

STANFORD UNIVERSITY
Stanford, California 94305

December 9, 2016

Leland Stanford Junior University Marching Band

Dear Band Management,

The Stanford Band has been a beloved component of Stanford culture since the early 1960s, when it traded its military uniforms and precision marches for cardinal red blazers and an irrepressible, exuberant style. It plays a joyful role in many campus traditions. On the field, it is recognized as a prominent symbol of Stanford University, and in this role, has been alternately a source of pride as well as consternation for students and alumni alike. The Band has had a special place in the Stanford family and has been important to many of our students and alumni.

Because of this, I am saddened and disappointed to be responding once again to unacceptable behavior on the part of past and present members of the Band. I write to follow up on the December 1 review by the Organization Conduct Board (OCB) following an investigation into reported violations of university policies by the Band.

The OCB panel reviewed the files for four separate investigations into allegations of violations of university alcohol policies, the Fundamental Standard, and the alcohol suspension and travel ban imposed in the May 2015 outcome letter to the Band by the Dean of Residential Education and the Title IX Coordinator.

The five-member panel found unanimously that the Band violated the alcohol suspension at Tree Rollout, violated university alcohol policies and the alcohol suspension at a gathering at Treehouse, and violated the travel ban by using Band funds to travel to a rented cabin at Lake Tahoe. The following excerpt from the Hearing Report describes the panel's conclusions.

Each of these violations is concerning. In the aggregate, they show what we feel is a pattern of disregard for university policy and administrative directives. In light of the conduct and cultural issues that caused the original OCB and Title IX investigation and led to the alcohol and travel suspension to be put in place, and the scrutiny on Band's activities that its leadership described at the hearing today, we find the current violations incredibly troubling and indicative of a systemic cultural problem. We are deeply troubled by the fact that Band has not yet fulfilled the requirements set forth in the May 2015 outcome letter; this leaves us feeling that the outstanding issues have not been taken seriously by Band or its leadership, and that nothing more will be accomplished without extreme consequences. We are concerned about the risk and liability to the University community and to Stanford's reputation if Band's conduct and behaviors continue in this manner.

We do not feel that the current leadership or membership is capable of creating the necessary cultural change. We feel there is a total lack of accountability and responsibility in the current organization. ... As a result, we feel that extreme sanctions are required in this case. Therefore, we are recommending immediate and total cessation of Band and its activities through the end of academic year 2017-18.

Accordingly, the OCB panel recommended the following sanctions:

Suspension and loss of recognition as a registered student organization through the end of the academic year 2017-18. This includes loss of access to the Band Shak, Band funds and all benefits, rights and privileges afforded Band members.

The suspension and loss of recognition as a student organization is only imposed when it is clear that all other previous measures have been ineffective. In the case of the allegations before the OCB, three of the four were found to be violations of existing sanctions (alcohol suspension and travel ban). The fact that the Band demonstrated unwillingness, inability or conscious disregard for the existing sanctions, while engaging in new inappropriate conduct, is especially problematic.

I concur with the findings of the OCB panel and agree that the Band's continued misbehavior is certainly deserving of the most severe response. However, a suspension and loss of recognition of the length recommended by the panel would effectively end all aspects of the Band. Indeed, it is likely that the Band would be unable to recover and reconstitute itself following such a long hiatus. This would effectively punish not only members of the band who engaged in the misbehavior, but new and future Band members, Band alumni, and most regrettably, the Stanford community at large. Under the circumstances I do not consider this resolution, though perhaps fully deserved, an acceptable outcome.

Accordingly, I have decided to impose a different outcome, one that I hope will preserve the essential features of the Band - including its irreverence and exuberance - but address the leadership deficits that have led to constant and repeated violations of policy and "a total lack of accountability and responsibility."

In lieu of the panel's recommendation that the Band be suspended and lose recognition for the better part of two academic years, I am imposing a temporary suspension of all Band activities effective immediately through Spring Quarter, 2017. This action requires cessation of all Band activities both on and off-campus.

During Winter Quarter, I will charge a committee, jointly convened by Student Affairs and Athletics, to develop a reconstituted Band governance model to replace the current student-managed structure. In particular, the reconstituted governance model will include a professional Music Director with significant control over Band membership and operations. A model of this sort was in place for more than 30 years, without stifling the Band's unique character, under the direction of Art Barnes. Our goal will be to recreate a model in which there is collaborative leadership between the Music Director and Band membership, but importantly, in which the Music Director retains final control.

Specifically, the committee will be directed to accomplish the following to achieve substantive and sustained change:

1. The committee will develop a new Band structure that will include direct university oversight by a professional Music Director. Athletics and Student Affairs are currently conducting a search for a new Music and Operations Director, and I am encouraged that a re-envisioned Director position, working closely with Student Affairs, Athletics and others, will provide guidance and support needed to make the required cultural changes.
2. The committee will address the selection and oversight of the Tree and Dollies.

3. The committee will address the use of the Music Rehearsal Facility, which is intended for music rehearsal and performance, not to be a student clubhouse.
4. The committee will consult with a broad selection of stakeholders, including Band and Band alumni, and solicit feedback for revision and improvement.

Suspension of Band activities will be extended if the university determines that more time is needed to produce the desired shift in culture and organizational change.

During the suspension of Band activities, as individual students you are free to interact and socialize as any Stanford student would. Groups of Band students may not, however, imply or engage in any activity (e.g. performances, rallies, events or other activities) that would cause a reasonable person to believe that you are representatives of the Leland Stanford Junior University Marching Band. Failure to abide by the full suspension of Band activities could result in individual disciplinary action.

The Band has the right to petition the Provost for reconsideration of the sanctions being imposed; however, you cannot contest the finding that a violation occurred. The petition must give the reasons why you believe the administrative actions are not appropriate and may not simply be based on dissatisfaction with university policy. If you decide to petition, please forward your written petition to Provost John Etchemendy via email at provost@stanford.edu no later than 5 p.m. on January 23, 2017.

I understand that this has been a difficult process for all parties involved, but I hope you will see this as an opportunity for a collaborative solution that reflects the highest values and traditions of the University.

Sincerely,

Greg Boardman
Vice Provost for Student Affairs

cc. Marc Tessier-Lavigne, President
John Etchemendy, Provost
Howard Wolf, Vice President for Alumni Affairs
Bernard Muir, Athletic Director
Chris Griffith, Dean of Students
Susan Fleischmann, Associate Dean and Director, Community Standards
C.J. Jameson, Stanford Band Alumni Board, Chair