are welcomed and respected.

## **H. Comparison with Peer Institutions: Yale Lags Behind**

The Yale Women's Center is significantly less resourced than comparable institutions at peer universities. At Harvard, Princeton, Brown, Dartmouth, Duke, and Cornell the Women's Center has a Center Director and one to four administrative or programmatic staff members. Most of these centers also have paid undergraduate staff—Harvard has 12 undergraduate interns and Brown has up to 11 undergraduate students working up to 15 hours a week. These staffing patterns allow each of these centers to remain accessible every workday and many weekends and evenings. Yale also lags behind in facilities: most of these institutions have significantly larger spaces, with more rooms, office space, bathroom access, etc. Brown's Women's Center, for example, is located in a three-floor building, with 14 rooms used by students and staff. In comparison with these peer institutions, Yale has a significantly less: a signal that it does not take women's issues as seriously, and is not as equipped to address issues facing undergraduate women at Yale.

## **I. Harvard University**

The Harvard College Women's Center

- **Administrative Staff:** Harvard's Women's Center has an adult administrative staff including a Director, an Administrative Assistant and a Program Administrator. Harvard also has a graduate student staff; this year they have 2 graduate interns paid 16 dollars an hour.
- **Undergraduate Student Staff:** The Center has 12 undergraduate interns paid between 10 and 11 dollars an hour

- **Facilities:** Located in the basement of a freshman dorm, the Women's Center is 1200 square feet and consists of 3 rooms: one lounge that accommodates over 30 people comfortably, a kitchen, a conference room that holds between 15 and 18, and a student work area which includes 3 desks and computers.
- **Student Use of the Center:** They had over 400 meetings last year, hosted by over 79 different groups on campus. These groups were not limited to Women's groups, but according to the Director, most groups who meet within the center regularly are women's or gender groups.
- **Center Accessibility:** The Center is open Monday through Friday from 9-5 PM and Monday through Thursday from 6-10 PM. Daytime hours are covered by professional staff and interns, and night hours are covered entirely by student staffers.

## II. Brown University

### The Sarah Doyle Women's Center

- **Administrative Staff:** The Sarah Doyle Women's Center's adult administrative staff includes the following positions: a Director, an Administrative Assistant and a Graduate Student Proctor. The Center also has an extensive undergraduate student staff: they have 9 to 11 paid undergraduate staff who work 4 to 15 hours a week. They also have 15 undergraduate volunteers who staff the Center for two hours every week.
- **Undergraduate Student Staff:** The Center has an extensive undergraduate student staff: they have 9 to 11 paid undergraduate staff who work 4 to 15 hours a week. They also have 15 undergraduate volunteers who staff the Center for two hours every week.
- **Facilities:** The Center is a three-floor building with 14 rooms used by the students and staff. On the first floor there is a lounge, a large reception area, a two-room art gallery, a work space with a copy machine, an office for the Administrative Assistant, and an accessible restroom. The second floor has 2 small meeting rooms, 2 large meeting rooms, an office for the Graduate Student Proctor, the Director's office, a small photo darkroom. The third floor is used for storage space. The center also holds a library of over 4,000 books, spread all throughout the center.
- **Student Use of the Center:** Each year, there are at least 10 student groups who regularly meet in the Center, along with a couple of community groups.
- **Center Accessibility:** The Women's Center is located in the middle of campus, one block of the main green. They are open from 8:30 to 5:00, Monday through Friday, and student groups meet in the Center in the evenings and on the weekends.

### III. Duke University

#### The Duke University Women's Center

- **Administrative Staff:** Duke has a total of 5 adult administrative staff, all of which are full-time. The staff includes a Director, 2 Program Coordinators, a Staff Therapist focusing on sexual violence and one Office Manager.
- **Undergraduate Student Staff:** They have 8 to 10 undergraduate and graduate students working 8 to 10 paid hours a week.
- **Facilities:** The Duke Women's Center is a 2000 square foot space and includes 10 rooms: 4 offices, a large meeting room, a library, a kitchen, a student work area, a storage room, and two adjacent bathrooms.
- **Student Use of the Center:** There are 22 student groups at Duke which address issues of gender.
- **Center Accessibility:** The Women's Center is located in a residence hall in the center of campus. It is open Monday through Friday, 9-5 PM, and student groups may use the center over the weekend.

### IV. Dartmouth University

#### The Dartmouth Women's Center

- **Administrative Staff:** Dartmouth has 5 adult administrators, 4 of whom are full-time. They have a Director, an Assistant Director, a Sexual Abuse Awareness Program Coordinator, a Men's Project Coordinator, and a part-time Administrative Assistant
- **Undergraduate Student Staff:** They have 1 to 2 paid office assistants and 2 to 4 paid internships.
- **Facilities:** Dartmouth's Women's Center has 7 rooms which include 4 offices, a large lounge, a full kitchen, and a bathroom. They also have 7 closets and 2 foyer entryways.
- **Student Use of the Center:** There are 7 to 10 student groups who meet regularly in the Women's Center.
- **Center Accessibility:** The Center is located within a dormitory and is open Monday through Thursday from 8:30 to 4:30 PM.



## VI. Conclusion

The Yale Women's Center Board hopes that the University will use this unfortunate event as an opportunity to improve the quality of life for all Yale students. We believe that institutional recognition of fraternities, improved sexual harassment and assault education, and a new Women's Center space and administrative staff, will prove the University's stated zero-tolerance stance towards forms of disrespect. Considering that the 40th anniversary of coeducation is only one year away, the University is in a position to renew its commitment to the safety, wellbeing and equal treatment of its female student body.

## VII. Appendix I: Complete Comparative Analysis of Support for Women at Yale and Peer Institutions

	<b>Administrative Staff and Undergraduate Staff</b>	<b>Facilities</b>	<b>Number of student groups involved with the Center</b>	<b>Hours the Center is open</b>	<b>Website and Contact Information</b>
<b>Harvard University</b>	<p><b>Administrative Staff:</b> 1 Director, 1 Administrative Assistant, 1 Program Administrator</p> <p><b>Student Staff:</b> 2 Graduate Interns (paid \$16/hour) and \$12 Undergraduate Interns (paid \$10 to \$11/hour)</p>	Located in the basement of a freshman dorm, there are 3 rooms which include a lounge (which comfortably accommodates 30 people), a kitchen, a conference room that holds 15 to 18 people, and a student work area with three desks and computer terminals. The building is 1200 square feet.	They had over 400 meetings last year with 79 different groups. Those these groups were not limited to women's groups, most organizations who meet in the Center regularly are women's or gender groups.	<p>M-F: 9-5 PM and M-Thurs 6-10 PM.</p> <p>Daytime hours are covered by professional staff and interns; night hours are covered entirely by student staffers</p>	<p><a href="http://hcwc.fas.harvard.edu/index.html">http://hcwc.fas.harvard.edu/index.html</a></p> <p>Susan Marine, Director marine@fas.harvard.edu 617.496.2029</p>
<b>Brown University</b>	<p><b>Administrative Staff:</b> 1 Director, 1 Administrative Assistant, 1 Graduate Proctor</p> <p><b>Student Staff:</b> 9-11 Undergraduate paid staff (ranging from 4-15 hours a week) and 15 volunteer staffers at the Center for two hours every week.</p>	A three-floor building located in the middle of campus, one block away from the main green. The building includes: a two-room art gallery, a lounge, a large reception area, a work space with a copy machine, three offices, an accessible bathroom on the first floor, 2 small meeting rooms, 2 large meeting rooms, a small black and white photo darkroom, and storage space. The Center also holds a library of over 4,000 books.	There are at least 10 student organizations who meet in the Center, and a couple of community groups.	<p>M-F: 8:30-5:00 PM</p> <p>Groups also meet in the Center on evenings and weekends.</p>	<p><a href="http://www.brown.edu/Departments/Sarah_Doyle_Center/index.html">http://www.brown.edu/Departments/Sarah_Doyle_Center/index.html</a></p> <p>Gail Cohee, Director gail_cohee@brown.edu 401.863.2189</p>
<b>Dartmouth University</b>	<p><b>Administrative Staff:</b> 1 Director, 1 Full-time Assistant Director, 1 Full-time Sexual Abuse Awareness Program Coordinator, 1 Full-Time Men's Project Coordinator, 1</p>	The Women's Center is a converted faculty apartment in one of the dorms. It includes 4 offices, a large lounge, a full kitchen, a bathroom, 2 foyer entryways,	7-10 student groups meet regularly within the Center.	M-Thurs: 8:30-4:30 PM	<p><a href="http://www.dartmouth.edu/~cwg/">http://www.dartmouth.edu/~cwg/</a></p> <p>Xenia Markowitt, Director xenia.markowitt@dartm</p>

	Part-time Administrative Assistant  <b>Student Staff:</b> 1-2 paid office assistants and 2-4 paid internships. They also have student volunteers.	and 7 closets.			outh.edu 603.646.3456
<b>Duke University</b>	<b>Administrative Staff:</b> 1 Director, 2 Program Coordinators, 1 Staff Therapist focusing on sexual violence, 1 Office Manager. (All are full-time.)  <b>Student Staff:</b> 8-10 Undergraduate and Graduate students working 8-10 paid hours a week. They also have a volunteer staff.	Located in a residence hall in the center of campus, the Center includes 4 offices, a large meeting room, a small kitchen, a library, a student work area, a storage room, and two adjacent bathrooms. It is 2000 square feet.	N/A	M-F: 9-5 PM  During these hours, the professional staff is there. But students are able to sign out keys if they need to use the center on the weekend.	<a href="http://wc.studentaffairs.duke.edu/wc/">http://wc.studentaffairs.duke.edu/wc/</a>  Donna Lisker, Director dlisker@duke.edu 919.684.3897
<b>Princeton University</b>	<b>Administrative Staff:</b> 1 Director, 2 Administrative Assistants, 1 Graduate Intern  <b>Student Staff:</b> There are student program assistants, work-study staff and student volunteers.	N/A	N/A	N/A	<a href="http://www.princeton.edu/~womenctr/about.html">http://www.princeton.edu/~womenctr/about.html</a>  Amada Sandoval, Director womenctr@princeton.edu 609.258.5565
<b>Cornell University</b>	<b>Administrative Staff:</b> 1 Director  <b>Student Staff:</b> 11 students on an Advisory Board, 4 students in the Student Government. They also rely on student volunteers to staff the Center.	N/A	N/A	M-F: 9-5 PM	<a href="http://wrc.dos.cornell.edu/">http://wrc.dos.cornell.edu/</a>  Laura Weiss, Director lbw26@cornell.edu 607.255.0015

## VIII. Appendix II: Letters of Support

Within two days of the Zeta Psi incident, the Yale Women's Center had received over 300 letters of support from students, faculty, staff, alumni, and other concerned parties. Letters are continuing to come in some two weeks later.

### University Faculty and Staff:

Thank you for the email about this appalling behavior. Please do keep WGSS as well as the WFF Council and Steering informed. Perhaps one thing to do would be to have a university-wide panel on what sexual harassment is and the absolute commitment of the university to eradicate it.

*Laura Wexler, Chair of WGSS*

Please keep me abreast of any meetings you will hold in response to these reprehensible acts. I thank you for informing all of us. You have my support.

*Dean Pamela George*

As a relatively new staff member in the Sterling Library, I am writing to offer my support for the action being contemplated by the Yale Women's Center, as well as the articles appearing in today's Yale Daily News, regarding the inexcusable behavior of male students affiliated with Zeta Psi fraternity. I have been a quiet feminist since marching on Washington many years ago in support of the Equal Rights Amendment, and even before that. After many years, I am saddened, but not surprised, at the lack of progress this incident displays. Despite, as I understand it, this being the first time that women have outnumbered men in the entering class, "traditions" die hard, and it is sad to think that some of the country's supposedly brightest lights think this sort of behavior is acceptable. On a more positive note, the article that appeared on page 2, written by yourself and colleagues, deserves congratulations. Far from being imperfect, I thought the analogy [asking what the reaction would be if fraternity pledges held up a sign saying "We love n\_ggers" outside the African American student center] was excellent, and your closing paragraph showed both humor and a really good threat. Best of luck going ahead with legal action.

*April Carlucci, Catalog Librarian for Maps, Yale University Library*

Let me know what I can do to help now. This is a sad example of sexist male behavior.

*Dolores Hayden, Professor of Architecture and Urbanism, Professor of American Studies*

### **Students:**

I just wanted to write to express my support in the fight against the Fraternity. I think one of the biggest criticisms of this whole thing is just that it's not that big of a deal. While I don't think that is valid, I do think this presents a good time to bring up other incidents that have happened on campus. I know I can come forward with incidents of unreported sexual harassment and assault... I'm sure others can too. Much like racism and homophobia, sexism is not acknowledged as a reality at Yale. Well, it needs to be.

*Jen James, MC '08*

Thank you for speaking out against Zeta Psi's hateful actions. I am outraged and offended. I appreciate that from these sentiments you are pursuing tangible action -- doing so is inspiring to the women's community at Yale and beyond. Please let me know if I can be of help in condemning sexism and standing up for what Yale ought to be - a place where everyone has the right to learn freely and equally, without discrimination, persecution, or hate. Please know that the women of Yale are grateful and support you.

*Kimberly Bloom-Feshbach, CC '09*

I'd love to know if there's any more action that can be taken by the undergraduate population in regards to the recent events described in today's YDN. The fact that I can't get my male friends to be pissed off about this infuriates me. Why is it okay for people to celebrate or even condone the complete disrespect and demoralization of an entire half of the student population on our campus? There's just sort of a "yeah, we'll see" attitude and it's quite frankly appalling.

*Colin Adamo, PC '10*

I am hurt and incensed by the recently circulated photo taken during a Yale fraternity initiation. As a male graduate student who walks through the door to the Women's Center (in the background to the fraternity photo) once per week to attend meetings of a group of men working against sexual assault (part of an emerging national movement), I can hardly say how close to home this hits me. To add insult to injury, this happens on the eve of the Martin Luther King Jr. holiday, when we pause to reflect on centuries of double-standard in the access to life, liberty, and the pursuit of happiness in our society. I hope that the men in the photo, and all others who have not been able to resist the false appeal of a life whose pleasures are derived from dominating others, can reach the voice of conscience we all have within. If they manage to do so, and with appropriate apology, they are welcome to attend our weekly meetings in the Women's Center, at which we study, and work to reverse, the patterns of oppression that rob us of the genuine love, creativity, and value of women everywhere.

*Charles More*

Thank you for bringing this ongoing problem of sexual harassment on campus to our community's, and hopefully the nation's, attention. I know that you have tried for years, in various ways, to engage fraternities in discussion to address some of the destructive actions these organizations take toward women on campus. I feel strongly supportive in your decision to finally putting your foot down, taking action and simultaneously creating dialogue among students in all sectors of campus. Keep me posted on the development of the case. I have heard some of the most charged and provocative ideas come forth among my closest friends just since you sent the email this evening. I am forwarding it to every woman and every trusted man I know who hasn't received it yet.

*Connie Bowen '08*

I'm both horrified and proud by the email that I received from all you. Given the appalling incident, I'm thankful that the board is taking a firm stand and seeking appropriate disciplinary action. I would very much like to be informed about the progress. Thank goodness we have a strong board of feminists running the center and that we have a solid constituency to fight back against these sexist acts. Good luck, and again, thank you for taking action against people who should have been punished long ago and ideas that should be buried.

*Alexa Verme '08*

### **Alumni:**

I can't believe that students at Yale would find that amusing in any way. I graduated last year, and I've spent a lot of my time at the Women's Center over the last four years. It is incredible that students at Yale would try to use derogatory language to assert power over an organization like the Women's Center. Please keep me informed on what happens with the legal proceedings.

*Mallika Thomas '07*

As a recent alumna of Yale College, I was disgusted to learn about the sexual harassment "hazing" that occurred recently in front of the Women's Center. Please add me to the list you're using for updates on the actions the Center is taking, and if I can do anything to support you, please let me know.

*Caitlin Clarke SM '07*

This is just stupid. I think it's great that you guys are fighting back, as we need to send the message that this type of behavior will not be tolerated. If I can do anything to help, please let me know.

*Eric J. Seymour '05, Former Women's Center coordinator*

### **Other Supporters:**

I read about the lawsuit against the fraternity in [feministing.com](http://feministing.com). If there's anything we can do to support you from WGRAC at Trinity, please let me know.

*Laura Robin Lockwood, Director, Women & Gender Resource Action Center (WGRAC), Trinity College*

I am an ODU student, and I love ODU's women's Center. I read on a blog about the sign a fraternity had in front of your Women's Center that said "We love Yale sluts." I just wanted to say that I think that sign is awful and offensive, and I am glad your Women's Center is standing up for itself and for Yale females.

*Natasha McKellar, Feminist Alliance, Publicity Chair*

I just saw the photo of the incident that occurred outside of your Women's Center, and I applaud you for taking legal action. In a world where Yale is held up as a model for all other higher education institutions, how can we, as women, allow this sort of bullying and intimidation outside a center that is specifically geared to help victims go unpunished? We can't, not in good conscience. And just as common sense dictates that no woman is safe who runs into a raucous crowd of sexual harassers, so do it mandate that we stand against this disgusting display of misogyny. Thank you for standing up for all of us.

*Colleen Harris, Assistant Professor, University of Tennessee at Chattanooga*

I have just heard about the actions of sexual harassment that have recently occurred outside of your Women's Center. I would like to extend my support. I am a Canadian university student and have been at the brunt end of some very vicious sexual harassment. My school newspaper wrote an article that depicted me getting raped

and enjoying it. What happened at Yale is definitely sexual harassment, and you should win a legal case. Feel free to keep me updated on any mailing lists you may have.

*Jenna Owsianik*

## **IX. Appendix III: Comments On-Line Posted After the Zeta Psi Incident**

### **Comments Posted on YDN Website**

#### **1. In response to “Misogyny Claim Leveled at Frat”**

Yale Daily News

January 22nd, 2008

<http://www.yaledailynews.com/articles/view/23045>

By (Anonymous)

1:16pm on January 22, 2008

This is why Yale will receive NO MONEY from me as an alumni.

Not because of the Frat antics- but because of the pathetic Women's Center- what a waste of university resources. Shut that place down and make Durfee's bigger.

By (Anonymous)

6:12am on January 23, 2008

Is this what the women's movement has come to; spending daddy's money to sue some bad little boys with a naughty sign? Wow. I'm impressed. So tell us, girls (or grrls, or whatever)...what have you done lately for the women being beaten, tortured, raped and murdered in just about every Third World country you can name? What's that you say? Nothing? Yeah, that's what I thought.

By (Anonymous)

12:43pm on January 23, 2008

So the delusional feminists, who look under every rock, for a sign of offense, are targeted for a prank. They then prove themselves to be the humorless, entitled princesses they appear to be by way overreacting. Maybe if they stopped encouraging young women to act like sluts and tell them the truth about promiscuity have a negative impact on young women's social, emotional and physical well being I'd sympathize with them. This lawsuit is ridiculous but if it is any consolation, in 20 years the (admittedly bad behaving) young men will be happily married with children, this incident far behind them. Meanwhile the bitter harpies will be wondering, with their cats, why they were unable to get one of these 'misogynists' to propose.

#### **2. In response to “Zeta Psi Apologizes for its Members’ ‘Lack of Judgment”**

Yale Daily News

January 22, 2008

<http://yaledailynews.com/articles/comments/23058>

#8 By (Anonymous)

11:59am on January 22, 2008

Despicable. Completely repulsive. Disgusting. "I...feel like vomiting" Wow: what ever will you do when you read about the Civil War? Or gassing of the Kurds? Or Darfur? I mean, if you are at extremity with regard to churlish stupidity, what will you do when hit with REAL outrages against humanity? With regard to the women's rights movement--I don't see to many Women's Center members hopping the first bus to Mecca in order to free the oppressed women of Saudi. Frickin' hypocrites.

By (Anonymous)

5:50pm on January 23, 2008

"92 yale women get raped every year." Gee, there's a stat you don't find in Yale's Office of Public Affairs bulletins... Maybe you could see if they would corroborate your claim? Let's see: "According to the statistics reported, Yale had 11 forcible sex offences on campus, zero non-campus forcible sex offences and one forcible sex offence on public property in 2005, the last year for which statistics are available. "But Stacey Fitzgerald '09, coordinator of Rape and Sexual Violence Prevention, said that according to the Department of Justice, a campus of Yale's size is generally estimated to have about 90 sex offences annually, based on its student population." Hmm... quite a disparity. Let us take a stab or two, shall we? Motive: would it be at all possible for the coordinator a Rape and Sexual Violence Prevention group to have a stake in higher stats? Hmm.... Like newspapers: horror sells. Misplaced stats: although the article claims to be applying an algorithm to "Yale's student population," I would bet that it applies a general US population stat to Yale. Sorry to break it to you, dear readers, but Yale ain't America (or Amerika, for that matter). You have a population with an overrepresentation of smart, polite, future-conscious folks and under representation of criminal backgrounds; neither of which is offset too much by the distance from high school (sorry kidz: you were geeky then; y'all are fairly geeky now). You know: Monkeys fly out of my butt regularly; I just don't report it. As said before: scare tactics merely cheapen the real horror of rape, and serve to mess up young minds for years to come. Frickin' purveyors of doom, durn Brownshirts.

### 3. In response to "Zeta Psi Pledges 'Love Yale Sluts,' Women's Center Pledges to Sue"

IvyGate Blog

January 21, 2008

[http://www.ivygateblog.com/blog/2008/01/zeta\\_psi\\_pledges\\_love\\_yale\\_sluts\\_yale\\_womens\\_center\\_pledges\\_to\\_sue.html](http://www.ivygateblog.com/blog/2008/01/zeta_psi_pledges_love_yale_sluts_yale_womens_center_pledges_to_sue.html)

Y'09 says:

This is free speech baby ;-) There is no grounds for a suit, especially since no reasonable person--representative of community standards--could ever take this picture seriously. These are fraternity pledges, this is COLLEGE, let boys be boys. If you don't like what they say, then don't talk to them, sleep with them, or go to football games at all for that matter. But I can tell you one thing, plenty of girls still will ;-).

Y '09 says:

Nope, this isn't hate speech, silly. No one is being "hated" on. I believe "love" is the key word. And when a reasonable person looks at it, they think it's pretty damn funny. Why don't you go pick up a copy of the Rumpus? The entire thing is full of the same stuff. Articles about crazy hipsters, about Yale druggies, about "Toad's sluts", this is along the same lines. I don't understand how you cannot see this as a joke. And in front of the Yale Women's Center? The picture is a freakin riot hahah.

Another Y'09 says:

How is this hate speech? These men are professing their love for Yale sluts. And let's face it, without Yale sluts, Yale would be just like its older bro in Cambridge.

Y '07 says:

Tasteless? Yes. Sexual harassment? No. Legal action? LOL. Cupcakes at the Women's Center need to worry about more important things... like shaving their pits and finding a boy thirsty enough to lay with them.

hellzyea says:

"I mean, think about it, if the Pi Phi girls posed with a sign saying "we love to f\*ck yale men" or some sh\*t like that, it wouldn't be funny at all, they would be looked down upon."

NO IT WOULDN'T, THAT WOULD BE AWESOME

^11 says:

Girls who are pissed about this never get laid and are envious of the slutty Yale girls.

y07 says:

@Yale '010 woman: I'm an avowed (if admittedly male) feminist, and I still think this is hilarious, if only because it is poking fun at the RIDICULOUS, borderline militant behavior of some of the women's center's

members. These people aren't good old boys--they just smart enough to realize that you're entirely missing the point. Anybody who construes frat boys saying they like girls who have sex with them as "threatening" needs to chill the fuck out.

Also, I'm not even going to start with the Pi Phi comment...

Question says:

So if I go and stand in front of the women's center holding a sign that says I HATE YALE SLUTS, am I gonna get sued too? I'm a bit confused about what's so offensive. Do sluts at Yale not exist? Do they not deserve attention or love? Are they not welcome at the Women's Center?

WHO ARE THEY HARASSING?! You broads need to chill the fuck out.

crimson says:

Are you referring to the "Dick!" chant? It sounds like the chant was directed to their pledges who were posing for the photo... Jessica Svendsen '09 just happened to over hear them and was sooooooo frightened by the word dick (probably because she's never experienced one) that she had to take a detour through the other entrance. □ 1.) I'm not sure I believe her. □ 2.) GIVE ME A FUCKING BREAK. □ .....and to the person above who said it's cool for men to sleep around. I think sluts can be both men and women, and a lack of respect for your body is disgusting no matter your gender.

another penn '11 female says:

Fuck political correctness. I'm female and I hate feminists because they do shit like this. These guys were CLEARLY not hurting anyone. If anyone was offended by this then they need to gain a little self-confidence and a sense of humor.

your dad says:

silly cunts, they should shut the fuck up and go make me dinner.

Penisdriven says:

The women's center needs to grow a pair of balls and a sense of humor. This is not sexual harassment, hate speech, or anything of the sort. The guys were standing on a public sidewalk and Yale has not (as of yet) implemented "free speech zones" to abrogate the rights of its students. The location is inconsequential and we oughtn't pretend that the Women's Center is exclusively some sort of safe haven for rape victims. It is the voice of radical feminism at Yale, and believe it or not, there are still some rational people around who are not feminists. I hope Yale does absolutely nothing and let's the Women's Center waste its breath suing the frat, exposing itself as the hovel of humorless harpies it is.

Y10 says:

How is it a hate crime? The sign said that they love Yale sluts and not that they hate Yale sluts. Any other interpretation reeks of big Jewry's typical semantic games. It's kind of like the 9/11 all over again. Except, this time the towers are made of unshowered lesbians instead of steel.

#### **4. In response to "Pervasive Sexism threatens Yale's Women"**

Yale Daily News

January 25, 2008

<http://www.yaledailynews.com/articles/view/23133>

By (Anonymous)

"We apologize if we come off as a "hovel of humorless harpies," as one Ivygate post noted, but we're tired; and we desperately want change." Yes, the way pervasive sexism kept you out of Yale is just heart-rending. Your continued focus on the relative minutiae risks your missing the big picture. You are at Yale. You have at your collective disposal the earnings of a \$22+ billion endowment. You have a faculty on your side. You are surrounded by future leaders, corporate heads, movers and shakers. And you can't get over a stupid, meaningless, FORGETTABLE event? How on G-d's green earth do you expect to get by in the workplace?

By (Anonymous)

Yes, men clearly dominate women at Yale, and Yale is clearly a sexist, misogynist place. You aren't the first to say it and won't be the last to say it, no matter how untrue it is, and you continue to be an insult to yourselves by making a mountain out of this molehill by in effect claiming that Zeta Psi's pledges and members are representative of the entire male student body. Remind me, though, isn't Yale's undergraduate population actually majority female? I believe the women/male division is something like 52/48. Now, who's really the oppressed minority now?

JM BR '08

By (Anonymous)

The point is that these guilt complexes are stupid and invalid. I hope there isn't any male guilt any more than I hope there isn't any white guilt. I never oppressed any Indians so I'm not going to bear some bizarre PC-guilt over what happened 150 years ago. I never disrespect women so I'm not going to let these uber-feminists trash all of mankind. It is not a crime to be male.

By (Anonymous)

I don't know about the rest of you, but I know plenty of sluts who are complex, multifaceted individuals.

## **X. Appendix IV: Past News Articles**

### **Silencing rape victims sanctions the crime**

Tess Korobkin

Published: Yale Daily News, April 15, 2006

<http://www.yaledailynews.com/articles/view/14111>

### **Clotheslines t-shirt theft merited greater attention**

Chelsea Purvis

Published: Yale Daily News, April 20, 2005

<http://www.yaledailynews.com/articles/view/14205>

### **Charges dropped in SAE cases: Fraternity members will not be penalized for arrests linked to scavenger hunt**

Priya Raman

Published: Yale Daily News, February 2, 2006

<http://www.yaledailynews.com/articles/view/16352>

### **The Fight for feminism: why equality still matters**

Della Sentiles

Published: Yale Herald, February 24, 2006

<http://www.yaleherald.com/article.php?Article=4538>

### **Pervasive sexism threatens Yale's women**

Claire Gordon

Published: Yale Daily News, January 25, 2008

<http://www.yaledailynews.com/articles/view/23133>



**Appendix H**  
*2007-08 Administrative Board of Harvard College: Guide for Students*

The Administrative Board of Harvard College

# Guide for Students

2007-2008

*The Administrative Board Guide for Students* is a publication of the Office of the Dean of Harvard College, University Hall, First Floor, Cambridge, Massachusetts 02138; 617-495-1555. It is published once each year in August and is also available electronically at [www.college.harvard.edu/academics/adboard/index.html](http://www.college.harvard.edu/academics/adboard/index.html).

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## Introduction

DURING YOUR TIME AS A STUDENT AT HARVARD, you are likely to hear references made to the “Ad Board”—short for the Administrative Board of Harvard College. Few other aspects of the College have been more mysterious to students than has the Ad Board and, as a result, myths and legends abound. This guide is provided to help students become better informed about the work of the Board and about its policies, procedures, and practices.

### PURPOSE AND HISTORY

The Administrative Board of Harvard College is the committee of the Faculty of Arts and Sciences (FAS) responsible for the application and enforcement of undergraduate academic regulations and standards of social conduct. Established in 1890, the Administrative Board is among the oldest of the Faculty’s committees, and it follows well-established procedures and practices that are designed to further the educational mission of the College.

The work of the Board lies in three areas: 1) evaluation of requests (called petitions) for exceptions to academic policies or rules, or for certain changes in course enrollment and registration; 2) review of students’ academic performance and fulfillment of degree requirements; and 3) resolution of alleged infractions of College rules, breaches of community standards, or other disciplinary matters.

The Board is primarily concerned for the educational and personal growth of undergraduates, both as individuals and as members of an academic community.

### MEMBERSHIP

The membership of the Administrative Board explicitly includes those who have a strong link to undergraduate education and student life. Indeed, one of the strengths of Harvard’s system is that every student in the College has, in his or her Resident Dean of Freshmen or Allston Burr Resident Dean, a representative on the Board.

## MEMBERS OF THE ADMINISTRATIVE BOARD

Benedict H. Gross, *George Vasmer Leverett Professor of Mathematics and Dean of Harvard College*, chair

John (Jay) Ellison, *Assistant Dean of Harvard College*, secretary

Sue Brown, *Resident Dean of Freshmen (Elm Yard)*

Michael Canfield, *Allston Burr Resident Dean in Eliot House and Lecturer on Organismic and Evolutionary Biology*

Judith Flynn Chapman, *Allston Burr Resident Dean in Quincy House and Lecturer on Anthropology*

William Cooper, *Resident Dean of Freshmen (Ivy Yard)*

R. Craig Crouch, *Allston Burr Resident Dean in Kirkland House and Lecturer on Environmental Science and Public Policy*

Paulette G. Curtis, *Allston Burr Resident Dean in Dunster House and Lecturer on Anthropology*

Thomas A. Dingman, *Dean of Freshmen*

Suzanne E. Duke, *Resident Dean of Freshmen (Crimson Yard)*

William R. Fitzsimmons, *Dean of Admissions and Financial Aid*

Sharon Howell, *Allston Burr Resident Dean in Adams House and Lecturer on History and Literature*

Laura K. Johnson, *Allston Burr Resident Dean in Dudley House and Lecturer on History and Literature*

Barry Kane, *Registrar of the Faculty of Arts and Sciences*

Stephen H. Kargère, *Allston Burr Resident Dean in Cabot House and Lecturer on History and Literature*

Stephanie Kenen, *Assistant Dean of Harvard College*

Judith H. Kidd, *Associate Dean of Harvard College*

Susan W. Lewis, *Director of the Core Program*

Richard M. Losik, *Maria Moors Cabot Professor of Biology*

Michael D. Mitzenmacher, *Gordon McKay Professor of Computer Science*

Suzy M. Nelson, *Associate Dean of Harvard College*

Matthew Peattie, *Allston Burr Resident Dean in Pforzheimer House and Lecturer on Music*

Gregg Peoples, *Allston Burr Resident Dean in John Winthrop House*

Louise Russell, *Director of the Accessible Education Office*

Laura Schlosberg, *Allston Burr Resident Dean in Mather House and Lecturer on Slavic Languages and Literatures*

Catherine R. Shapiro, *Allston Burr Resident Dean in Leverett House and Lecturer on Government*

Ryan Spoering, *Allston Burr Resident Dean in Lowell House and Lecturer on Chemistry*

Katherine Stanton, *Allston Burr Resident Dean in Currier House and Lecturer on Studies of Women, Gender, and Sexuality*

In addition, the Board regularly invites to its meetings a number of nonvoting guests who serve as advisers on student welfare or who maintain records of Board decisions. The Board also includes the President of the University and the Dean of the Faculty of Arts and Sciences, who, as *ex officio* members, do not regularly attend.

## AUTHORITY AND JURISDICTION

The authority of the Administrative Board to handle virtually all matters related to undergraduate rules and regulations derives from the Faculty of Arts and Sciences—the governing body of Harvard College and of the Graduate School of Arts and Sciences. While the Administrative Board alone has jurisdiction to decide on exceptions to certain academic policies or rules, changes in enrollment or registration, and to review unsatisfactory academic records and fulfillment of degree requirements, it formally shares jurisdiction over certain kinds of disciplinary matters with the Student-Faculty Judicial Board.

## THE STUDENT-FACULTY JUDICIAL BOARD

In 1987, the Faculty established a second body, the Student-Faculty Judicial Board (SFJB), specifically to hear disciplinary cases for which: 1) there is no clear governing precedent or Faculty policy; 2) the procedures of the Administrative Board of Harvard College or of the Graduate School of Arts and Sciences are not appropriate; or 3) the disposition of which could have profound effects on the community at large. Such cases, it turns out, are extremely rare; since its inception, the SFJB has heard only one case.

Because decisions of this board may become touchstones of community standards, the membership reflects the FAS community at large. The SFJB includes twelve voting members (six members of the Faculty, two graduate students, and four undergraduate students) who are chosen by lottery according to guidelines designed to ensure diversity and distribution of membership. In addition, the Dean of Harvard College and the Administrative Dean of the Graduate School of Arts and Sciences are *ex officio* members. A list of names and FAS affiliations of the current SFJB members, as well as additional information about the SFJB, is available from the Office of the Secretary of the Faculty of Arts and Sciences, University Hall, Ground Floor.

## GENERAL PROCEDURES AND PRACTICES

The Administrative Board's procedures and practices provide students with various opportunities and options to assist them in working with the Board. Among others, these include:

- the opportunity to submit written statements to the Board;
- the opportunity to review written materials considered by the Board in making a decision;
- the opportunity to request that a disciplinary case be heard by the Student-Faculty Judicial Board when, according to the guidelines noted above, appropriate. The SFJB independently determines whether a particular matter is appropriate for its consideration;
- the opportunity to make a personal appearance before the Board (or its subcommittee or fact finder), in cases where formal disciplinary action is possible;

- the option to have a personal adviser (an officer of the University affiliated with the Faculty of Arts and Sciences), in addition to a Resident Dean of Freshmen or Allston Burr Resident Dean, present during a personal appearance before the Board (or its subcommittee or fact finder);
- the opportunity to ask the Board to reconsider a decision should relevant information come to light that was not available at the time the Board made its decision, or if there is evidence of a procedural error; and
- the option to appeal certain formal disciplinary actions of the Board to the Faculty Council.

Further, in disciplinary cases that involve allegations of serious criminal conduct:

- informing students of their rights and alternatives for proceeding through the criminal justice system;
- allowing students making a complaint, as well as students who are charged, to be interviewed by or to appear before the Board (or its subcommittee or fact finder), respectively;
- informing students making a complaint of the final disposition of the case; and
- advising students to seek legal counsel before speaking with, or submitting written statements to, College officials. Legal counsel plays no role in the College's disciplinary process. Instead, students are advised to seek legal advice about the implications of the College's disciplinary process on any criminal case that may involve them.

As noted above, each Harvard College student has an official representative on the Administrative Board who will act as his or her liaison in any Board matter. Ordinarily, a student's representative to the Board is his or her Resident Dean of Freshmen or Allston Burr Resident Dean. (Visiting students work with the Assistant Dean of Advising Programs.) The role of the resident dean is to present to the Board a full summary of the facts of any petition or case, making certain the student's "voice" is heard. The resident dean abstains from voting



on all matters directly related to students whom he or she represents. Normally, the Chair of the Board abstains from voting in all matters.

To ensure that the Board receives a full and balanced account of a case or petition, students should work closely with their resident dean. Except when the request is routine, students may be asked to provide a written statement in support of a petition. In disciplinary cases, or in response to an unsatisfactory academic record, students are strongly encouraged to provide a written statement. In all representations to the Board (or its members, subcommittees, or fact finders), students are expected to be honest and forthcoming.

In addition to resident deans, students may wish to seek advice from others, including parents, House Masters, faculty, coaches, or resident tutors or proctors. The procedures of the Administrative Board, however, do not allow for the direct participation of parents, attorneys, or those who are not officers of the University affiliated with the Faculty of Arts and Sciences.

Because virtually all petitions and cases include personal information, the proceedings of the Board are confidential, and its decisions are made known only to those directly involved in a matter who have a need to know. Apart from records kept by the Secretary of the Board, the Registrar of the Faculty of Arts and Sciences, and those placed in students' files, all Board documents are disposed of in a secure manner. Actions taken by the Board are considered part of a student's educational record as defined and protected by federal law. Questions about how Board actions are recorded within the College or are represented on official transcripts and in letters of recommendation should be directed to the resident deans. Most actions of the Board require a simple majority vote for approval, but action that separates a student from the University, such as a requirement to withdraw, must be approved by two-thirds of the members present and eligible to vote (a student's own resident dean is not eligible to vote, and the Chair of the Board ordinarily does not vote).

Meetings of the Administrative Board are held regularly throughout the academic year, usually on Tuesday afternoons. All meetings of the Board are private and are attended only by voting members and invited guests. Students who in certain disciplinary cases may opt to appear before the Board do so under specific guidelines.

## 1 | Petitions

The vast majority of the administrative board's work involves evaluating requests for exceptions to academic rules or regulations, or for changes in enrollment or registration. Because many such requests, or petitions, are frequent, customary, or involve circumstances that are straightforward, they are handled on behalf of the full Board by a standing subcommittee called the Executive Committee. Chaired by the Secretary of the Administrative Board, the Executive Committee consists of other senior members of the Board whose experience makes them especially well suited to judge the merits and permissibility of requests for exceptions. Decisions of the Executive Committee, like those of the full Board, take into account the best educational and personal interests of the student as well as the mission of the College.

Petitions handled by the Executive Committee include, but are not limited to, permission to:

- take a leave of absence
- register late or file a study card after the deadline
- add or drop a course late or withdraw from a course after the deadline
- bracket or unbracket a course
- take a medical make-up or an *in-absentia* final examination or other final examination accommodation
- have an extension of time after the end of the term to complete written work in a course
- postpone the language requirement
- enroll in two courses that meet at the same time
- enroll in the College for a ninth term

Non-routine petitions and unusual requests for exceptions are handled by the full Board. They include, but are not limited to, permission to:

- return to the College after a period of withdrawal or a leave of absence taken late in term
- continue enrollment despite make-up examinations or extensions of time in two or more courses
- attend Harvard Summer School in advance of being readmitted to, or allowed to register in, the College

All of the above petitions have clear guidelines that must be met before the full Board or Executive Committee can give its approval. These can be found in the *Handbook for Students*.

## Procedures for Petitions

The process of petitioning the Board begins with a conversation between a student and his or her resident dean, in which the reasons for the petition, the applicable rules of the College, and the circumstances that may or may not warrant its approval are all discussed. The student may also be asked to write a statement, explaining his or her request and specific circumstances. The resident dean will then prepare a “write-up” or summary of the request and forward the petition (along with the student’s statement and other documentation, if necessary) to the full Board or its Executive Committee, where it will be read carefully, discussed, and decided.

Petitions are either “approved” or “denied.” Occasionally a petition is referred by the Executive Committee to the full Board for action, or is “bracketed,” which means a decision is postponed pending receipt of additional information or documentation.

The student will be informed of the decision and any related instructions or stipulations in writing by his or her resident dean. A copy of the petition and the dean’s letter are placed in the student’s College file. When a decision changes a student’s status in the College, such as by granting a leave of absence, the resident dean is obligated to inform the student’s parents or guardians.

## 2 | Academic Review

After the end of each term, the Administrative Board reviews the records of all students who receive unsatisfactory grades or who fail to meet the College's minimum academic requirements. The Board also periodically reviews the records of students who have yet to complete certain degree requirements, such as the language requirement or the Expository Writing requirement, or who are working at a rate above or below the standard four courses per term.

### Procedures for Review of Academic Records

When students realize, or are told, that their record for a term is unsatisfactory, they should immediately contact their resident dean to discuss their academic difficulties.

- *Students whose records are unsatisfactory are encouraged to write a statement explaining their circumstances and reflecting on any changes they aim to make in their approach to their academic work.*
- *The student's resident dean will prepare and present a docket page (a summary of the student's academic record and of the dean's understanding of the student's circumstances) to the full Board at a meeting called "Quarter Day." (See page for a sample docket page. Docket pages are also used for petitions and disciplinary cases.) Students do not have the option to appear before the Board when their academic records are reviewed.*
- *After the Board discusses a student's record and circumstances, the chair or his designee will call for a vote. The Board decides how to respond to unsatisfactory records primarily on the basis of the record itself. However, it considers carefully each case individually, taking into account the student's overall record and specific circumstances.*
- *Students will be informed of the Board's decision, along with any special instructions or necessary follow-up, in writing by their resident dean. All documents relating to the Board's review of a student's academic record are placed in the student's College file.*

### Standard Responses to Unsatisfactory Records

- *Place on Academic Probation is the standard response to a first unsatisfactory record, as defined in the Handbook for Students.*

Probation puts the student on notice that his or her academic performance gives considerable cause for concern. A student on academic probation is expected to pay especially close attention to his or her course work. A student is relieved of academic probation provided he or she achieves a satisfactory record during the next term in the College. Academic probation is a formal action by the Board that changes a student's status in the College (from "in good standing" to "on academic probation") and is therefore disclosed to parents or guardians.

- *Require to Withdraw* is the standard response to a second consecutive unsatisfactory record or for failing to meet the College's minimum academic requirements, as defined in the *Handbook for Students*. A requirement to withdraw means that the Board believes the student needs to be away from the College in order to address and resolve his or her academic difficulties. In such cases, the Board expects the student to leave the Harvard community completely and to hold a full-time, paid, non-academic job in a non-family owned or run business for at least six consecutive months before petitioning for readmission to the College. The length of a requirement to withdraw is normally two terms, although the Board may stipulate a longer period of time. Requirement to withdraw changes a student's status in the College (from "in good standing" or "on academic probation" to "required to withdraw") and is therefore disclosed to parents or guardians. A requirement to withdraw for academic reasons is also disclosed to graduate or professional schools under certain circumstances.

Readmission to the College after a requirement to withdraw is not automatic, and requires a vote of the full Administrative Board. A student readmitted after a requirement to withdraw for academic reasons is readmitted on academic probation. Should such a student achieve an unsatisfactory record in the term immediately following readmission, he or she will ordinarily be required to withdraw a second time. A second requirement to withdraw (whether the result of academic difficulty or a disciplinary matter) is ordinarily final. A student must make an extraordinarily strong case in order to be readmitted a second time.

Requirement to withdraw for academic deficiency is an action designed to maximize the student's chances of completing his or her Harvard degree. The Board has found that time spent away from the College is an effective step in preventing a record from declining further, and for getting academic progress back on track. Most cases of academic difficulty have little to do with a

student's ability, but rather are related to personal or medical problems or circumstances that are almost always best resolved away from school. In fact, virtually all students who are required to withdraw for academic reasons use their time away from Harvard to gain a fresh perspective on their educational and personal goals before returning to successfully complete their degrees.

Should a first unsatisfactory record result from especially compelling and well-documented extenuating circumstances, the Board could decide to *Take No Action* and warn a student about his or her academic record instead of placing him or her on academic probation. An unsatisfactory record remains so, however, regardless of the action taken by the Board. Therefore all students who have an unsatisfactory record must take care to ensure that they earn all satisfactory grades during their next term in the College.

### 3 | Disciplinary Cases

The procedures for disciplinary cases, which are more elaborate than those for petitions and academic review, are designed to ensure that students are given a fair opportunity to be heard, and that the Board has adequate reliable information to reach a decision. There are, however, both commonalities and differences across disciplinary case procedures depending upon the nature and complexity of the case and the source of the complaint or report of alleged misconduct. For example, a case of possible academic dishonesty reported to the College by a member of the faculty will ordinarily be prepared for Board review by a set of procedures different from those used in a case of alleged sexual misconduct reported by a student's peer. Yet all sets of procedures employed by the Board in handling disciplinary cases share fundamental elements—such as the opportunity to submit written statements to the Board, and the opportunity to review written materials considered by the Board in making a decision— described in the section on General Procedures and Practices found at the beginning of this guide.

It is important to recognize that the College's disciplinary system is not a legal system, and that the procedures of the Administrative Board are designed to achieve ends different from those of criminal or civil litigation. While a court of law may only be interested in establishing innocence or guilt, the Board is interested in the larger educational, developmental, and community implications of student conduct.

#### Procedures for Disciplinary Cases

- Every disciplinary case begins with *an allegation in the form of a complaint or report* made by an official of the University, by a student (peer), or by another agency (such as the police or courts) or interested party. While virtually anyone could bring a complaint against a student, any formal charges that may ensue are made by, and on behalf of, the College.
- *Apprising students of the allegations.* As a first step in the Board review process students will be informed of the allegations either by their resident dean, or in the case of peer disputes, by the Secretary of the Board. In some cases, such as in peer disputes, students will be informed of the allegations in writing by the Secretary of the Board and will be given an opportunity to read the original complaint only after submitting a statement of their own. In other cases, students may learn of the allegations by reading the original complaint in the first instance. Where

an allegation is made by an official of the University or by another agency (such as the police or the courts), the College ordinarily issues a formal charge at the outset of the review process. For peer dispute cases, where an allegation is made by another student, the charging process is described later in this chapter.

- The resident dean will *discuss the incident* with the student (except in cases where the complaint alleges serious criminal behavior and the student is advised to seek legal counsel first). The College expects that in addition to being honest and forthcoming, students will take responsibility for their actions.

If, at this point, the dean can ascertain that the report is a matter of a misunderstanding and no wrongdoing has occurred, the matter may be dropped or the Board may hear the case with the likely outcome of “scratch,” a formal exoneration clearing the student of any wrongdoing. If the allegations cannot be set aside, *the resident dean will outline for the student the College’s disciplinary process.*

- In certain cases, the Dean of the College may *refer a disciplinary matter to a fact finder and/or subcommittee* of the Board for investigation, for example in the case of a serious peer dispute. Information about how fact finders and/or subcommittees proceed can be found in both this section, where applicable, as well as later in this chapter.
- *The student will be asked to read and sign a Referral Form,* acknowledging that he or she is aware of the difference in jurisdiction between the Administrative Board and the Student-Faculty Judicial Board, and indicating whether or not he or she intends to make a personal appearance before the Board, when that option is available.
- If the case is one in which formal disciplinary action (probation or requirement to withdraw) is possible, *a student has the option to appear before the Board.* The resident dean is the best source of advice on this decision. Should the matter be referred to a fact finder and/or a subcommittee of the Board, the student’s appearance will be before the subcommittee, not before the full Board. Students are not required to make an appearance, and the Board will draw no conclusions or inferences from the student’s decision. In deciding whether to appear, students might consider the following questions: Will their presence allow the Board more fully to understand the facts of the case?; will



appearing before the Board help them to have peace of mind about the final disposition of the case?

- *Students involved in disciplinary cases will be advised of the College's expectation of confidentiality.* While students are encouraged to share information with resident deans, family members, legal counsel when necessary, or other personal advisers (officers of the University affiliated with the Faculty of Arts and Sciences), they should refrain from disclosing confidential information to those not directly involved in the case. If students have any doubts about with whom they should discuss the matter, they should consult with their resident dean. *There are also strict rules governing the use of any disciplinary case materials that may be provided to students: photocopies of statements, letters, reports, or other disciplinary case documents either given or shown to students remain confidential and their disclosure to anyone other than those noted above is prohibited and may subject a student to disciplinary action.*
- *The student will be encouraged to write an explanatory statement.* The statement, which is among the most important documents considered by the Board in a disciplinary case, must be written by the student and must be in his or her own words. It is not acceptable to submit statements written by others, including parents, advisers, or attorneys. The student is, however, encouraged to share a draft of a statement with his or her resident dean. The resident dean is well positioned to provide helpful suggestions related to style, organization, length, or clarity, and to anticipate questions the statement may raise, or fail to address, in the minds of Board members. The statement should strive to do three things:
  - *Tell the story in full.* This is the student's opportunity to relate in full the facts of the alleged incident. The student should take care to distinguish between what is known firsthand from what he or she has learned from others since.
  - *Describe the context.* The Board is especially interested in the student's own perspective on his or her conduct and the context in which he or she acted.

- *Reflect on the event.* The student should draw lessons from what may have happened, stating clearly when necessary how his or her actions were in violation of a rule or standard of conduct in the College.

Once it is completed, the student should sign and date his or her printed statement. It is also acceptable to submit statements electronically, such as through e-mail.

- If at any time a student involved in a disciplinary case would benefit from *confidential counseling* to help him or her cope with any personal distress, he or she should contact the Bureau of Study Counsel (617-495-2581) or the University Mental Health Service (617-495-2042).
- *If the student believes that his or her resident dean is not the best person to assist him or her with the case*, the Chair of the Board may, at his discretion, choose a “Board alternate,” usually from among the members of the Board who are not also resident deans. (Note that all references in this section to the resident dean would also apply to the Board alternate.)
- If necessary, *the resident dean or the Secretary of the Board may speak with witnesses* or others who are in a position to shed light on the facts surrounding the case. In cases being investigated by a fact finder and/or subcommittee, this person or body would speak with witnesses.
- *The student’s statement and other documents related to the case ordinarily will be distributed to the Board* in advance of the meeting at which it will hear the case. These documents as well as any reports prepared for the Board by a subcommittee will be shared with students in advance of a hearing.
- Every Board hearing of a disciplinary case begins with *an oral summary of the allegations* by either the resident dean, fact finder, or subcommittee chair, letting the student’s statement and any other relevant documents speak for themselves.
- *Should the student choose to appear before the full Board* (information about appearing before a fact finder and/or subcommittee appears later in this chapter), he or she should note the following:
  - A personal adviser (an officer of the University affiliated with the Faculty of Arts and Sciences, such as a proctor or

tutor, coach, or instructor) may accompany the student, in addition to the resident dean. Such an adviser does not participate in the questioning or discussion with the Board, but is there as a resource for and support to the student. Members of student's family may not serve as personal advisers for these purposes, even if affiliated with the Faculty of Arts and Sciences.

- The student (and his or her adviser) should arrive a few minutes before the scheduled time of the appearance and should wait in the designated area outside the meeting room. The resident dean will escort the student into the meeting when the Board is ready to hear the case.
- The chair of the Board will introduce himself or herself when the student enters the room and will begin by reviewing the Board's procedures related to personal appearances.
- After the resident dean presents the oral summary of the case, the chair will ask if the student wishes to make any opening statement and is willing to accept questions. Members of the Board will introduce themselves before asking a question.
- At the conclusion of questioning, the chair will invite the student to make an optional closing statement. Following that, the resident dean will escort the student out of the room.
- *The Board will discuss the case and reach a decision.* The Board will assess whether or not any wrongdoing occurred and, if so, usually will consider the standard response to the infraction and whether there are special circumstances presented by the case. Any member of the Board may offer a recommendation for action, or *motion* (there is sometimes a range of motions offered), and, after the discussion, the chair will call for a vote. As noted in the Introduction, most motions require a simple majority to pass, but a motion for requirement to withdraw requires a minimum of two-thirds of those present and eligible to vote to be sustained.

- *Voting by resident deans.* The resident deans or Board alternates of the students principally involved in a disciplinary case abstain from voting.
- Shortly after the end of the Board meeting, *the resident dean will inform the student of the results of the case.* The dean can answer any questions the student might have about the findings of the Board and its decision. The dean will also send the student a letter documenting the Board's findings and decision. A copy of this letter, along with the student's statement and other relevant documentation, is placed in the student's College file. If the complaint against the student was filed by a faculty member or other officer of the University, he or she also will be informed of the Board's decision.
- The student may ask that the Board reconsider its decision should relevant new information become available, or if there is evidence of a procedural error. (See chapter 4, Appeals.)
- Cases and court action. The College may defer consideration of a case for as long as it considers appropriate if a criminal investigation or court process is pending and if the underlying allegations involve serious criminal misconduct. If, however, both the complainant and respondent (or all parties involved) prefer to have the College take up the case immediately, regardless of the status of legal matters, the Administrative Board may proceed at its discretion. In all cases involving the potential for serious criminal sanctions as well as Administrative Board review, students are advised to seek legal counsel.
- *Possible involuntary leave of absence or restrictions.* The Dean of Harvard College may place a student on involuntary leave of absence when the student has been arrested on allegations of serious criminal behavior, or when the student allegedly has violated a disciplinary rule of the College and the Dean concludes that the student poses a significant risk to the safety or educational environment of the community. The Dean may also place restrictions on a student's activities or living arrangements while enrolled.
- *Degree status.* A student cannot receive a degree before a pending disciplinary case is resolved, or before his or her status in the College is restored to good standing, and ordinarily may not participate in commencement or related activities or exercises.

## Procedures for Peer Disputes

Serious disputes between students that also involve possible violations of College rules or regulations may be reported to the Administrative Board. Examples of such disputes include, but are not limited to, physical assault, theft, or violations of the Faculty's rules regarding sexual misconduct (which include rape and sexual assault). As such disputes may involve allegations of serious criminal conduct, complainants are urged to consider raising their complaint through the criminal justice system. When complaints are pursued through the criminal justice system, the Administrative Board ordinarily will postpone or suspend its own review of the matter, taking it up again when the criminal case has been resolved.

When a student chooses to present a peer dispute complaint to the Administrative Board, he or she will be asked to submit to the College a detailed written statement summarizing his or her complaint along with a descriptive list of all sources of information (persons, correspondence, records) that support the allegations. Students should only identify sources of supporting information; they should not themselves solicit such information.

The complaint should be submitted to the Secretary of the Administrative Board who will inform the student or students named in the complaint of the allegations. In all cases in which the complaint involves allegations of serious criminal conduct, the student accused is advised to seek legal counsel before making any written or oral statements to the College. As stated in the introduction, legal counsel plays no role in the College's disciplinary process. Instead, students are advised to seek legal advice about the implications of the College's disciplinary process on any criminal case that may involve them.

The Secretary will present the complaint to the Dean of the College, who, as Chair of the Administrative Board, ordinarily will refer the matter to a fact finder and appoint a subcommittee of the Board. The fact finder will work with the subcommittee to investigate the complaint.

The student(s) against whom the complaint has been made will be asked to prepare a written statement along with a descriptive list of sources of information and submit it to the Secretary. The principals involved in a case will be allowed to review each other's statements and respond in writing. The fact finder and/or the subcommittee will then interview the students involved (and others at their discretion). The fact finder will assess the information obtainable through the Board's process, and provide his or her findings to the subcommittee. The subcommittee, along with the fact finder, will meet with the

principals to discuss whether or not a charge should issue, after which the subcommittee will make a recommendation to the full Board. The principals will be given an opportunity (typically 1-3 days) to respond to the subcommittee's recommendation in writing.

The full Board then will read the statements and responses, if any, discuss the complaint, and take one of three actions:

- *Issue a charge and refer the matter back to the fact finder and subcommittee for further investigation.* On behalf of the subcommittee, the fact finder will conduct further interviews and gather additional documents or records if applicable. The subcommittee will then issue a report and, if appropriate, make recommendations for action to the full Board. The report, along with the subcommittee's recommendation, will then be shared with the principals, who will have an opportunity (typically 1-3 days) to respond either orally or in writing before the Board hears the case;
- *Bracket, or postpone, the decision on issuing a charge* pending receipt of additional specific information; or
- *Decline to issue a charge*, because the Board determines that further investigation is unlikely to obtain information adequate for the Board to decide the case. If the Board declines to issue a charge, it may reconsider should new information become available. Students will be advised of other possible avenues for resolving their complaint.
- More specific information about the procedures followed by fact finders and/or subcommittees is described below.

### Procedures for Disciplinary Subcommittees and Fact Finders

Many of the basic procedures for disciplinary cases described at the beginning of this chapter also apply to cases referred to fact finders and subcommittees. When a case is referred to a fact finder and/or disciplinary subcommittee, the following procedures ordinarily apply:

- *Appointment of subcommittees and fact finders.* When a case is referred to a fact finder and/or subcommittee, the Dean of the College, as Chair of the Board, will make such appointments on an *ad hoc* basis. Fact

finders and other members of the subcommittee will communicate with students either directly, through the Secretary, or through their resident dean (or Board alternate).

- *Same resident dean for both parties.* When the two principal students involved in a peer dispute case have the same resident dean, that person ordinarily will advise only one of them. A Board alternate will be assigned by the Dean of the College, as Chair of the Board, to the other student.
- *Statements.* The Secretary will ask the student(s) about whom a complaint has been made to prepare a detailed statement along with a list of sources of supporting information, if he or she has not already done so. After submitting an initial statement, the student will have an opportunity to review the complaint and respond in writing. In a peer dispute case, the complainant likewise will have an opportunity to review the initial statement of the student against whom a complaint is made, and respond in writing. There may also be other statements (such as from witnesses) or reports sought by the Secretary, the fact finder, or the subcommittee, depending on the nature of the case. The Secretary, fact finder, or subcommittee chair will direct the solicitation of these other statements or documents. Should the student against whom a complaint is made decline to provide a written statement, he or she will not be permitted to see the complaint or any of the statements submitted to the College, except as part of the subcommittee's report to the Board.
- *Confidentiality of statements and other case materials.* The fact finder, subcommittee chair, resident dean, and/or Secretary of the Board will instruct students about matters of confidentiality regarding statements and other disciplinary case materials. Students will have access to (and may be provided with photocopies of) all statements and materials that will be considered by the Board, including the report generated by the subcommittee (described below). *As noted earlier, these materials remain confidential and their disclosure to anyone other than resident deans, family members, legal counsel, or other personal advisers (officers of the University affiliated with the Faculty of Arts and Sciences) is strictly prohibited and may subject a student to disciplinary action.*
- *Interviews.* In peer dispute cases, both the student about whom a complaint has been made and the student bringing the complaint will

have an opportunity to meet with the fact finder and subcommittee to discuss the alleged incident and to answer questions, if they choose to do so, before a decision about issuing a charge is made. Interviews with others may take place at the discretion of the fact finder and/or subcommittee.

Once a formal charge has issued, ordinarily the fact finder or subcommittee will conduct additional interviews with each party separately, and will meet with direct witnesses or fresh complaint/fresh response witnesses in person if appropriate and reasonably possible to do so. (Witnesses who are no longer on campus or in the Boston area are sometimes interviewed by phone.) Other sources of information will be consulted at the discretion of the fact finder and/or subcommittee. The resident dean or Board alternate of each student principally involved in the case will attend all meetings of the fact finder or subcommittee in which interviews are conducted, and will discuss with their students at an appropriate time any new or contradictory information that arises from those interviews.

- *Recommendation for charge.* In peer dispute cases, shortly after the fact finder obtains statements and interviews the principals involved in a case, the subcommittee will make a recommendation as to whether a formal charge should be issued by the Board. In advance of the Board deciding whether or not to issue a charge, the principals will be given an opportunity to respond in writing to the subcommittee's recommendation. If the Board issues a charge, the case is referred back to the fact finder and subcommittee for further investigation.
- *Personal appearances before a subcommittee.* Appearing before the subcommittee satisfies the student's option to appear personally before the Administrative Board. Students are not obliged to accept this opportunity, and if they do they are free to participate to whatever extent they feel comfortable, within the bounds of standard Board procedures.
- *Disciplinary Case Report.* At the conclusion of further investigation, the subcommittee will issue a confidential written report (Disciplinary Case Report) to the full Board, summarizing the facts and circumstances of the case. The report may also include, at the discretion of the subcommittee, a recommendation for action.

Disciplinary Case Reports typically include as attachments copies of all statements and other documents (such as police reports or court



documents or other records) obtained by the fact finder or subcommittee and deemed directly relevant to the allegations.

The student charged and, in a peer dispute case, the student bringing the complaint, will have the opportunity (typically 1-3 days) to read the report in advance of the meeting at which the Board will decide the case. Students may respond to the Disciplinary Case Report either in writing or orally through their resident dean or Board alternate, who will be present when the case is heard.

A redacted copy of the confidential Disciplinary Case Report is placed in the College file of each student principally involved.

- *Presentation of the case to the full Board.* The chair of the subcommittee and the fact finder will formally present the case to the full Board. Members of the Board will have read the Disciplinary Case Report and the students' written responses to it, if any, in advance of discussing and deciding the case. In some peer dispute cases, the Board may, at its discretion, allow for the student charged and/or the student who made a complaint to appear before it. Neither the fact finder nor the resident deans or Board Alternates of the students principally involved will vote on the case.
- *Informing students of the decision.* In cases involving allegations of sexual assault or physical violence, both the student making the complaint and the student(s) charged will be informed by their resident dean or Board alternate of the Board's decision. The resident deans subsequently will send a letter to the students principally involved, confirming the Board's decision in writing. In cases other than those involving allegations of sexual assault or physical violence, it is only the student charged who is informed of the Board's decision.

### Decisions of the Board in Disciplinary Cases

The Administrative Board has a range of actions it can take in disciplinary cases:

- *Scratch.* A finding by the Board that nothing wrong occurred, or that there are no grounds for action. A decision of scratch is recorded in a student's file to signal that the Board found no fault.

- *Take No Action.* This response indicates that a serious accusation was made but was not or could not be substantiated.
- *Admonish.* Admonition is a warning from the Board that a student has violated the rules or standards of conduct in the College, and it begins a state of jeopardy (i.e., it signals to the student that the Board may respond to future misconduct with formal disciplinary action).

The following decisions are considered formal disciplinary action that changes a student's status in the College (from "in good standing" to "on disciplinary probation" or "required to withdraw") and are therefore disclosed to parents or guardians, as well as to graduate or professional schools under certain circumstances.

- *Place on Probation.* Disciplinary probation puts a student on notice that her or his conduct gives considerable cause for concern. A student on disciplinary probation is expected to pay very close attention to his or her conduct, both during the period of probation and after. The Board will likely respond more seriously (e.g., requirement to withdraw) to further infractions. A student is relieved of probation at the end of the time period set by the Board, provided there has been no further misconduct.

*Requirements and Restrictions.* The Board may add requirements to the period of probation when it believes that the student needs to take positive, explicit steps to rectify his or her situation. For the same reason, the Board may add restrictions when it finds that a particular activity contributed directly to the problem for which the student was placed on probation. Requirements and restrictions typically relate directly to the circumstances of the case. Requirements, for instance, might include alcohol counseling in cases of inappropriate conduct while under the influence, or mandatory tutoring in proper citation in cases of misuse of academic sources. Restrictions, on the other hand, might forbid a student to participate in an extracurricular activity that contributed to or allowed for the misconduct.

- *Require to Withdraw.* Action taken when a student's conduct is unacceptable and the Board has determined that the student needs to be separated from the College in order to gain perspective on his or her actions, or to address and resolve his or her difficulties. In all cases, the Board requires the student to leave the Harvard community completely

and to hold a full-time, paid, non-academic job in a non-family situation, for at least six consecutive months before petitioning for readmission to the College. The length of withdrawal normally ranges from two to four terms. Readmission to the College after a requirement to withdraw is not automatic, and requires a vote of the full Administrative Board. A student readmitted after a requirement to withdraw for disciplinary reasons is readmitted in good standing (unless the misconduct also resulted in an unsatisfactory academic record).

Ordinarily, a second requirement to withdraw (whether for a disciplinary case or academic review) is final, although the Board can make exceptions. The student must make an extraordinarily strong case in order to be readmitted a second time.

*Recommendation to Dismiss.* In the most serious cases of misconduct, the Administrative Board may require a student to withdraw with a recommendation to the Faculty that he or she be dismissed from the College. Dismissal severs a student's connection with the University. If the Faculty votes to dismiss a student, he or she can be readmitted only in the rare instance of another vote by the Faculty. The Administrative Board cannot itself dismiss a student.

### Standard Responses to Disciplinary Cases

The Board's disciplinary case decisions generally depend on two criteria: 1) the seriousness of the infraction (some typical but not invariable examples of which are given in the following list); and 2) extenuating circumstances, including the extent to which a student has had similar trouble before.

#### *Admonish*

- first (minor) misuse of safety equipment
- using a fake id to obtain alcohol
- disruptive, loud, or offensive behavior affecting others
- minor misuse of a Harvard id

#### *Probation*

- lying to an officer of the University
- minor damage to, or disregard for, property
- abuse of library facilities or resources

- charging money at a private party in a student's room; advertising a private party; serving alcohol to minors; hosting a disruptive party; and other forms of being an irresponsible host
- using threatening, intimidating, or abusive language or behavior (short of violent contact) toward another person
- minor sexual misconduct
- minor misuse of academic sources
- use of candles in a dormitory room

*Requirement to Withdraw*

- physical violence or fighting
- theft
- significant damage to, or disregard for, property
- academic dishonesty, including: plagiarism; cheating; major misuse of sources
- sexual assault or rape (*with dismissal recommendation likely*)
- use of, or traffic in, controlled or illegal substances
- possession of, use of, or threat of use of, a weapon against another person

## 4 | Appeals

Students have the option to request that the Administrative Board reconsider any of its decisions provided new materially relevant information becomes available or there is reasonable evidence of a procedural error. Students who believe they have sufficient grounds for reconsideration should consult with their resident dean.

Students also have the option to appeal to the Faculty Council *disciplinary* case decisions of the Administrative Board, where the sanction has been a requirement to withdraw or probation for more than one term. Such appeals are first screened by the Docket Committee, a group of three elected representatives of the Faculty Council and the Dean of the Faculty, who serves, *ex officio*, as chair. If the Docket Committee determines that the appeal has sufficient merit to warrant further consideration it will refer the matter to the Faculty Council, a body of 18 elected representatives of the Faculty of Arts and Sciences and the Dean of the Faculty, who again serves, *ex officio*, as chair. All appeals must be filed within six months of the initial decision of the Administrative Board, and once a student has been awarded a degree from Harvard College the option to have the Board reconsider a decision or to appeal to the Faculty Council is closed.

A student who wishes to appeal an Administrative Board decision should address his or her appeal to the Secretary of the Faculty, who will forward the relevant materials to the Docket Committee and, if appropriate, to the full Faculty Council. The written appeal should state, with as much clarity as possible and in as much detail as necessary, the reason or reasons that the appeal is being made and why it has merit. It need not summarize the record, other than what is required by the arguments of the appeal, and need not include documentation that was developed during the course of the procedures to this point.

When the written appeal is received, a copy will be sent to the Dean of Harvard College for any comment he or she may wish to make on behalf of the Board. That commentary, if any, will then be sent to the student for a final statement. All this material will then be forwarded, along with the documentation developed during the Administrative Board hearing of the case, to the Docket Committee. This small group can consider a volume of material with great care and will review the case thoroughly. If the Docket Committee finds that further consideration of the matter by the Faculty Council is not warranted, the appellant will be so informed by the Secretary of the Faculty. If the Docket Committee finds that there is merit in the appeal, it will assume the

responsibility of reporting that finding to the Faculty Council. The Docket Committee will, in this case, explain to the Council why it has found merit in the appeal, and provide all the material necessary for the Council to reconsider the situation. If the Faculty Council finds that the Administrative Board reached an inappropriate decision, the Council may arrive at a new finding, which may alter but not increase the penalty. The Faculty Council's decision will be reported to the student by the Secretary of the Faculty. This completes the appeal process.

If, despite the careful consideration of the Administrative Board and the Docket Committee (and possibly the Faculty Council), a student remains dissatisfied with the outcome, he or she can enlist the aid of a voting member of the Faculty of Arts and Sciences to bring the matter to the attention of the full Faculty. Any of the approximately 800 voting members of the Faculty of Arts and Sciences may rise in a Faculty meeting to question a decision of the Administrative Board. If a member of the Faculty of Arts and Sciences were to raise a question about the outcome of a specific case that had not been considered by the Docket Committee, a member of the Docket Committee would rise to point this out. The ordinary result of such a statement by a member of the Docket Committee would be for the Faculty to vote, without further discussion, to refer the matter to the Docket Committee. If the matter had been considered by the Docket Committee (and the Faculty Council, if appropriate), a member of the Docket Committee would respond to the question. At that point, a faculty member may request that the matter be considered by the full Faculty.

Should the matter come before the full Faculty, all voting members would receive all the necessary information required to give proper consideration to the appellant's petition. While every effort is made to preserve confidentiality when disciplinary matters are being considered, there is no guarantee that such confidentiality can, in fact, be preserved. The volume of paper and its wide dissemination makes it possible that one or more people, other than members of the Faculty of Arts and Sciences itself, may see and read these documents.

If the matter is considered by the full Faculty, the outcome will be reported to the student by the Secretary of the Faculty.

## 5 | Sample Cases

The following sample cases are provided only as examples of the types of cases that might arise, and the manner in which the Board could respond. They are merely examples, and not accounts of actual cases. The specific facts and individual circumstances of an actual case may lead the Board to respond differently than one might expect from having read the sample cases described here.

### Admonish (Warning)

#### 1. Late study card

*Docket write-up:* Lionel Mower (LM), a freshman, forgot to turn in his study card on freshman study card day. His Resident Dean sent him a notice informing him that he would now need to obtain signatures for all his courses, and pay a late fee of \$40 per week. LM got the signatures for all but one of his courses before he misplaced his study card somewhere in his room and forgot about it. After more notices from his RDF warning him that further delays would result in higher fines and perhaps disciplinary action, LM searched his room, found his study card, obtained the last signature, and turned it in on the Fifth Monday (the deadline for adding and dropping courses).

*Board Action:* The Board admonished LM for inattention to administrative procedures in turning in his study card well after the deadline.

#### 2. Fire safety equipment

*ABRD oral presentation:* Barnard Briggs (BB), a sophomore in a Quad House, opened the glass case containing a fire hose in the hallway of his House to pass the time as he waited for a friend. BB had completely removed the hose and extended it to its full length by the time his friend arrived. BB writes in his statement that, “since we only had two minutes to make the shuttle bus to get to Bright Hockey Center in time for the face off, I did not have time to replace the hose.” BB regretted his thoughtlessness, and apologized to the building manager who had refolded the hose.

*Board Action:* The Board admonished BB for a first instance of minor tampering with fire safety equipment (in which the safety of the community was not put at risk), and noted that further such incidents could result in formal disciplinary action.

## Probation

### 3. Repeated alcohol abuse

*ABRD oral presentation:* Emma Strauss (ES), a junior in a River House, hosted a party that got considerably out of hand, attracting the attention of two resident tutors and the Harvard University Police Department (HUPD). ES was so intoxicated that she was able to neither control her party nor assist the tutors and police in getting her guests to leave. The next day, ES had no memory of the events of the prior evening.

During her freshman year, ES had been given a Dean's Warning by her RDF for a first instance of underage drinking, and was admonished by the Board the following year for being drunk and disruptive at a House dance. Having been twice warned already, ES expected the Board would take formal disciplinary action but did not opt to make a personal appearance.

*Board Action:* The Board placed ES on probation until the end of spring break (approximately 4 months) for irresponsible behavior involving alcohol and for being an irresponsible host (serving alcohol to minors and allowing a party to get out of control), with the additional requirement that she attend at least two alcohol counseling sessions.

### 4. Lying to an officer of the university

*RDF oral presentation:* Carina Day (CD), a freshman, forgot her keys and, not wanting to wait for the security guard, tried to enter her room through the window. A proctor passing by asked what she was doing. CD, annoyed by her situation, did not respond openly or in a forthcoming way to the proctor. When several queries went unanswered, the proctor asked CD for her Harvard ID. Thinking she could "avoid further hassle," CD replied that she was not a Harvard student, but rather that she attended Boston University and was merely trying to retrieve a backpack she had left in a friend's room during a recent visit. She left the dorm at that point, and the proctor later identified her from the Freshman Register.

*Board Action:* The Board placed CD on probation until the end of the term, for lying to an officer of the University.



## 5. Vandalism/theft

*ABRD oral presentation:* Maxwell Aiken (MA), a senior from a River House in the final stages of writing his thesis, discovered during a late night visit to a vending machine that he no longer had any Crimson Cash. Hungry and tired, he tipped over the machine and rocked it back-and-forth to get a snack. Much to his surprise, MA was able to dislodge items more easily than he had expected, and continued to shake the machine for about ten minutes. In the end, he had obtained about a dozen snacks (which he had planned to bring back to his suite to share with his roommates) and left the vending machine lying on its side. The noise MA made shaking the machine, however, caught the attention of the security guard, who found him walking away with the stolen merchandise. MA immediately called his Resident Dean and took full responsibility for his actions.

*Board Action:* Some Board members recommended requirement to withdraw, but a majority voted instead to place MA on probation for eight weeks, for vandalism and theft.

## 6. First unsatisfactory record (Academic Review case)

*Docket write-up:* Jefferson Lyman (JL) was worried that his interest in his concentration (Romance Languages and Literatures) was flagging, and in an effort to regain his momentum, immersed himself in the field by enrolling in a tutorial, an advanced language course, and two literature courses taught in the language. Unfortunately, his interest continued to wane during the term, and he received a “c,” a “b-” and two “d”s in his courses. JL, formerly a “solid b” student, admits he can now “read the writing on the wall” and will change concentrations—returning to his first love, physics.

*Board Action:* The Board placed JL on academic probation, for his first unsatisfactory record.

## 7. Minor sexual misconduct

*Disciplinary Case Report:* Lynn Aean (LA) filed a formal complaint with the College accusing Chauncy Walker (CW) of sexual misconduct. The Secretary of the Board informed CW of the complaint and presented the matter to the Dean of the College, who referred it to a fact finder and subcommittee. The fact finder reviewed LA’s complaint and obtained an initial statement from CW. The fact finder then allowed LA and CW to see each others’ statements and to respond in writing, and interviewed each separately. LA and CW agree on the

following: They have been blockmates in the House for two years, and have grown to be “close.” CW’s roommates are quite social, and since he had a heavy exam schedule this past term, LA offered to let him study in her room (she has a single) during Reading Period. Because her own schedule was uncertain, LA gave CW a key to her room so that he could come and go as he needed.

On the night in question, CW let himself into LA’s room around 1:00 a.m. Though the desk light was on, LA was in bed and asleep; she did not wake completely when CW came in, but roused briefly and turned over. After she rolled over in her bed, LA closed her eyes and went back to sleep. CW got undressed and got into bed with LA. CW began to kiss and caress LA, and after “a few minutes” (CW’s estimate) started to remove LA’s nightshirt. LA awoke again, more completely this time, cried out CW’s name, and grabbed his arms. CW continued to kiss LA, until she shouted at him to leave immediately. CW collected his clothes and left, feeling “confused and hurt.”

The fact finder forwarded her findings to the subcommittee. The subcommittee and fact finder met with both LA and CW to discuss the charge and the supporting information the Board would likely be able to obtain through its process. The subcommittee recommended to the full Board that a charge be issued. Then both LA and CW were given an opportunity to respond to the subcommittee’s recommendation before the full Board voted on whether to issue a charge. The full Board read the students’ statements and responses, discussed the case, and voted to issue a charge against CW, referring the case back to the fact finder and subcommittee for further investigation.

The students’ accounts differ on the following points: LA says she offered to let CW use her room as a place to study; that she loaned him a key so he could do so; and that there were no romantic overtones to her invitation at all. CW reports that the invitation to use LA’s room was quite personal and romantic; and that LA gave him the key so he “could be there with her as much as possible.” LA says that she was alarmed and confused when she woke up and found CW in her bed holding her, and that she was trying to push him away or get away from him when she grabbed his arms. CW says that LA was holding him in an embrace.

While the discrepancies in the students’ accounts could result from mutual misunderstanding, the subcommittee nevertheless believe that, in disrobing and getting into bed with LA while she was asleep, CW acted inappropriately: CW should have recognized that, asleep, LA could not consent or resist. CW should therefore have taken explicit steps to determine whether LA welcomed his

romantic and sexual overtures. The subcommittee concluded that CW's actions were in violation of the Faculty's rules regarding sexual misconduct, and issued a report to the full Board in which it recommended that CW be placed on probation for one year. Both LA and CW were allowed to read and respond to the report before the Board decided the case.

*Board Action:* The Board placed CW on probation for one year for sexual misconduct, and required him to avoid all contact with LA.

## Requirement to Withdraw

### 8. Physical violence

*ABRD oral presentation:* Kirk Land (KL) and Lev Rette (LR) share a suite with two other men in DeWolfe. At the end of a semester's worth of arguments and failed compromises over the allocation of space in their common room, KL and LR had an argument that escalated into a fight. The students' statements agree on the facts of the incident: LR left personal belongings and trash on KL's desk; KL told LR to remove them "or else." LR refused, and KL responded by gathering the items and throwing them out the window; LR grabbed KL by the neck and raised his fist but KL landed the first blow. A full-fledged fight ensued, and only stopped at the intervention of roommates and a resident tutor. Both men suffered cuts and bruises, and were treated at UHS. Neither student exercised his option to appear before the Board.

*Board Action:* The Administrative Board required both KL and LR to withdraw for one year for physical violence.

### 9. Plagiarism

*ABRD oral presentation:* Fay Byerly (FB) turned in two sophomore tutorial papers late at the end of the term. FB says in her statement that although her tutor had made a standing offer to confer with her about topics and sources, FB had already received several extensions and "was embarrassed to go to [her] tutor with basic questions at the last minute." Instead, she attempted to write the assigned papers, relying heavily on two main sources. As the instructor's statement details, each paper repeats the argument of one of the sources, making the same key points in the same order and using the same supporting evidence. Though much of her papers is paraphrased, in several cases phrases or whole sentences are copied verbatim from the sources, without attribution. FB states firmly that she had no intention to plagiarize; however, she was aware at the time that she did not understand the material and could not have written

the papers without the sources. FB's statement, the instructor's letter, and copies of the papers and the relevant sections of the sources were distributed to Board members. FB made a personal appearance and answered questions.

*Board Action:* The Board required FB to withdraw for one year, for plagiarism, with the additional stipulation that when she returns she will need to complete the workshop on citations and use of sources conducted by the Expository Writing Program.

## 10. Major dishonesty

*ABRD oral presentation:* Matthew Grays (MG), a senior, signed up for several on-campus interviews through the Office of Career Services (OCS). After being turned down for all the interviews, MG consulted with an OCS counselor and learned that his unimpressive record and sparse resume had been cited by some firms as the reason he was not given an interview. MG consulted the OCS handbook to get resume tips, and rewrote his resume, borrowing heavily from the examples given. In the process, MG revised not only the format, but the content as well, claiming a much higher cumulative rank group than he had earned, and several positions of leadership and responsibility in student organizations that he never held. MG subsequently received four interviews, and his false claims came to light when one of the firms called the House to confirm the resume information. MG's statement describes the "mounting senior spring term pressure [he] felt to get a job" as a "possible contributor to [his] unfortunate lies." MG fully understands the severity of his errors, regrets them, and accepts responsibility; he chose not to appear before the Board.

*Board Action:* The Board required MG to withdraw for three terms for major dishonesty in misrepresenting his Harvard record and activities.

## 11. Fraud

*RDF oral presentation:* Robin Sever (RS), alarmed at his high long-distance phone bills, began to use other students' personal billing numbers to make calls. RS used several personal billing numbers without knowing who owned them, and generated a bill of over \$1200. The phone company traced the pattern of complaints of "wrong charges" primarily to RS's room. RS denied making the calls, even after the phone company contacted the people he had called using the stolen numbers—all of whom confirmed that RS had called them on the day and time in question.

*Board Action:* The Board required RS to withdraw for one year for theft (phone billing fraud).

## 12. Failure to meet minimum academic requirements

*Docket write-up:* Shannon Longwood (SL) has a long history of freezing up during exam situations and having difficulty working against deadlines. He has been on academic probation twice before as result of this problem, and has sought help from the Bureau of Study Counsel and counseling from Mental Health Services (UHS). This term his situation was more extreme than usual, as he had four term papers due in reading period and three exams. His record is: c, d, e, and uns. SL feels he has made good use of the resources available to him at Harvard in trying to overcome his “blocks,” but agrees with his therapist that he needs to deal with this problem in more depth and away from the pressures of an academic community. SL knows that his record warrants a requirement to withdraw, and is anxious to use this time to reorient and strengthen his learning and study methods.

*Board Action:* The Board required SL to withdraw for one year for failure to meet minimum requirements, with the understanding that before he petitions to return he will consult with the University Health Services (called a rider).

## Recommendation to Dismiss

## 13. Rape

*Disciplinary Case Report:* Penny Packer (PP) filed a formal complaint with the Board in which she reported that Thayer Weld (TW) raped her. TW was contacted by the Secretary of the Board and informed of PP’s complaint. In addition, he was advised to seek legal counsel before making any statements to the College. The Secretary presented the complaint to the Dean of the College who referred the matter to a fact finder and subcommittee. The Secretary received an initial statement from TW, and then PP and TW were allowed to see each others’ statements and to respond in writing. The fact finder and the subcommittee reviewed the statements and interviewed each student separately. The fact finder assessed the supporting information identified by PP and TW and forwarded her findings to the subcommittee. The fact finder and subcommittee met again with both PP and TW to discuss whether a charge should issue. The subcommittee recommended to the full Board that a charge be issued. Then both PP and TW were given an opportunity to respond to the subcommittee’s recommendation before the full Board voted on whether to issue a charge. The full Board read the students’ statements and responses,

discussed the case, and voted to issue a charge of rape against TW, referring the case back to the fact finder and subcommittee for further investigation.

The fact finder met again with both students, the “fresh complaint” witnesses (PP’s roommates, the first people PP saw after the incident and who took her to UHS), and the “fresh response witness” (TW’s proctor, the first person TW spoke with on learning of the complaint).

The fact finder found that the students were in agreement on the following: PP and TW, friends from a Core section, went together to a party at TW’s social club. Both students drank heavily. TW offered to walk PP home, but suggested they stop off at his room for a snack first. Once there TW offered PP another drink, which she declined.

The students do not agree on the events that followed. PP recounts that, “feeling dizzy and sick, [she] sat down on the bed.” She reports that TW came over, pushed her down on the bed and started kissing her; that despite PP’s repeated protests, he removed her pants and underwear and initiated intercourse; that she tried to push him off and to roll away from him, but that she could not get free; and that she was crying and protesting loudly throughout intercourse. TW disagrees with this account, and says emphatically that PP never objected, and that her going to sit on the bed was “a sign she wanted to hook-up.”

After the incident, PP returned to her room unescorted, told her roommates what happened, and went with them to UHS for treatment and to report the case. The roommates report that PP wept uncontrollably when she returned home, and that her account of the incident did not change from the time she first told them what had happened. PP also had numerous bruises on her wrists and arms that her roommates confirmed had not been there hours earlier.

The fact finder found that PP’s account and that of the fresh complaint witnesses were extremely consistent and credible. TW’s account was inconsistent and at times contradictory. In particular, his version of what he and PP had done at the social club earlier in the evening did not match that of the friends he was with. In addition, a student living on the other side of the firedoor to TW’s room reported hearing a struggle in TW’s bedroom around the same time as the alleged incident.

TW made a personal appearance before the subcommittee, after which the subcommittee issued a Disciplinary Case Report summarizing the facts of the case. The report concluded that TW was responsible for raping PP and

recommended that the Board require TW to withdraw and be dismissed by the Faculty.

Both PP and TW were given the opportunity to read and respond to the Disciplinary Case Report before the case was heard by the Board. Both students submitted a written response, which members of the Board read before discussing and deciding the case.

*Board Action:* The Board voted to require TW to withdraw and further to recommend to the Faculty that TW be dismissed for violating the Faculty's rules regarding sexual misconduct, specifically, rape.

## 6 | Data for 2006-2007

As the following data show, the Administrative Board made over 2,0 decisions last year. Seventy-two percent of these were related to petitions, 19 percent to academic review cases, and 9 percent to **disciplinary cases**.

### 1. PETITIONS

	Approved			
	<u>or Voted</u>	<u>Denied</u>	<u>Rescinded</u>	<u>Total</u>
Advanced Standing	6	0	10	16
Allow to Continue	22	3	0	25
Allow to Register	64	9	0	73
Allow to Register Late	60	0	0	60
Allow to Withdraw	0	0	0	0
Bracket a Course	138	1	7	146
Credit for Summer School	29	1	0	30
Enrollment Changes:				
Add	72	5	1	78
Drop	77	6	1	84
Divide with Credit	10	0	0	10
Change in Grading Status	10	10	0	20
Withdraw from Course	43	11	0	54
Exam Taken Out-of-Sequence	9	15	0	24
Extensions of Time:				
Medical Circumstance	52	2	0	54
Special Circumstance	19	5	0	24
Further Extensions of Time:				
Medical Circumstance	10	0	0	10
Special Circumstance	1	0	0	1
Freshman Reduced Rate	0	0	0	0
Work/Pay at Reduced Rate	11	0	0	11
<i>In Absentia</i> Exam	23	4	3	30
Leave of Absence	208	2	11	221
Make-up Exams				
Inadvertence	42	0	1	43
Medical Circumstance	132	1	5	138
Special Circumstance	31	4	1	36
Miscellaneous	62	12	1	75



Readmit	62	4	0	66
Simultaneous Enrollment	170	5	0	175
Study Abroad	250	0	33	283
Postpone Language Requirement	18	4	0	22
Waive Late Fees – Housing	0	0	0	0
Extra Term:				
Fifth	8	0	0	8
Sixth	3	1	1	5
Seventh	3	1	0	4
Ninth	7	2	0	9
<b>TOTAL DECISIONS:</b>	<b>1652</b>	<b>108</b>	<b>75</b>	<b>1835</b>

## 2. ACADEMIC REVIEW

	Approved or Voted	Denied	Rescinded	Total
Continue on Probation	16	1	1	18
Relieve from Probation	191	0	0	191
Take No Action/Warn	40	4	1	45
Place on Probation (pro)	169	0	3	172
Probation Instead of rwd	3	1	0	4
Require to Withdraw (rwd)	47	0	1	48
rwd Second Not Final Time	2	0	0	2
rwd Second and Final Time	6	0	0	6
<b>TOTAL DECISIONS:</b>	<b>474</b>	<b>6</b>	<b>6</b>	<b>486</b>

## 3. DISCIPLINARY CASES

	Approved or Voted	Denied	Rescinded	Total
Scratch				
Academic Dishonesty	4			4
Inappropriate Behavior	2			2
Inappropriate Behavior, Alcohol	1			1
Inappropriate Behavior, Sexual	1			1

Take No Action			
Inappropriate Behavior	5		5
Academic Dishonesty	2		2
Admonish			
Academic Dishonesty	10		10
Administrative Procedure	71	4	75
Inappropriate Behavior	14		14
Inappropriate Behavior, Alcohol	2		2
Inappropriate Behavior, Drugs	1		1
Probation (pro)			
Academic Procedure	8		8
Academic Dishonesty	17		17
Inappropriate Behavior	6		6
Inappropriate Behavior, Alcohol	16		16
Inappropriate Behavior, Drugs	1		1
Relieve from Probation	41		41
Require to Withdraw (rwd)			
Academic Dishonesty	21	1	22
Inappropriate Behavior	4		4
Inappropriate Behavior, Alcohol	2		2
Inappropriate Behavior, Sexual	1		1
Inappropriate Behavior, Drugs	2		2
TOTAL DECISIONS:	232	5	237

TOTAL NUMBER OF  
DISCIPLINARY

CASES: 112

DECISIONS OF  
THE BOARD

IN 2006-2007:	2358	114	86	2558
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## Glossary

**Academic Probation.** *See* Probation.

**Academic Record.** A student's transcript or cumulative list of courses taken and grades received.

**Academic Review.** A review by the Administrative Board of all unsatisfactory records at the end of each term, in a special meeting called "QuarterDay." The Board acts on each record according to standard responses (i.e., ordinarily a first unsatisfactory record results in probation; a second unsatisfactory record or failure to meet minimum requirements results in a requirement to withdraw) and the student's circumstances.

**Admonish.** A warning by the Board that indicates that a student's conduct or attention to administrative procedures is inappropriate or careless, and should be curtailed or amended to avoid formal disciplinary action.

**Adviser.** *See* Personal adviser.

**Allow to Continue.** Action taken by the Board that allows a student to continue in the College despite having make-up exams or extensions of time in two or more courses.

**Allston Burr Resident Dean (ABRD).** Resident dean for undergraduates (sophomores, juniors, and seniors) living in or affiliated with one of the Residential Houses. *See also* Resident Dean.

**Appeal.** Request by a student that a committee of the Faculty (the Docket Committee of the Faculty Council) review certain disciplinary case decisions made by the Board. *See* chapter 4.

**Board alternate.** A person other than a student's Resident Dean of Freshmen or Allston Burr Resident Dean whom the chair of the Board appoints to advise the student and guide his or her petition or case through the Board's procedures. A Board alternate is a regular member of the Board, ordinarily chosen from among those who are not resident deans.

**Bracket.** Action taken by the Board that postpones a decision pending additional information or documentation. (Not the same as bracketing a course.)

**Cases.** Ordinarily refers to disciplinary or academic review cases, as distinguished from petitions for exceptions to the academic rules or administrative procedures of the College.

**Charge.** An accusation of possible wrongdoing made on behalf of the College that initiates a review by the Administrative Board.

**College file.** A student's educational or permanent record. All Administrative Board (and Judicial Board) actions are documented in a student's file. Ordinarily, the documentation includes a docket page, the student's statement, the resident dean's letter to the student recounting the Board's decision, and any other materials that were presented to the Board during its consideration of a petition or case.

**Continue on Probation.** Action taken by the Board in certain cases in which the student is eligible to be required to withdraw, but the Board believes there are extenuating circumstances that make it appropriate to allow the student to continue at the College.

**Dean's Warning.** A written warning from the dean or a resident dean, typically in response to a first instance of minor misconduct. Dean's Warnings are reported to the full Administrative Board. *See also* House Warning and Report.

**Disciplinary action.** *See* Formal Disciplinary Action.

**Disciplinary probation.** *See* Probation.

**Disciplinary case.** This includes any action or behavior that may violate a rule, regulation, or accepted standard of conduct in the College, or which trespasses on a person or property, or is harmful to the student, another person, or the community at large.

**Disciplinary Case Report.** A written summary of a disciplinary case submitted to the full Board by a subcommittee or fact finder.

**Dismissal.** An action taken only by vote of the Faculty of Arts and Sciences that severs a student's relationship with the College and University. The Administrative Board may, in the most serious disciplinary cases, require a student to withdraw with the further recommendation that he or she be dismissed. A student who is dismissed may be readmitted only in the rare instance of another vote of the full Faculty.

**Docket.** A set of petitions and/or cases from each House or the Freshman Dean's Office to be considered by the Administrative Board or its Executive Committee. Each petition or case is listed on a separate page. *See also* Docket page.

**Docket page.** One or two pages that include the student's name, id number, House or Yard, title and reason for the request or action (the "write-up"), information about his or her status in the College, and courses taken and grades received. A docket page becomes part of a student's College file. A sample docket page may be found on page 45.

**Docket Write-Up.** A brief summary written by the resident dean for the docket page stating the nature and circumstances of a petition or of an unsatisfactory record. Docket pages for disciplinary cases do not include a write-up. In such cases, the resident dean makes an oral presentation instead.

**Executive Committee.** A standing subcommittee of the Administrative Board authorized to decide routine petitions and accept some reports.

**Fact Finder.** An individual appointed at the discretion of the Dean of the College to gather information in some disciplinary cases and report to a subcommittee of the Board.

**Failure to Meet Minimum Requirements (FMMR).** An academic record for a term that ends with one or more failing grades and/or one or more grades below c-, or fewer than two satisfactory letter grades with one of those in a FAS course. Such a record is unsatisfactory and also "fails to meet minimum requirements." The minimum academic requirements are different for freshmen in their first term. *See the Handbook for Students* for a complete definition.

**File.** *See* College file.

**First Unsatisfactory Record (FUNS).** A first consecutive academic record that includes at least one unsatisfactory grade (d+, d, d-, e, fl, uns, ncr, abs, exld).

**Formal disciplinary action.** Includes probation and requirement to withdraw. Formal disciplinary actions change a student's status in the College and is therefore disclosed to parents or guardians.

**Good standing.** Status of a student in the College who is not on probation or required to withdraw.

**House Warning.** A written warning from either a House Master and/or Allston Burr Resident Dean, typically in response to a first instance of minor misconduct. House Warnings are reported to the full Administrative Board. *See also* Dean's Warning and Report.

**Inquiry.** A request by a resident dean for the Administrative Board's guidance or opinion. In such cases, the resident dean prepares a docket page with the note "Resident Dean will inquire orally," explains the situation, and asks for guidance. No mention of an inquiry appears on a student's record.

**Judicial Board.** *See* Student-Faculty Judicial Board.

**Officer of the University.** A faculty member, teaching fellow, dean, proctor, tutor, or administrator in the College or University.

**Peer Dispute.** Any serious conflict between students that is also a violation of a College rule, regulation, or policy.

**Personal Adviser.** An officer of the University affiliated with the Faculty of Arts and Sciences (such as a proctor, resident tutor, instructor, or coach) who provides general advice and support to a student involved in a Board case, and who may accompany the student to a disciplinary case interview or personal appearance.

**Personal Appearance.** An opportunity for a student involved in a disciplinary case for which the outcome could be probation or requirement to withdraw to meet in person with the Board or its subcommittee or fact finder. Students do not appear before the Board for cases of academic review.

**Petition.** A request for an exception to a College rule or regulation. Some petitions may be filed by form, others require a docket page.

**Probation.** For both disciplinary and academic cases, indicates to a student that his or her conduct or performance gives serious cause for concern. A student on probation must be especially attentive to his or her responsibilities in conduct and course work, as a further infraction or deficiency ordinarily results in the Board taking more serious action. The Board may add requirements or restrictions to probation. Being placed on academic or disciplinary probation changes a student's status in the College and is therefore disclosed to parents or guardians.

**Quarter Day.** A formal meeting of the full Administrative Board, to review the unsatisfactory undergraduate academic records of the preceding term. *See* Academic Review.

**Reconsideration.** A request by a student to have the Board review a decision, should new relevant information become available or if there is evidence of a procedural error.

**Record.** *See* Academic Record.

**Referral Form.** A document given by resident deans to all students involved in any disciplinary case. It informs students of the jurisdiction of the Administrative Board and of the Student-Faculty Judicial Board, and also informs students of the opportunity in certain disciplinary cases to appear in person before either Board. Students are expected to read and sign the Referral Form, as well as to record their decision about whether or not to appear.

**Relief.** Formal end to a period of probation. Disciplinary probation includes the period of time, for instance “for six weeks” or “until spring break.” Academic probation ends after the student has achieved a satisfactory academic record in the College. Relief from probation is a formal action by the Board, and restores a student’s status or standing in the College and is therefore disclosed to parents or guardians.

**Report.** A written or oral presentation to the Board. Routine requests or actions that do not require a vote by the Board are simply “reported.” Examples include certain types of Leaves of Absence as well as Dean’s Warnings or House Warnings.

**Requirement to Withdraw (RWD).** Used in both disciplinary and academic cases where the Board believes (and the standard response suggests) that the student needs to be separated from the College in order to address and resolve his or her difficulties. rwd requires that a student leave the Harvard community completely, hold a full-time, paid, nonacademic job for at least six consecutive months in a non-family owned or run business, and submit a letter of recommendation from his or her employer or supervisor. A second requirement to withdraw for any reason is ordinarily final. A requirement to withdraw is a formal action by the Board that changes a student’s status in the College (from “in good standing” to “on academic probation”) and is therefore disclosed to parents or guardians.

**Requirements and Restrictions.** Special provisions added to a term of probation. These may either require something extra of a student, such as alcohol counseling, or restrict the student from certain activities or areas of the College.

**Rescind.** Action that voids a vote previously taken by the Board.

**Resident dean.** Resident Dean of Freshmen or Allston Burr Resident Dean. The direct link between individual students and the Administrative Board, resident deans are a primary source of information on questions or concerns about the Board's procedures and policies, academic matters or those of a more personal nature. Resident deans prepare and present petitions, cases, inquiries, and reports to the Board.

**Resident Dean of Freshmen (RDF).** Resident dean for students in their first year, who are divided for administrative purposes into three Yard areas (Crimson, Elm, and Ivy). *See also* Resident Dean.

**Rider.** An additional stipulation or requirement added to a decision of the Administrative Board.

**Scratch.** Indicates that the Administrative Board looked into the circumstances of a disciplinary case and determined that the student in question did nothing wrong. A vote of scratch fully exonerates a student.

**Second Unsatisfactory Record (SUNS).** A second consecutive academic record that includes at least one unsatisfactory grade (d+, d, d-, e, fl, uns, ncr, abs, exld). A second consecutive unsatisfactory record makes a student eligible to be required to withdraw for academic reasons.

**Standard response.** Actions of the Administrative Board developed over time that inform the Board's decisions on current cases and petitions.

**Statement.** A student's written request, response, or presentation to the Board. Statements allow students' perspective to be included in the Board's deliberations. Statements typically include a student's own account of the request or incident, along with any explanatory information or reflections that he or she thinks relevant.

**Student-Faculty Judicial Board (SFJB).** A body charged by the Faculty of Arts and Sciences with responsibility for disciplinary cases for which there is no governing precedent or policy; the procedures of the Administrative Board



are not appropriate; or the disposition of which could have profound effects on the community at large.

**Subcommittee.** An investigative subgroup of the Administrative Board to which certain disciplinary cases maybe referred. The subcommittee by itself, or by working with a fact finder, solicits statements and interviews students or witnesses, and prepares a report to the full Board for a final decision.

**Take No Action (TNA).** Used in both disciplinary and academic review cases. In disciplinary cases, TNA ordinarily means that a serious accusation has been made but has not been, or cannot be, substantiated. TNA is also used, less frequently, in disciplinary cases for which the Board determines it does not have jurisdiction to act. In academic review cases, the Board may decide to Take No Action and warn a student who has received an unsatisfactory record that resulted from truly compelling and well-documented extenuating circumstances.

**Unsatisfactory Record.** An academic record for a term that ends with one or more unsatisfactory grades (d+, d, d-, e, fl, uns, ncr, abs, exld), or fails to have one satisfactory letter grade in an FAS course. See the *Handbook for Students* for a more complete definition.

**Work Requirement.** Students required to withdraw are expected to maintain a satisfactory record of employment at one full-time, paid, non-academic position for at least six consecutive months in a non-family owned or run business. Students may not be supervised by a member of their family or work in a business owned or controlled by a family member.