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UNIVERSITY OF MISSOURI  
OFFICE FOR CIVIL RIGHTS, TITLE IX & ADA

**2016-2017 ANNUAL REPORT**

If you are a person with a disability and believe you may need accommodations, please contact the MU Office for Civil Rights & Title IX to request assistance or general information; we are happy to help you.

**Phone:** 573-882-3880

**Email:** civilrights-titleix@missouri.edu

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January 31, 2019

Dear Members of the University of Missouri Community:

We present to you this Annual Report, which contains data regarding alleged incidents of discrimination and harassment—on the basis of race, color, national origin, ancestry, sex/gender, gender identity, gender expression, sexual orientation, disability, religion, age, and/or veteran status—that were reported to the MU Office for Civil Rights, Title IX & ADA (OCRT9) from August 1, 2016 through July 31, 2017. In subsequent pages, we provide in-depth analysis of incident reports received and processed by our Office during the 2017-2018 academic/reporting year, plus comparison to data from previous years.<sup>1</sup> Tracking our data allows us to monitor campus climate over time and to continue identifying opportunities for further training, education, and ongoing efforts to help prevent discrimination and remediate its impact on our campus community. Further, we publish this data in the interest of transparency, as well as individual and institutional accountability.

#### MISSION AND VISION STATEMENTS OF OUR OFFICE

We envision an equitable and accessible campus community, free from discrimination, where inclusion and diversity are nurtured and endure. To bring that vision into reality, we:

- **Educate** community members about non-discrimination, non-violence, and accessibility policies and practices; including individuals' rights and options;
- **Listen** to the equity concerns of the campus community;
- **Connect** people to resources that can support them if they experience discrimination, sexual violence, retaliation, or barriers to inclusion;
- **Investigate** and resolve potential violations of the University's non-discrimination policies;
- **Facilitate** conversations among parties to enhance understanding and build community when possible;
- **Collaborate** with units and departments within the campus community to transform existing practices to make them more inclusive and equitable;
- **Address** systemic discrimination and barriers to inclusion through review of patterns, trends, and policies;
- **Encourage** the community to view civil rights, Title IX, and ADA compliance as opportunities to be more inclusive and to practice our shared values of respect, responsibility, discovery, and excellence.

#### UNIVERSITY POLICIES

OCRT9 is tasked with enforcing the institution's anti-discrimination policies, located in the following sections of the University of Missouri System Collected Rules and Regulations (CRR). These policies, which apply to all students, employees, and visitors to our campus and events, were revised during the 2016-2017 reporting year. Current versions, linked below, took effect on March 1, 2017.<sup>2</sup>

- [CRR 600.010](#) Equal Employment/Educational Opportunity and Nondiscrimination Policy
- [CRR 600.020](#) Sex Discrimination, Sexual Harassment and Sexual Misconduct in Education/Employment Policy

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<sup>1</sup> Annual Reports from 2014-2015 and 2015-2016 are available online: <http://civilrights.missouri.edu/data>

<sup>2</sup> Previous versions of substantive policies (i.e. policies that contain lists and definitions of specific behaviors prohibited by the University) and previous versions of Equity Resolution procedures (i.e. procedures that describe how reports of policy violations are resolved by our Office) that were used prior to March 1, 2017, are available for review on our website. In each case, OCRT9 applied the substantive policies (CRRs 600.010, 600.020, 330.065, and 200.010) that were in effect when a given violation occurred, and then we used the procedures (CRRs 600.030, 600.040, and 600.050) in effect at the time the incidents/violations were reported to our Office.

- Equity Resolution Processes for Resolving Complaints of Discrimination, Harassment, and Sexual Misconduct against a Student or Student Organization ([CRR 600.030](#)); against a Faculty Member ([CRR 600.040](#)); against a Staff Member ([CRR 600.050](#)); and against the University of Missouri, including individual departments, programs, or other institutional entities ([CRR 600.060](#))

Two other policies also pertain to some reports submitted to OCRT9:

- [CRR 330.065](#) Consensual Romantic Relationship Policy
- [CRR 200.010](#) Standard of Conduct

#### OCRT9/ADA TEAM MEMBERS

Our Office’s mission is carried out each day by dedicated staff members who are committed to inclusion, diversity, and equity, as well as the University’s core values of respect, responsibility, discovery, and excellence. Currently, Andy Hayes serves as the Assistant Vice Chancellor for Civil Rights & Title IX and the University’s Title IX Administrator; she works closely with Executive Assistant Liz Zufall and the entire Office. The investigative unit of OCRT9 is comprised of seven vital team members, including Director of Investigations Amber Lammers who works alongside Case Manager Demetri Raftopoulos and five Equity Consultants and Investigators: Megan Grant, Ross Brown, Diamond Scott, Mindy Wirges, and Amelia Howser.

Education & Prevention Coordinator Brittani Fults leads OCRT9’s outreach efforts, which are discussed later in this Report. Additionally, Amber Cheek serves as the Director of Accessibility and the University’s ADA Coordinator. She works closely with Mohamed Shahin who is an Accessibility and Accommodations Specialist; their projects and accomplishments are highlighted in this Report as well. Finally, we welcomed Lisa Barnum to our team in the spring of 2018 as the institution’s first Equal Employment Opportunity & Affirmative Action Manager.

We would also like to acknowledge the hard work and dedication of these former staff members who made tremendous contributions to OCRT9 throughout the 2016-2017 reporting year: Ellen Eardley, Salama Gallimore, and Bailey Toulmin.

Note that this Report is being published after some delay due to turnover in our staff and OCRT9 leadership; after a period of transition, we took the time to carefully craft this Annual Report for 2016-2017, as well as the Annual Report for the 2017-2018 reporting year, which is being published concurrently. Now, we are back on schedule and look forward to producing future Reports in a timely manner.

We encourage you to review this Report carefully and visit our Office’s website for more information: [civilrights.missouri.edu](http://civilrights.missouri.edu). Additionally, we thank all of our campus partners for their support and tireless efforts toward common goals of fostering inclusive excellence at Mizzou. We also thank Kathy Schmidtke Felts for helping analyze and interpret our data in preparation for this Report. It was truly a team effort.

Sincerely,

Andy Hayes, Assistant Vice Chancellor for Civil Rights & Title IX and Title IX Administrator  
Amber Lammers, Director of Investigations and Deputy Title IX Coordinator

## GUIDE TO READING THE REPORT

### Key Definitions and Relevant Policy Provisions:

In addressing alleged instances of discrimination, our Office follows and applies the definitions and processes stated in the CRRs, including Chapter 600. For purposes of this Report, we provide the following summaries of terms as we use them here, as well as summaries of the resolution processes.<sup>3</sup>

**Discrimination:** Conduct that is based upon an individual’s membership in a protected category that: (a) Adversely affects a term or condition of employment, education, living environment or participation in a University activity; or (b) Creates a hostile environment by being sufficiently severe or pervasive and objectively offensive that it interferes with, limits, or denies the ability to participate in or benefit from the University’s educational programs, activities, or employment. CRR 600.010(B).

Note that “discrimination” is used as an umbrella term throughout this Annual Report, intended to include various forms of sexual violence and harassment/discrimination on the basis of any protected category recognized by the University of Missouri and/or applicable state or federal laws, including race, color, national origin, ancestry, sex/gender (including pregnancy), gender identity, gender expression, sexual orientation, disability, religion, age, and veteran status. MU policy further outlines several forms of prohibited sex/gender discrimination in CRR 600.020: sexual misconduct, sexual harassment, stalking, dating/intimate partner violence, and sexual exploitation.

**Complainant:** Alleged victim of actions that violate the University’s policies.<sup>4</sup> In this Annual Report, the term “complainant” is used to describe any person or group who has allegedly experienced behavior that violates policy, whether or not they choose to pursue a formal complaint against the accused individual; it is a general term that applies when the report of discrimination is received by OCRT9, regardless of how an individual’s case is resolved.

**Respondent:** Person who allegedly violated the University’s anti-discrimination policies (sometimes referred to as the “Accused” individual). In this Annual Report, the term “respondent” is used to describe all people or entities that are reported to have violated policy, regardless of whether they go through a full formal investigation or are found responsible for a violation.

**Parties:** Collective term used to refer to all complainants and respondents in a case, or multiple cases.

**Incident:** An occurrence of alleged behavior that may constitute prohibited discrimination.

**Report:** Information received by OCRT9 stating that an individual or organization has or may have engaged in discrimination, or stating that an individual or entity has or may have experienced discrimination<sup>5</sup> as prohibited by the University’s policies. OCRT9 receives reports through a variety of means, including an online reporting form on our website, or via email, phone call, in-person visit, or other means. Some reports are submitted directly by complainants; many others are submitted by third parties (both mandatory and voluntary reports).

Once received, the report and all information available regarding the incident are added to an electronic database that is accessible to OCRT9 team members; at the same time, the Director of Investigations assigns the report to an Equity Consultant/Investigator. Assuming we have the name(s) of the potential complainant(s), the Investigator contacts them via phone or email to offer to discuss the reported incident

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<sup>3</sup> Additional definitions are available on the OCRT9 website and contained within the CRRs.

<sup>4</sup> The University may serve as the Complainant when the person alleged to have been subjected to discrimination or harassment in violation of University Policy chooses not to act as the Complainant in the resolution process or requests that the Complaint not be pursued. CRR 600.030(C)(2), 600.040(C)(2), 600.050(D)(2), and 600.060(D)(2).

<sup>5</sup> OCRT9 distinguishes between an initial “report” of discrimination (which is mere disclosure of information to our Office about an alleged policy violation; reports can be submitted by anyone, including third parties not involved in the underlying incident) from a “formal complaint” (which is a written document submitted by a complainant describing the allegations and requesting a formal investigation and disciplinary process). *Not all reports of alleged discrimination proceed to formal complaints; most reports do not.*

and any concerns of discrimination they may have; as part of this outreach, the Investigator provides the complainant with information about our Office and available resources, as well as various options for resolving the allegations of discrimination. The most formal option would be for the complainant to file a written complaint, which would initiate a full investigation. Often, other forms of conflict resolution are available as options, too.

**Complaint or Formal Complaint:** A statement written by a complainant describing an alleged policy violation and officially requesting that the University conduct a full, formal investigation. Generally, complaints contain the following elements: name of the accused individual(s), organization, or entity; date the alleged violation occurred; and a list of witnesses to interview during the investigation process.

**Equity Resolution Process:** The process by which reports and formal complaints of discrimination are resolved, as outlined in the Collected Rules and Regulations (CRR) Sections 600.030, 600.040, 600.050, and 600.060.

**Protected category:** A group of people with a shared/common characteristic or identity, recognized by University policy and/or applicable state or federal laws as being protected from discrimination on the basis of that characteristic or identity. MU policy specifically lists race, color, national origin, ancestry, disability, sex/gender (including pregnancy), gender identity, gender expression, sexual orientation, religion, age, and veteran status.

**Preliminary Investigation/Inquiry:** The initial process that ensues, upon receipt of a report or written complaint, with the purpose of gathering enough information to make a threshold decision as to whether the allegation describes a policy violation, and then how it will be resolved, if necessary. An Investigator's initial contact with a complainant is part of this inquiry, plus attempts to obtain additional information from the reporter, witnesses, and/or documentation in some cases.

**Investigation (full):** A fact and information gathering process during which an Investigator interviews parties and witnesses and collects evidence in various forms. A full investigation is initiated after a formal complaint is submitted to OCRT9 by an individual complainant, or after the Appropriate Administrative Officer determines the University, as the named complainant itself, will proceed with a full investigation without a formal complaint from an individual.

**Consent to Sexual Activity:** Under MU policy, consent to sexual activity is knowing and voluntary. Consent to sexual activity requires of all involved persons a conscious and voluntary agreement to engage in sexual activity. Each person engaged in the sexual activity must have met the legal age of consent. It is the responsibility of each person to ensure they have the consent of all others engaged in the sexual activity. Consent must be obtained at the time of the specific activity and can be withdrawn at any time. Consent, lack of consent or withdrawal of consent may be communicated by words or non-verbal acts. CRR 600.020(B)(7).

Someone who is incapacitated cannot consent. Silence or absence of resistance does not establish consent. The existence of a dating relationship or past sexual relations between the Parties involved should never by itself be assumed to be an indicator of consent. Further, consent to one form of sexual activity does not imply consent to other forms of sexual activity. Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another. Coercion and force, or threat of either, invalidates consent. CRR 600.020(B)(7).

**Incapacitation:** Under MU policy, incapacitation is a state in which rational decision-making or the ability to consent is rendered impossible because of a person's temporary or permanent physical or mental impairment, including but not limited to physical or mental impairment resulting from drugs or alcohol, disability, sleep, unconsciousness or illness. Consent does not exist when the Respondent knew or should have known of the other individual's incapacitation. Incapacitation is determined based on the totality of the circumstances. Incapacitation is more than intoxication but intoxication can cause incapacitation. CRR 600.020(B)(8).

Factors to consider in determining incapacity include, but are not limited to, the following: (a) Lack of awareness of circumstances or surroundings (e.g., an inability to understand, either temporarily or



permanently, the who, what, where, how and/or why of the circumstances; blackout state); (b) Inability to physically or verbally communicate coherently, particularly with regard to consent (e.g., slurred or incoherent speech); (c) Lack of full control over physical movements (e.g., difficulty walking or standing without stumbling or assistance); and (d) Physical symptoms (e.g., vomiting or incontinence). CRR 600.020(B)(8)

Brief Descriptions of the Resolution Processes:

**Hearing Panel Resolution:** Following a full investigation of the reported allegations, Hearing Panel Resolution is the process by which three trained staff/faculty panelists make a finding as to whether a respondent is responsible for each of the alleged policy violations. If found responsible, this process includes a determination (or recommendation, in the case of faculty respondents) of appropriate sanctions. Note that Hearing Panel Resolution is the default process for resolving allegations against student and faculty respondents when their cases move past the summary resolution phase of the Equity Resolution Process; meaning, all parties must agree to utilize the other available options of Administrative or Conflict Resolution, which are summarized below.

**Administrative Resolution:** Following a full investigation of the reported allegations, Administrative Resolution is the process by which the Equity Officer or Title IX Coordinator makes a finding as to whether a respondent is responsible for each of the alleged policy violations. If responsible, this process includes a determination of appropriate sanctions. Administrative Resolution is an option available for all four types of respondents; when the respondent is a staff member, their supervisor works with the Equity Officer/Title IX Coordinator to make a joint finding.

**Note:** Prior to the CRR revisions that took effect on March 1, 2017, this type of single-decision-maker model in the Equity Resolution Process for student respondents was called “Informal Resolution,” instead of “Administrative Resolution” as it has always been known for staff and faculty respondents. Now, the processes for all respondents are consistently named “Administrative Resolution,” which is the term used throughout this Annual Report.

**Conflict Resolution** is an option available in some cases, using alternative dispute resolution mechanisms such as mediation, facilitated dialogue, restorative justice, or educational trainings/meetings to resolve the reported incident. OCRT9 utilizes forms of Conflict Resolution before, during, after, or in lieu of full investigations, depending on the willingness of the parties, nature of the allegations, and susceptibility to being resolved in this less formal way.

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**Summary Resolution:** Resolution (or, dismissal) of a complaint upon a determination by the Equity Officer or Title IX Coordinator that there is an insufficient basis to proceed, based on their review of the information gathered during an investigation. At this point in the process, cases are either (a) dismissed at this summary resolution stage, or (b) they proceed to final resolution via Administrative or Hearing Panel Resolution Processes (or, if deemed appropriate and approved by all parties, some form of Conflict Resolution).

Jurisdiction:

The University’s anti-discrimination policies state that jurisdiction shall generally be limited to conduct that occurs on the University of Missouri premises or at University-sponsored or University-supervised functions. However, the University may take appropriate action in certain circumstances involving conduct by students, faculty, or staff that occurred in other settings, including off-campus locations, (1) in order to protect the physical safety of students, employees, visitors, patients, or other members of the University community; or (2) if there are effects of the conduct that interfere with or limit any person’s ability to participate in or benefit from the University’s educational programs, activities, or employment. See CRR 600.030(B) regarding student matters. For employees, there are additional elements to consider, such as whether the conduct is related to a faculty member’s fitness or performance in their professional capacity as a teacher or researcher and whether the conduct occurs when staff or faculty members are serving in the role of University employees. CRRs 600.040(B), 600.050(B), and 600.060(B).

# OVERVIEW: INCIDENTS REPORTED TO OCRT9: AUGUST 1, 2016-JULY 31, 2017

Charts, graphs, and tables containing relevant data and comparisons:

**Figure 1.** ALL Alleged Policy Violations (Table)

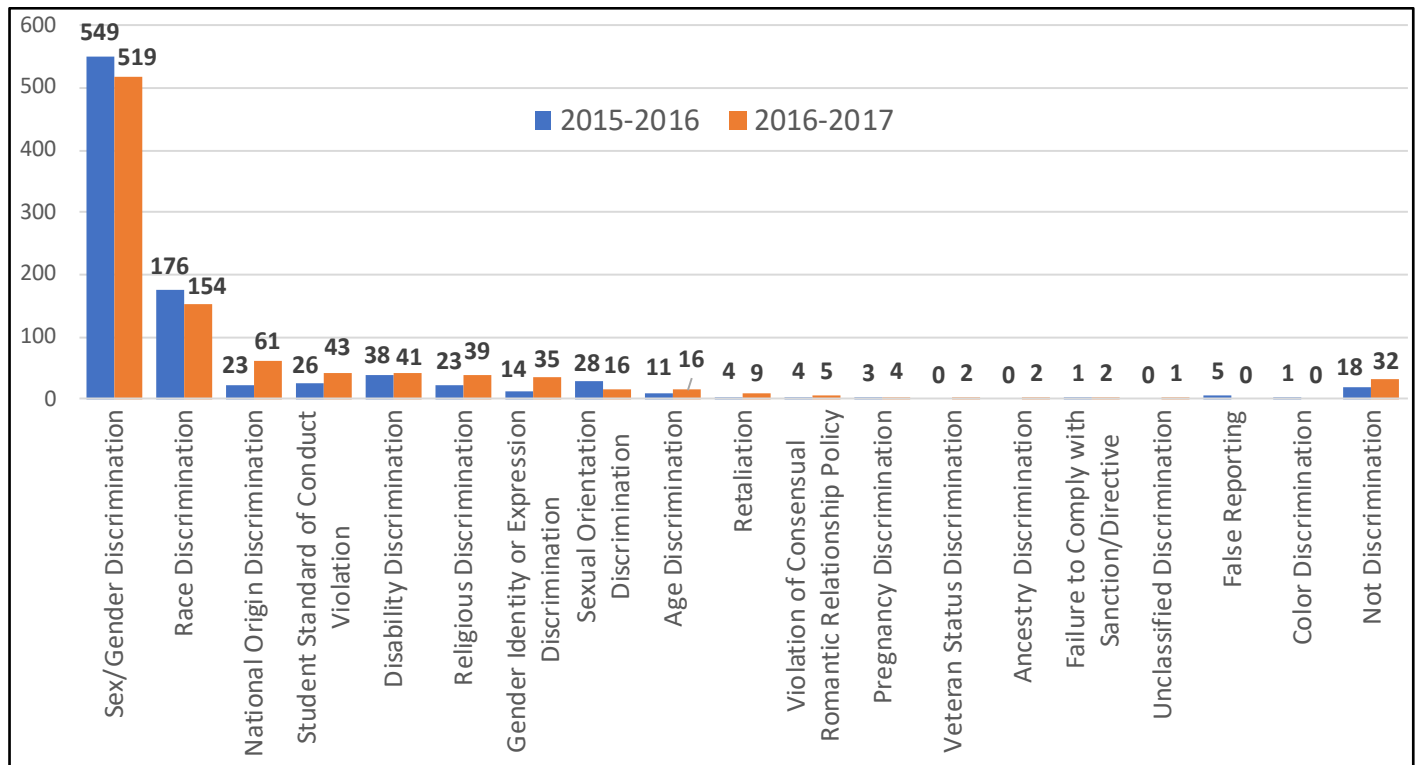
TYPE OF ALLEGED VIOLATION	2015-2016	2016-2017
Sex/Gender Discrimination	549 (59.4%)	519 (52.9%)
Race Discrimination	176 (19.0%)	154 (15.7%)
National Origin Discrimination	23 (2.5%)	61 (6.2%)
Student Standard of Conduct Violation	26 (2.8%)	43 (4.4%)
Disability Discrimination	38 (4.1%)	41 (4.2%)
Religious Discrimination	23 (2.5%)	39 (4.0%)
Gender Identity and Expression Discrimination	14 (1.5%)	35 (3.6%)
Sexual Orientation Discrimination	28 (3.0%)	16 (1.6%)
Age Discrimination	11 (1.2%)	16 (1.6%)
Retaliation	4 (0.4%)	9 (0.9%)
Violation of Consensual Romantic Relationship Policy	4 (0.4%)	5 (0.5%)
Pregnancy Discrimination	3 (0.3%)	4 (0.4%)
Veteran Status Discrimination	0 (0.0%)	2 (0.2%)
Ancestry Discrimination	0 (0.0%)	2 (0.2%)
Failure to Comply with Sanction/Directive	1 (0.1%)	2 (0.2%)
Unclassified Discrimination	0 (0.0%)	1 (0.1%)
False Reporting	5 (0.5%)	0 (0.0%)
Color Discrimination	1 (0.1%)	0 (0.0%)
Not Discrimination	18 (1.9%)	32 (3.3%)
<b>TOTAL</b>	<b>924</b>	<b>981</b>

**Figure 1 Explanation:**

In 2016-2017, OCRT9 received 693 reports alleging 981 violations of MU policies. Meaning, 693 respondents were accused of 981 total violations. Note that these are accusations/allegations, not ultimate findings. This chart lists all the alleged violations, most of which are discriminatory in nature. OCRT9 also receives some reports of alleged behaviors unrelated to discrimination, referred to here as “Student Standard of Conduct Violation” and “Not Discrimination.” Examples of non-equity allegations we receive include physical abuse, threatening or intimidating behaviors, property damage, and alcohol/drug violations. Often, these allegations stem from an incident that also involves equity concerns, so OCRT9 takes jurisdiction over all the allegations from that given incident. In other cases, if there is no

link to any allegation of discrimination, then the matter is referred to another appropriate campus resource, such as MUPD, the Provost’s Office, Human Resources, or the Office of Student Accountability and Support.

**Figure 1a.** ALL Alleged Policy Violations (Graph)

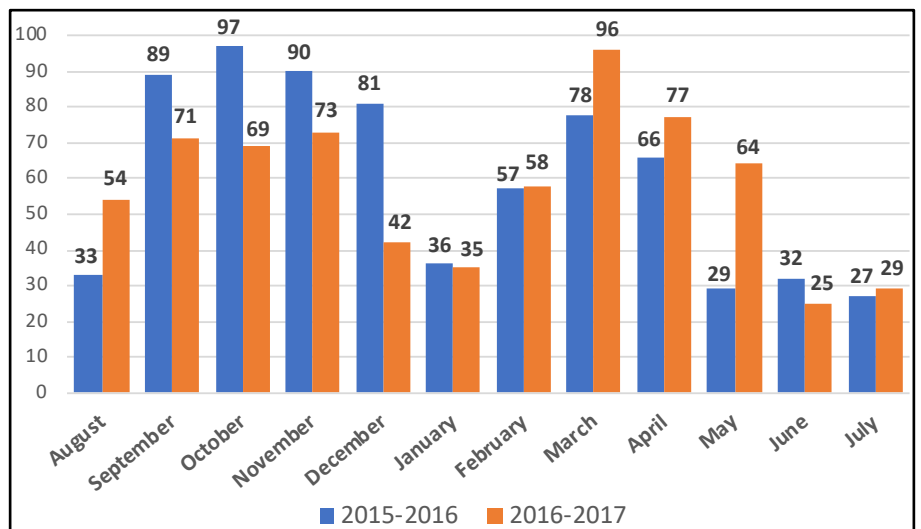


**Figure 2. Types of Respondents Accused of Equity Violations in 2016-2017 (Table)**

TYPE OF ALLEGED EQUITY VIOLATION	Faculty	Staff	Students	Student Orgs	MU Entities	Third Parties	Unknown/Undisclosed	TOTAL
Sex/Gender Discrimination	34	56	202	8	9	43	167	519
Race Discrimination	13	32	53	4	6	9	37	154
National Origin Discrimination	6	9	30	0	4	4	8	61
Disability Discrimination	7	4	19	0	6	1	4	41
Religious Discrimination	0	2	28	0	1	1	7	39
Gender Identity Discrimination	1	2	22	0	2	1	3	31
Sexual Orientation Discrimination	2	2	7	0	0	0	5	16
Age Discrimination	0	13	0	0	1	0	2	16
Consensual Romantic Relationship Policy	4	1	0	0	0	0	0	5
Pregnancy Discrimination	1	3	0	0	0	0	0	4
Gender Expression Discrimination	1	0	0	0	1	1	1	4
Ancestry Discrimination	0	1	1	0	0	0	0	2
Veteran Status Discrimination	0	1	0	0	0	0	1	2
Unclassified Discrimination	0	0	1	0	0	0	0	1
<b>TOTAL</b>	<b>69</b>	<b>126</b>	<b>363</b>	<b>12</b>	<b>30</b>	<b>60</b>	<b>235</b>	<b>895</b>

**Figures 3-3a. Number of Reports Received by Month (Table and Bar Graph)**

Month	2015-2016	2016-2017
August	33 (4.6%)	54 (7.8%)
September	89 (12.4%)	71 (10.2%)
October	97 (13.6%)	69 (10.0%)
November	90 (12.6%)	73 (10.5%)
December	81 (11.3%)	42 (6.1%)
January	36 (5.0%)	35 (5.1%)
February	57 (8.0%)	58 (8.4%)
March	78 (10.9%)	96 (13.9%)
April	66 (9.2%)	77 (11.1%)
May	29 (4.1%)	64 (9.2%)
June	32 (4.5%)	25 (3.6%)
July	27 (3.8%)	29 (4.2%)
<b>TOTAL</b>	<b>715</b>	<b>693</b>



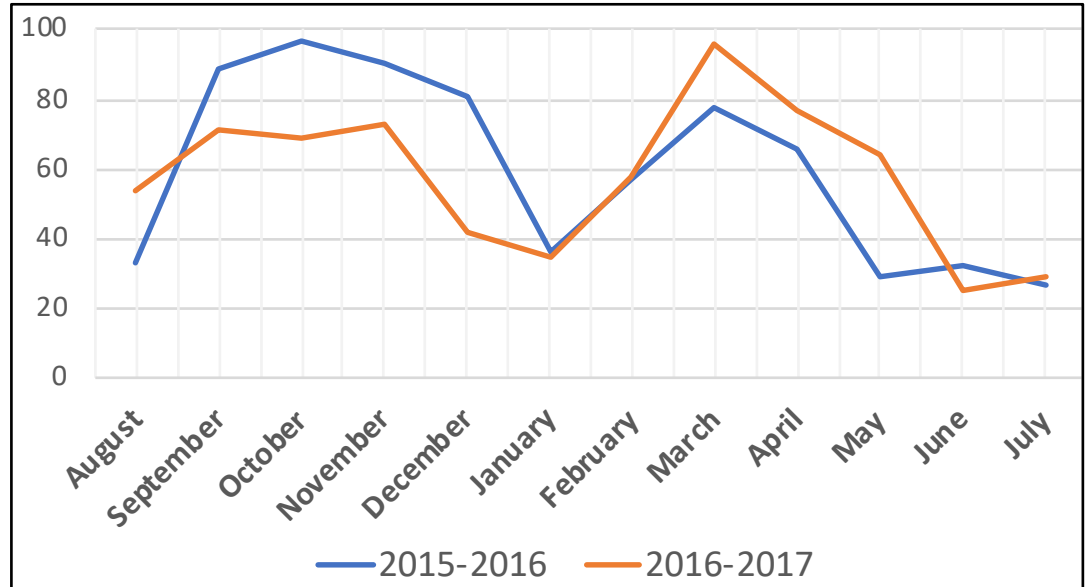
**Figures 3-3b Explanation:** The total number of “reports” of discrimination is the same as the total number of respondents per incident, on a 1:1 ratio. Meaning, when OCRT9 receives information indicating that a person may have violated the anti-discrimination policies in a given incident, that is, by definition, a “report” of discrimination. There could be multiple respondents involved in a single incident, which we would then think of as multiple “reports” because each respondent’s actions are analyzed separately to determine whether they are responsible for violating policy—that is, each person is accountable for their own behavior. Thus, it is possible that one respondent could be responsible in a certain case while a second respondent involved in the same case is not responsible, based on their individual actions. Note that some individuals have been accused of more than one violation at different times, stemming from separate incidents that may involve different people. When that happens, the accused person is counted as more than one respondent, and thus more than one report. For example, if Person X is accused of sexually harassing Person Y in April, and then Person X is accused of race discrimination against Person Z in June, we would consider there to be two reports even though the same person is accused in both instances. Similarly, if Person 1 and Person 2 both allegedly discriminate against Person 3, in the same exchange/incident, because of Person 3’s religion, we consider there to

be two reports of discrimination at hand: Person 3 accuses Person 1, and Person 3 accuses Person 2. This is the most consistent way to track and compare data. Numbers from previous annual reports have been recalculated based on this method. For 2015-2016, there were 715 reports of 924 violations (i.e. 715 respondents were accused of 924 violations); the published report for 2015-2016 had calculated 674 reports of 924 violations, which did not account for incidents involving more than one respondent.

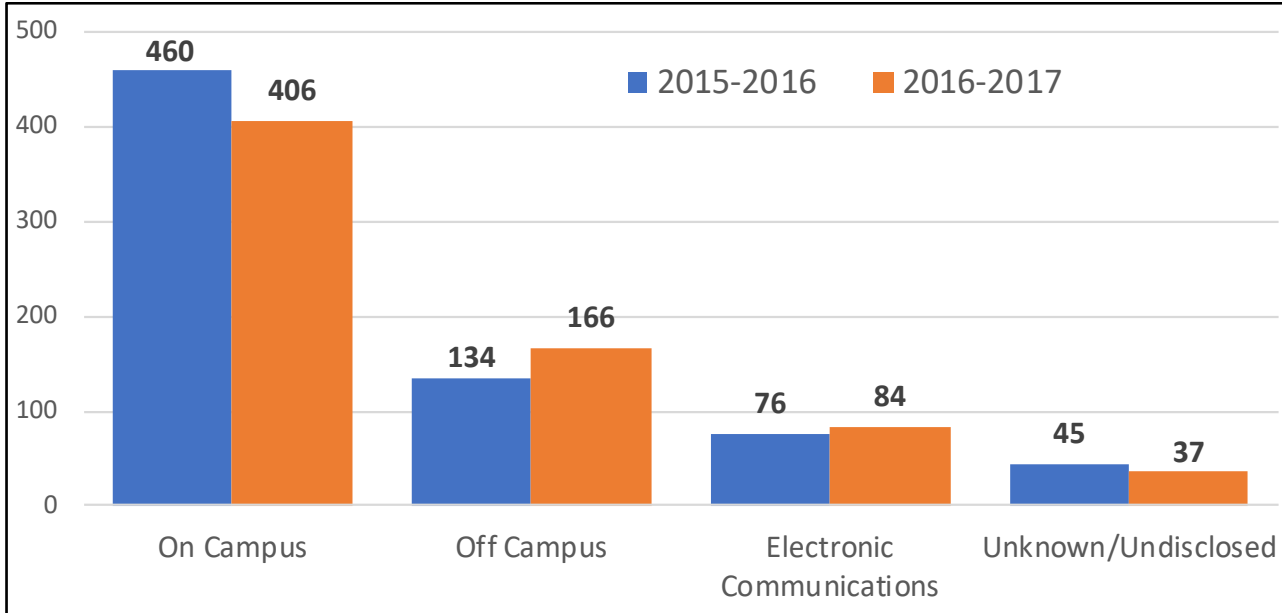
**Figure 3b. Number of Reports Received by Month (Line Graph)**

Number of Reports	
2015-2016	715
2016-2017	693

Number of Alleged Violations	
2015-2016	924
2016-2017	981



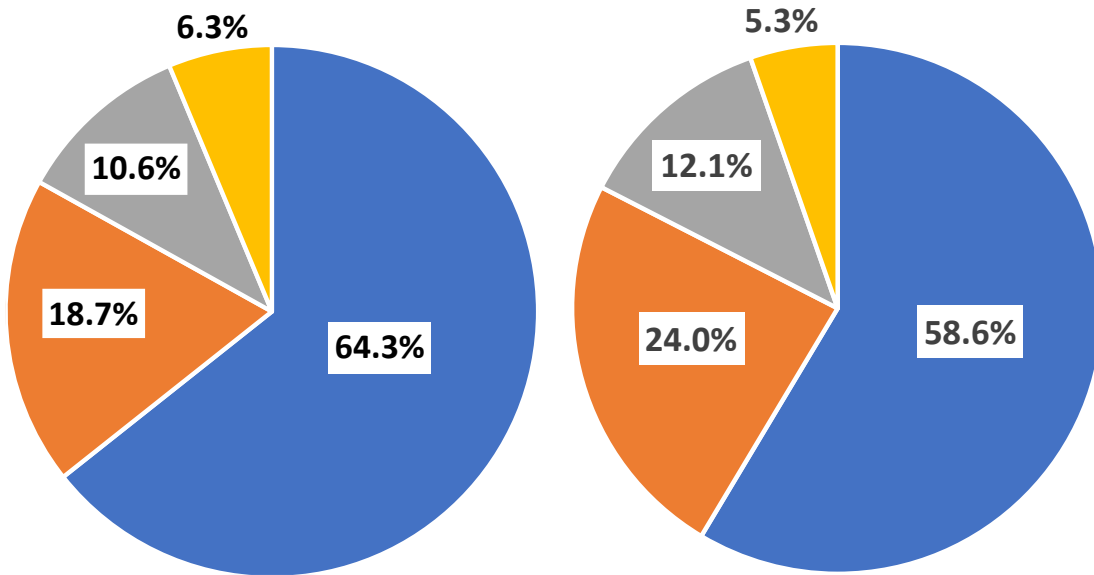
**Figure 4. Location of Reported Incidents (Graph)**



**Figure 4 Explanation:** For purposes of this Annual Report, incidents occurring in or near Greek housing are included in the “On Campus” category. Only one category per report is included in this data, notating the primary location of each incident; if an incident involves more than one location category (e.g. parties exchanged texts and interacted in person on campus), then the order of priority is (1) On Campus, (2) Off Campus, (3) Electronic, and (4) Unknown/Undisclosed. The “Unknown/Undisclosed” category is used when we were unable to further specify, which may happen when a complainant does not respond to OCRT9 outreach and the location information was not included in the initial report, or if a complainant chooses not to disclose that information to us.

**Figure 4a.** Location of Reported Incidents in 2015-2016 (left) and 2016-2017 (right) (Pie Charts)

■ On Campus ■ Off Campus ■ Electronic Communications ■ Unknown/Undisclosed Location



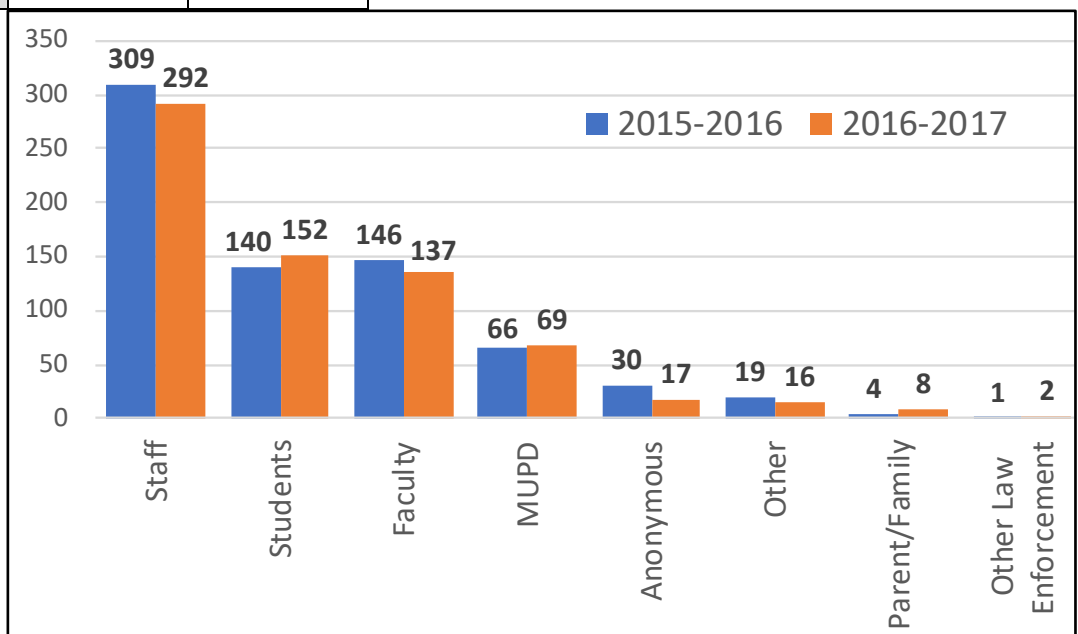
**Figures 5.** Types/Classifications of People Submitting Reports to OCRT9 (Table)

Reporter Type	2015-2016	2016-2017
Staff	309 (43.2%)	292 (42.1%)
Students	140 (19.6%)	152 (21.9%)
Faculty	146 (20.4%)	137 (19.8%)
MUPD	66 (9.2%)	69 (10.0%)
Anonymous	30 (4.2%)	17 (2.5%)
Other	19 (2.7%)	16 (2.3%)
Parent/Family	4 (0.6%)	8 (1.2%)
Other Law Enforcement	1 (0.1%)	2 (0.3%)
<b>TOTAL</b>	<b>715</b>	<b>693</b>

**Figure 5 Explanation:** All employees working in the Department of Residential Life, both students and professional staff members, are included as “Staff” in this chart.

Note that OCRT9 receives more reports from Residential Life Staff than any other single person or entity.

**Figure 5a.**  
Types/Classifications  
of People Submitting  
Reports to OCRT9  
(Graph)→



## In-Depth Analysis: Sex/Gender Discrimination

**Figure 6. Sex/Gender Discrimination Allegations Against Student Respondents\* (Table)**

TYPE OF ALLEGED VIOLATION	2014-2015	2015-2016	2016-2017
<b>Sexual Misconduct</b>	124 (36.3%)	142 (33.6%)	116 (28.0%)
Sexual Harassment	85 (24.9%)	68 (16.1%)	78 (18.8%)
Sex/Gender Discrimination	5 (1.2%)	39 (9.2%)	62 (14.9%)
Dating/Intimate Partner Violence	49 (14.3%)	47 (11.1%)	57 (13.7%)
Stalking on the Basis of Sex/Gender	31 (9.1%)	42 (9.9%)	37 (8.9%)
<b>Sexual Exploitation</b>	30 (8.8%)	49 (11.6%)	27 (6.5%)
Gender Identity Discrimination	0 (0.0%)	9 (2.1%)	25 (6.0%)
Sexual Orientation Discrimination	5 (1.5%)	19 (4.5%)	12 (2.9%)
Gender Expression Discrimination	0 (0.0%)	1 (0.2%)	1 (0.2%)
Hazing on Basis of Sex/Gender	2 (0.6%)	1 (0.2%)	0 (0.0%)
Bullying on Basis of Sex/Gender	11 (3.2%)	6 (1.4%)	0**
<b>TOTAL</b>	<b>342</b>	<b>423</b>	<b>415</b>

**Figure 6 Explanation:**

In 2016-2017, 324 students were accused of 415 violations of MU's Sex Discrimination, Sexual Harassment and Sexual Misconduct Policy.

\*NOTE: In Figures 6-7, "Student Respondents" includes unknown/undisclosed respondents and student organizations.

\*\*NOTE: In March 2017, Bullying was removed as a separate policy provision. It is omitted from the graph in Figure 7, below.

**Figure 6a. Sexual Misconduct Allegations Against Student Respondents (Table)**

Type of Sexual Misconduct	2014-2015	2015-2016	2016-2017
Nonconsensual Sexual Intercourse	62 (18.1%)	75 (17.7%)	44 (10.6%)
Nonconsensual Sexual Contact	25 (7.3%)	26 (6.1%)	34 (8.2%)
Unclassified Sexual Misconduct	31 (9.1%)	30 (7.1%)	32 (7.7%)
Exposing of Genitals	6 (1.8%)	11 (2.6%)	6 (1.4%)
<b>TOTAL (Sexual Misconduct)</b>	<b>124</b>	<b>142</b>	<b>116</b>

**Figures 6a-6b Explanation:**

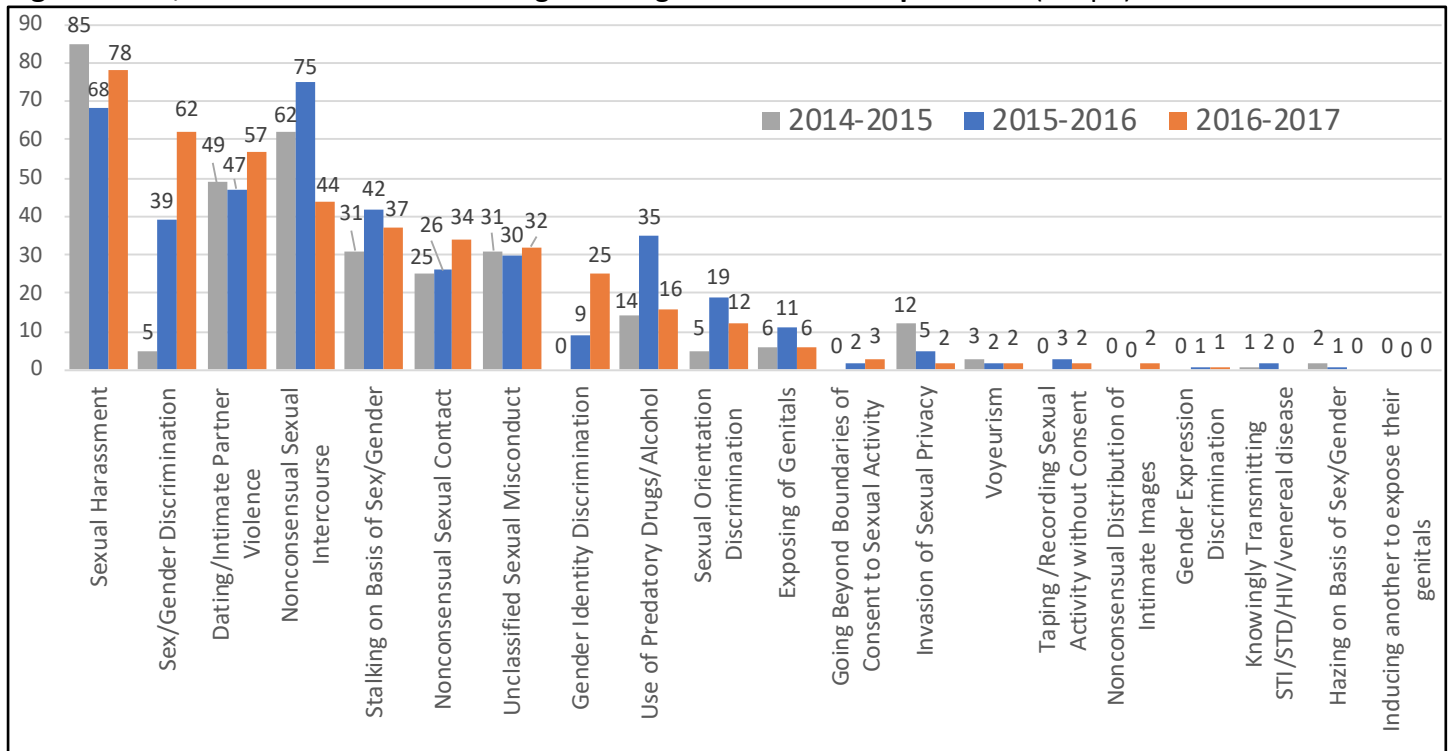
Percentages listed indicate the proportion of all sex/ gender allegations made up by these particular types of offenses.

**Figure 6b. Sexual Exploitation Allegations Against Student Respondents (Table)**

Type of Sexual Exploitation	2014-2015	2015-2016	2016-2017
Use of Predatory Drugs/Alcohol	14 (4.1%)	35 (8.3%)	16 (3.9%)
Going Beyond Boundaries of Consent to Sexual Activity	0 (0.0%)	2 (0.5%)	3 (0.7%)
Invasion of Sexual Privacy	12 (3.5%)	5 (1.2%)	2 (0.5%)
Voyeurism	3 (0.9%)	2 (0.5%)	2 (0.5%)
Taping/Recording Sexual Activity without Consent	0 (0.0%)	3 (0.7%)	2 (0.5%)
Nonconsensual Distribution of Intimate Images	0 (0.0%)	0 (0.0%)	2 (0.5%)
Knowingly Transmitting STI/STD/HIV/venereal disease	1 (0.3%)	2 (0.5%)	0 (0.0%)
Inducing another to expose their genitals	0 (0.0%)	0 (0.0%)	0 (0.0%)
<b>TOTAL (Sexual Exploitation)</b>	<b>30</b>	<b>49</b>	<b>27</b>

**Figures 6-6a Explanation:** "Unclassified Sexual Misconduct" is the label used for reports that contain insufficient details about the incident to further classify the alleged behavior, often because a third party submitting the initial report to OCRT9 did not include this level of information and/or because the complainants chose not to disclose further details to us. Many of these reports contain the term "sexual assault," which would likely be either nonconsensual sexual intercourse or nonconsensual sexual contact under MU policy, but we have refrained from speculating in an effort to present the most accurate data.

**Figure 7. Sex/Gender Discrimination Allegations Against Student Respondents (Graph)**

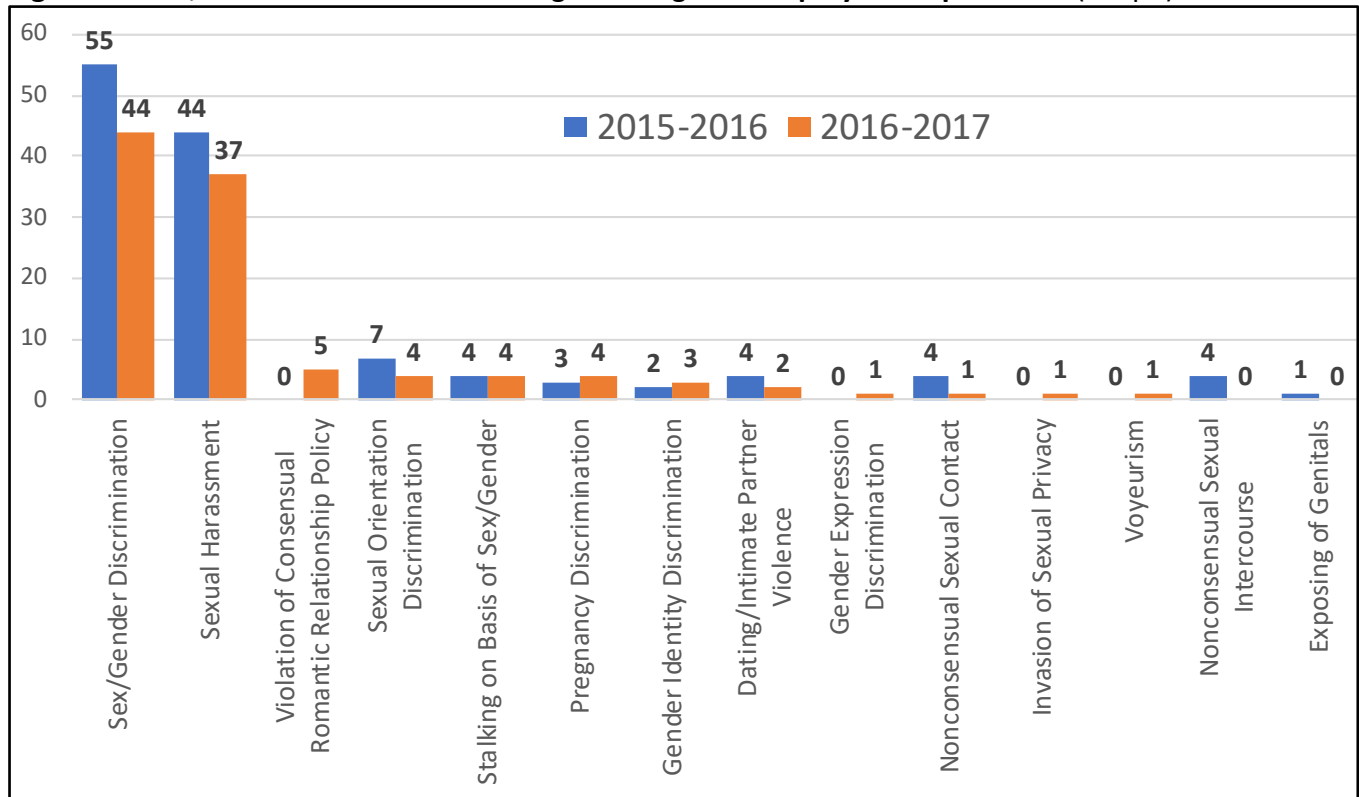


**Figure 8. Sex/Gender Discrimination Allegations Against Employee Respondents (Table)**

TYPE OF ALLEGED VIOLATION	2015-2016	2016-2017
Sex/Gender Discrimination	55 (43.0%)	44 (41.1%)
Sexual Harassment	44 (34.4%)	37 (34.6%)
Violation of Consensual Romantic Relationship Policy	0 (0.0%)	5 (4.7%)
Sexual Orientation Discrimination	7 (5.5%)	4 (3.7%)
Stalking on the Basis of Sex/Gender	4 (3.1%)	4 (3.7%)
Pregnancy Discrimination	3 (2.3%)	4 (3.7%)
Gender Identity Discrimination	2 (1.6%)	3 (2.8%)
Dating/Intimate Partner Violence	4 (3.1%)	2 (1.9%)
Gender Expression Discrimination	0 (0.0%)	1 (0.9%)
Nonconsensual Sexual Contact	4 (3.1%)	1 (0.9%)
Invasion of Sexual Privacy	0 (0.0%)	1 (0.9%)
Voyeurism	0 (0.0%)	1 (0.9%)
Nonconsensual Sexual Intercourse	4 (3.1%)	0 (0.0%)
Exposing of Genitals	1 (0.8%)	0 (0.0%)
<b>TOTAL</b>	<b>128</b>	<b>107</b>

**Figure 8 Explanation:** In 2016-2017, 98 employees—including faculty and staff—were accused of 107 violations of MU’s Sex Discrimination, Sexual Harassment and Sexual Misconduct Policy. NOTE: Data for the 2014-2015 reporting year is not available for employees because OCRT9 (then, known as the Title IX Office) was only handling student matters at that time.

**Figure 8a. Sex/Gender Discrimination Allegations Against Employee Respondents (Graph)**

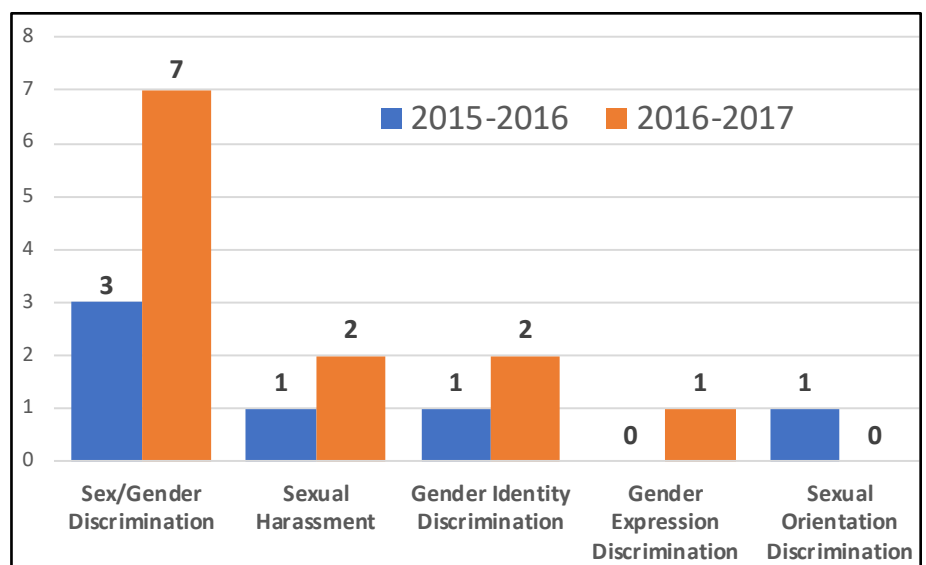


**Figure 9. Sex/Gender Discrimination Allegations Against MU Entity Respondents (Table)**

TYPE OF ALLEGED VIOLATION	2015-2016	2016-2017
Sex/Gender Discrimination	3 (50.0%)	7 (58.3%)
Sexual Harassment	1 (16.7%)	2 (16.7%)
Gender Identity Discrimination	1 (16.7%)	2 (16.7%)
Gender Expression Discrimination	0 (0.0%)	1 (8.3%)
Sexual Orientation Discrimination	1 (16.7%)	0 (0.0%)
<b>TOTAL</b>	<b>6</b>	<b>12</b>

**Figure 9 Explanation:** In 2016-2017, 11 entities were accused of 12 violations of MU’s Sex Discrimination, Sexual Harassment and Sexual Misconduct Policy.

**Figure 9a. Sex/Gender Discrimination Allegations Against MU Entity Respondents (Graph)→**





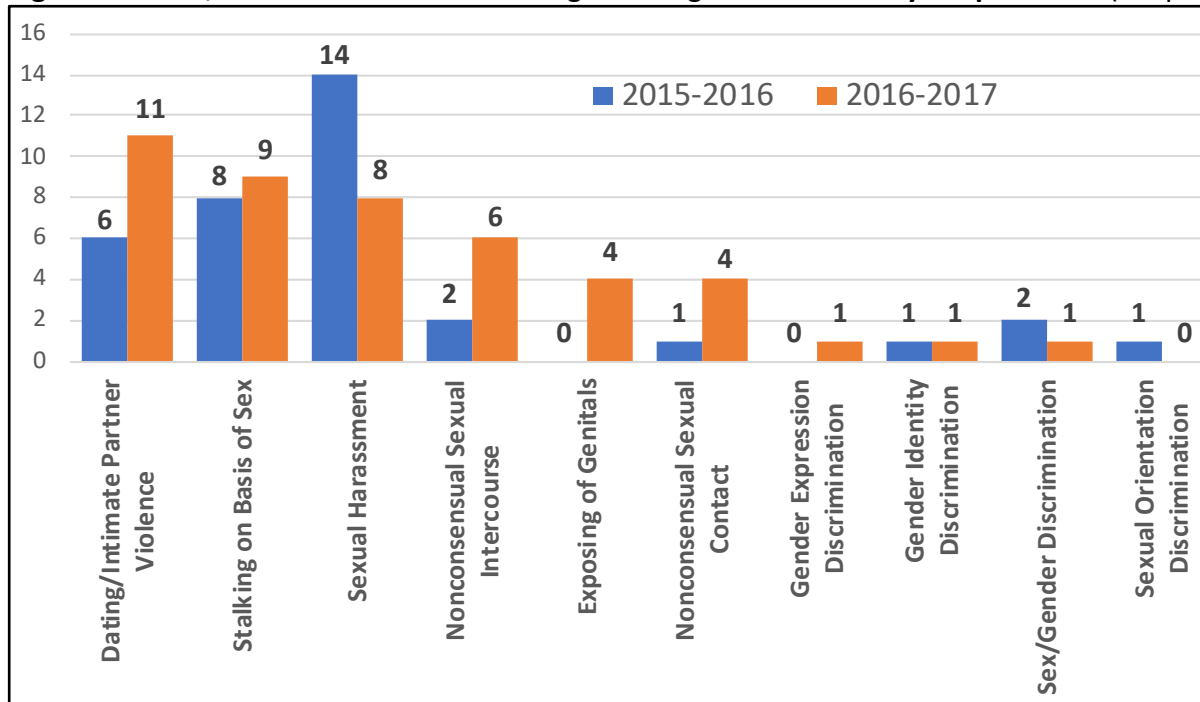
**Figure 10. Sex/Gender Discrimination Allegations Against Third Party Respondents (Table)**

TYPE OF ALLEGED VIOLATION	2015-2016	2016-2017
Dating/Intimate Partner Violence	6 (17.1%)	11 (24.4%)
Stalking on the Basis of Sex	8 (22.9%)	9 (20.0%)
Sexual Harassment	14 (40.0%)	8 (17.8%)
Nonconsensual Sexual Intercourse	2 (5.7%)	6 (13.3%)
Exposure of Genitals	0 (0.0%)	4 (8.9%)
Nonconsensual Sexual Contact	1 (2.9%)	4 (8.9%)
Gender Expression Discrimination	0 (0.0%)	1 (2.2%)
Gender Identity Discrimination	1 (2.9%)	1 (2.2%)
Sex/Gender Discrimination	2 (5.7%)	1 (2.2%)
Sexual Orientation Discrimination	1 (2.9%)	0 (0.0%)
<b>TOTAL</b>	<b>35</b>	<b>45</b>

**Figure 10 Explanation:**

In 2016-2017, 37 visitors, volunteers, or other third parties were accused of 45 violations of MU’s Sex Discrimination, Sexual Harassment and Sexual Misconduct Policy.

**Figure 10a. Sex/Gender Discrimination Allegations Against Third Party Respondents (Graph)**



**NOTE on Timing of Reports to OCRT9:**

All reports submitted to OCRT9 from August 1, 2016, through July 31, 2017, are counted as part of the data in this Annual Report. These numbers are based on the date of the report received, *not* the date of the alleged underlying incident. In some cases, an incident is reported on the same day it occurred, or soon thereafter. In other cases, there is a period of delay between the incident and the report to OCRT9, which may occur for various reasons. Thus, not every incident included in this Annual Report occurred during the 2016-2017 academic year, and not every incident occurred while the complainant and/or respondent were associated with MU.

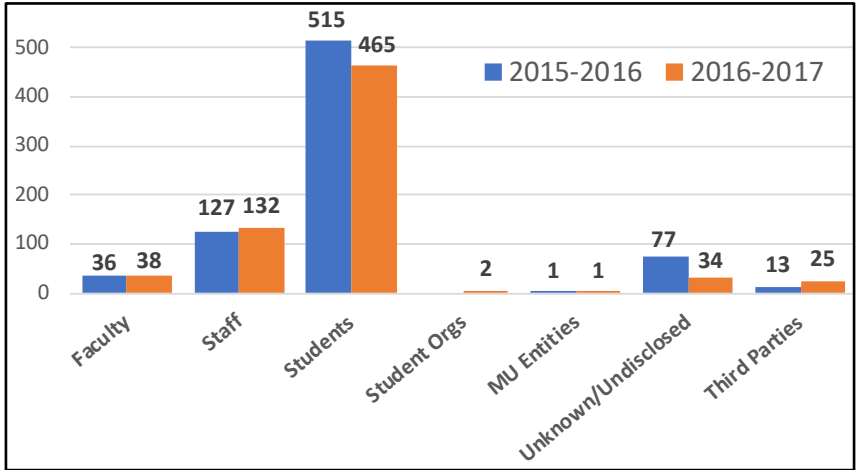
This year, almost half of our reports (46%) were received within about 10 days of the incident. 73% were received within 60 days, 87% within 6 months, and 93% within 1 year. 51 reports (about 7.4%) were received more than 1 year after the incident, 34 (4.9%) more than 2 years, and 18 (2.6%) more than 5 years. Importantly, some of the incident dates are estimates, and when allegations are ongoing over an extended period of time, we typically use the date of the first alleged incident in these calculations.

# In-Depth Analysis: Complainants and Respondents Involved in Reports to OCRT9

**Figure 11. Types of Complainants (Table)**

Complainant Type/Group	2015-2016	2016-2017
Faculty	36 (4.7%)	38 (5.5%)
Staff	127 (16.5%)	132 (18.9%)
Students	515 (67.0%)	465 (66.7%)
Student Orgs	***	2 (0.3%)
MU Entities	1 (0.1%)	1 (0.1%)
Unknown	77 (10.0%)	34 (4.9%)
Third Parties	13 (1.7%)	25 (3.6%)
<b>TOTAL</b>	<b>769</b>	<b>697</b>

**Figure 11a. Types of Complainants (Graph)**



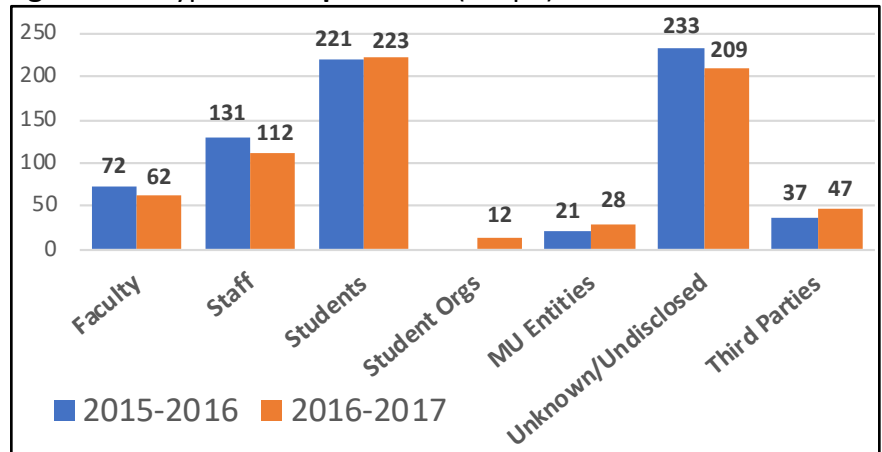
**Figures 11-11a Reminder:** The term “complainant” is used to describe alleged victims of policy violations, whether or not they choose to file formal complaints. It is a general term used in this Annual Report, regardless of how their cases are resolved.

\*\*\*NOTE: Author of the 2015-2016 Annual Report counted student organizations as students. Here, they are separated.

**Figure 12. Types of Respondents (Table)**

Complainant Type/Group	2015-2016	2016-2017
Faculty	72 (10.1%)	62 (8.9%)
Staff	131 (18.3%)	112 (16.2%)
Students	221 (30.9%)	223 (32.2%)
Student Orgs	***	12 (1.7%)
MU Entities	21 (2.9%)	28 (4.0%)
Unknown	233 (32.6%)	209 (30.2%)
Third Parties	37 (5.2%)	47 (6.8%)
<b>TOTAL</b>	<b>715</b>	<b>693</b>

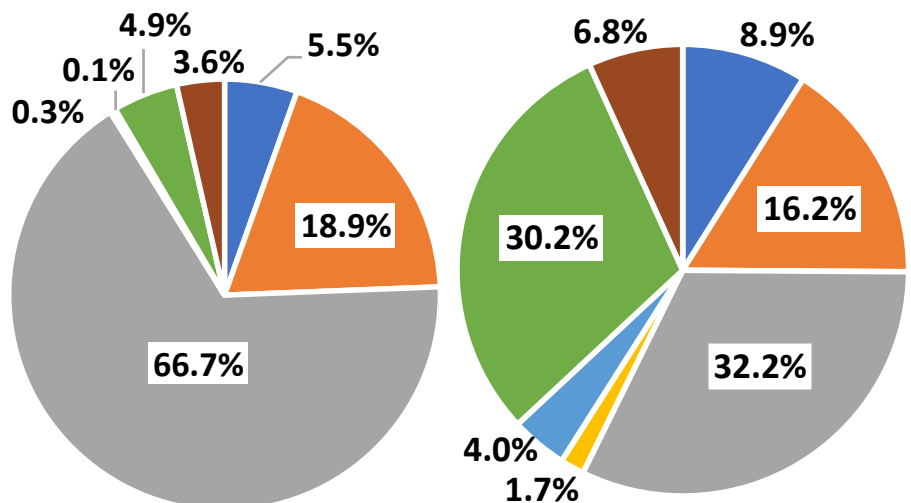
**Figure 12a. Types of Respondents (Graph)**



**Figures 12-12a Reminder:** The term “respondent” is used to describe all people or entities that are reported to have violated policy, regardless of whether they go through a formal investigation or are found responsible for a violation. Most respondents are not subject to full investigations, findings, or sanctions; instead, they participate in forms of conflict resolution.

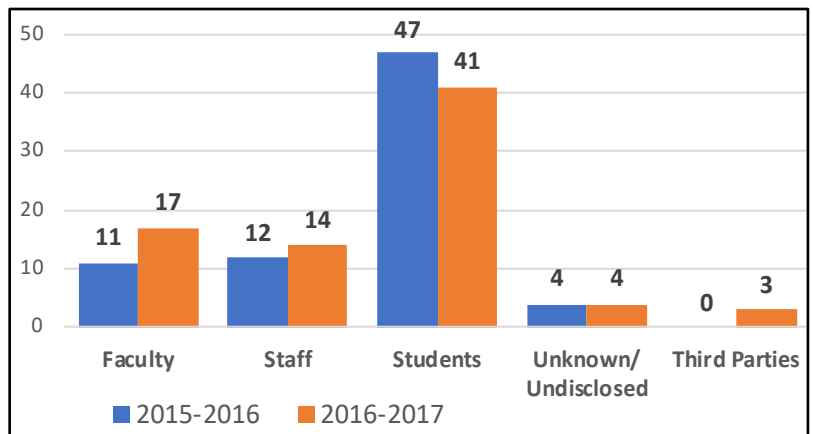
\*\*\*NOTE: Author of the 2015-2016 Annual Report counted student organizations as students. Here, they are separated.

**Figure 13. Types of Complainants (left) and Respondents (right) in 2016-2017 (Pie Charts)→**



**Figures 14-14a.** Types of Complainants who Accused **Faculty** of Policy Violations (Table and Graph)

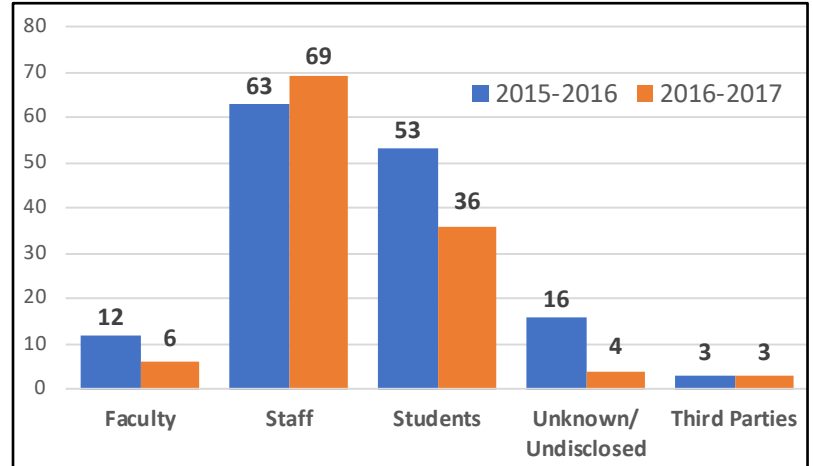
Complainant Type/Group	2015-2016	2016-2017
Faculty	11 (14.9%)	17 (21.5%)
Staff	12 (16.2%)	14 (17.7%)
Students	47 (63.5%)	41 (51.9%)
Unknown/Undisclosed	4 (5.4%)	4 (5.1%)
Third Parties	0 (0.0%)	3 (3.8%)
<b>TOTAL</b>	<b>74</b>	<b>79</b>



**Figures 14-14a Explanation:** In 2015-2016, 74 complainants accused 72 faculty respondents of various policy violations. In 2016-2017, 79 complainants accused 64 faculty respondents.

**Figures 15-15a.** Types of Complainants who Accused **Staff** of Policy Violations (Table and Graph)

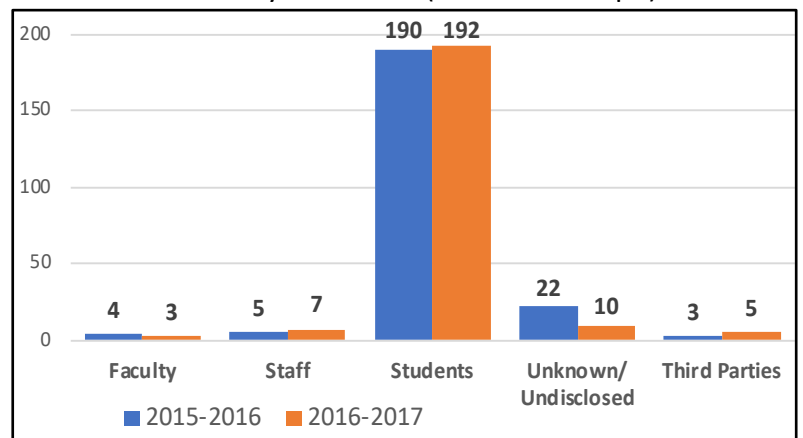
Complainant Type/Group	2015-2016	2016-2017
Faculty	12 (8.2%)	6 (5.1%)
Staff	63 (42.9%)	69 (58.5%)
Students	53 (36.1%)	36 (30.5%)
Unknown/Undisclosed	16 (10.9%)	4 (3.4%)
Third Parties	3 (2.0%)	3 (2.5%)
<b>TOTAL</b>	<b>147</b>	<b>118</b>



**Figures 15-15a Explanation:** In 2015-2016, 147 complainants accused 131 staff respondents of various policy violations. In 2016-2017, 118 complainants accused 110 staff respondents.

**Figures 16-16a.** Types of Complainants who Accused **Students** of Policy Violations (Table and Graph)

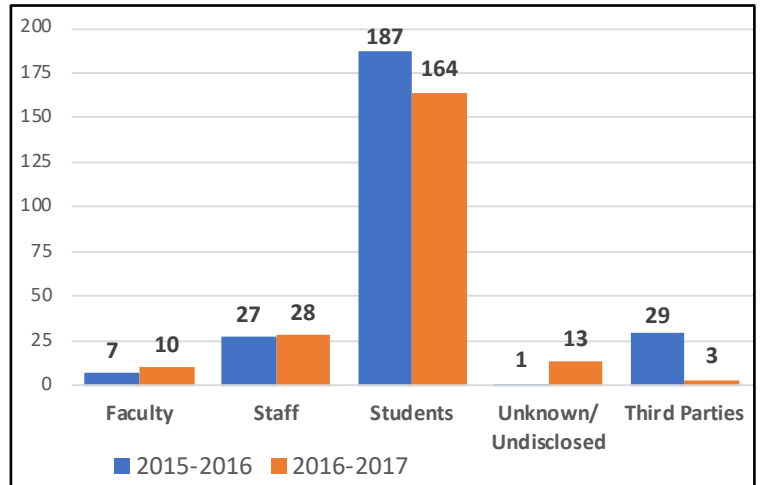
Complainant Type/Group	2015-2016	2016-2017
Faculty	4 (1.8%)	3 (1.4%)
Staff	5 (2.2%)	7 (3.2%)
Students	190 (84.8%)	192 (88.5%)
Unknown/Undisclosed	22 (9.8%)	10 (4.6%)
Third Parties	3 (1.3%)	5 (2.3%)
<b>TOTAL</b>	<b>224</b>	<b>217</b>



**Figures 16-16a Explanation:** In 2015-2016, 224 complainants accused 221 student respondents of various policy violations. In 2016-2017, 217 complainants accused 235 student respondents.

**Figures 17-17a. Types of Complainants who Accused Unknown/Undisclosed Persons (Table and Graph)**

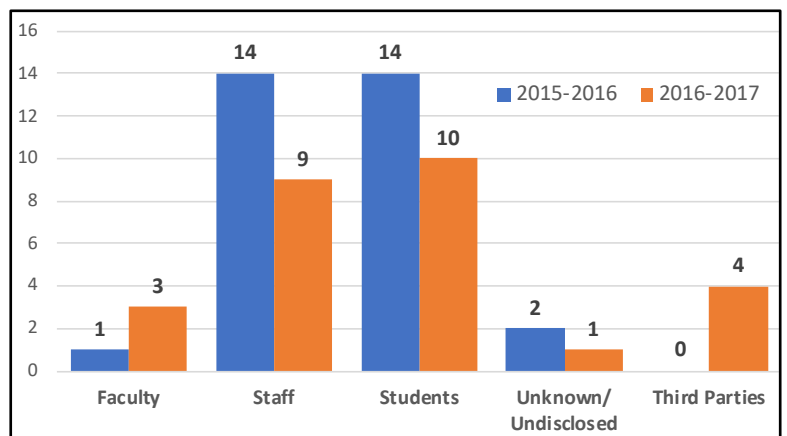
Complainant Type/Group	2015-2016	2016-2017
Faculty	7 (2.8%)	10 (4.6%)
Staff	27 (10.8%)	28 (12.8%)
Student	187 (74.5%)	164 (75.2%)
Unknown/Undisclosed	1 (0.4%)	13 (6.0%)
Third Parties	29 (11.6%)	3 (1.4%)
<b>TOTAL</b>	<b>251</b>	<b>218</b>



**Figures 17-17a Explanation:** In 2015-2016, 251 complainants accused 233 unknown/undisclosed respondents of various policy violations. In 2016-2017, 218 complainants accused 208 unknown/undisclosed respondents.

**Figures 18-18a. Types of Complainants who Accused MU Entities of Policy Violations (Table and Graph)**

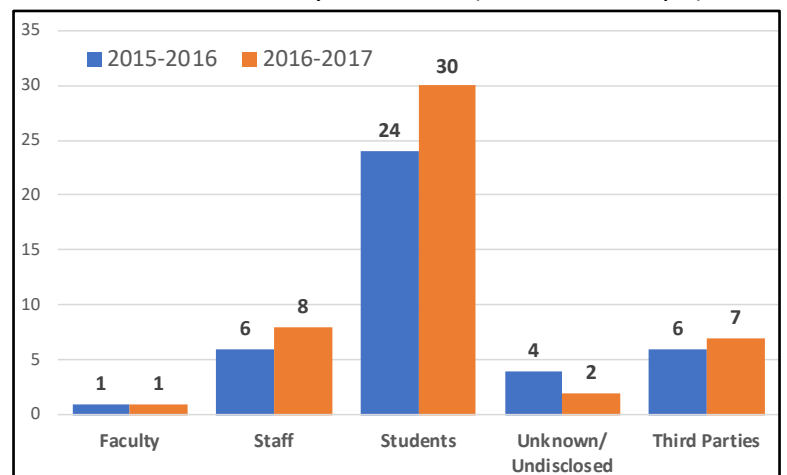
Complainant Type/Group	2015-2016	2016-2017
Faculty	1 (3.2%)	3 (11.1%)
Staff	14 (45.2%)	9 (33.3%)
Student	14 (45.2%)	10 (37.0%)
Unknown/Undisclosed	2 (6.5%)	1 (3.7%)
Third Parties	0 (0.0%)	4 (14.8%)
<b>TOTAL</b>	<b>31</b>	<b>27</b>



**Figures 18-18a Explanation:** In 2015-2016, 31 complainants accused 21 MU entity respondents of various policy violations. In 2016-2017, 27 complainants accused 28 MU entities.

**Figures 19-19a. Types of Complainants who Accused Third Parties of Policy Violations (Table and Graph)**

Complainant Type/Group	2015-2016	2016-2017
Faculty	1 (2.4%)	1 (2.1%)
Staff	6 (14.6%)	8 (16.7%)
Student	24 (58.5%)	30 (62.5%)
Unknown/Undisclosed	4 (9.8%)	2 (4.2%)
Third Parties	6 (14.6%)	7 (14.6%)
<b>TOTAL</b>	<b>41</b>	<b>48</b>



**Figures 19-19a Explanation:** In 2015-2016, 41 complainants accused 37 third party respondents of various policy violations. In 2016-2017, 48 complainants accused 47 third party respondents.

## In-Depth Analysis: Types of Final Resolution

**Figure 20.** Alleged Violations Resolved by Forms of **Conflict Resolution**, by Respondent Type (2016-2017) (Table)

TYPE OF ALLEGED VIOLATION	Faculty	Staff	Students	MU Entities	Third Parties	TOTAL
Race Discrimination	2	6	34	2	2	46
Sex/Gender Discrimination	2	6	34	2	0	44
Sexual Harassment	2	9	18	0	0	29
Religious Discrimination	0	0	24	0	0	24
National Origin Discrimination	0	0	21	0	2	23
Gender Identity Discrimination	1	1	19	1	0	22
Disability Discrimination	2	0	17	1	0	20
Dating/Intimate Partner Violence	0	0	7	0	0	7
Stalking on the Basis of Sex/Gender	0	1	6	0	0	7
Sexual Orientation Discrimination	0	0	4	0	0	4
Nonconsensual Sexual Contact	0	0	3	0	1	4
Gender Expression Discrimination	1	0	1	1	0	3
Disruptive Conduct	0	0	3	0	0	3
Threatening/Intimidating Behaviors	0	0	3	0	0	3
Age Discrimination	0	1	0	0	0	1
Exposure of Genitals	0	0	1	0	0	1
Taping/Recording Sexual Activity without Consent	0	0	1	0	0	1
Violation of Consensual Romantic Relationship Policy	0	1	0	0	0	1
Obstruction/Disruption of MU Activities	0	0	1	0	0	1
<b>TOTAL</b>	<b>10</b>	<b>25</b>	<b>197</b>	<b>7</b>	<b>5</b>	<b>244</b>

**Figure 20 Explanation:** OCRT9 uses various forms of conflict resolution to resolve reports of discrimination. Methods of conflict resolution include mediation, facilitated dialog between parties in separate meetings with the Investigator, mutual agreements between parties to refrain from contact with each other, discussions with supervisors when appropriate, agreement by a respondent to engage in education or training related to the underlying incident, and/or other arrangements facilitated by Investigators pertaining to housing, work or class schedules, etc. These methods of conflict resolution may be utilized as soon as a report of an incident is received by OCRT9 and without a formal complaint or full investigation. In other cases, parties may agree to use conflict resolution after a complaint and full investigation, in lieu of Administrative or Hearing Panel Resolution, per CRR 600.030, CRR 600.040, CRR 600.050, or CRR 600.060. NOTE: The “Students” column in Figure 20 includes individual student respondents as well as student organizations.

**Figures 21-22.** Resolution of Reports to OCRT9 (left) and Alleged Violations therein (right) (2016-2017) (Tables)

Resolution Type	Number of Reports
Conflict Resolution	122
Investigations→Summary Resolution	28
Investigations→Findings/Sanctions	27
Referral to Human Resources	8
Preliminary Investigation	6
Referral to Provost's Office	5
Referral for Student Conduct Charges	4
Referral to General Counsel	2
Other	11
<b>TOTAL</b>	<b>213</b>

Resolution Type	Number of Alleged Violations
Conflict Resolution	244
Investigations→Summary Resolution	38
Investigations→Findings/Sanctions	53
Referral to Human Resources	8
Preliminary Investigation	6
Referral to Provost's Office	5
Referral for Student Conduct Charges	4
Referral to General Counsel	2
Other	22
<b>TOTAL</b>	<b>382</b>

**Figures 21-22 Explanation:** In 2016-2017, 213 reports (Figure 21) alleging 382 policy violations (Figure 22) were resolved through these specific resolution methods, listed above. conflict resolution methods, listed above. Numbers in these tables include all respondent types. Examples of “Other” resolutions may include voluntary separation from the University by students or employees, or denial of admission to MU. All other cases not included in these two tables are currently in “inactive” status; they are not further classified by resolution type either because the complainant(s) involved did not respond to outreach from OCRT9 or, after speaking with an Investigator, they did not wish to proceed with any formal action. In other “inactive” cases, OCRT9 may have declined to take jurisdiction.

**Figure 23. Resolutions of Reports after Full Investigations (2016-2017) (Table)**

Type of Resolution	Students	Faculty	Staff	TOTAL
Summary Resolution	5	10	13	28
Administrative Resolution	11	3	7	21
Hearing Panel Resolution	5	1	****	6
<b>TOTAL</b>	<b>21</b>	<b>14</b>	<b>20</b>	<b>55</b>

NOTE: “Student” category includes Student Orgs.

**Figure 23 Explanation:** In 2016-2017, there were 55 investigations (compared to 53 in 2015-2016). Of the 55 investigations, 30 were dismissed at the Summary Resolution stage.

Of the remaining 25 investigations that continued past Summary Resolution, 21 were resolved by Administrative Resolution and 6 by Hearing Panel Resolution.

\*\*\*\*NOTE: Hearing Panel Resolution is only an option for respondents classified as students, student organizations, and faculty members, per the CRRs. **Further analysis of resolutions for each of respondent is included immediately below.**

## Student Respondents

**Figure 24. Resolution of Reports to OCRT9 (Table)**

Resolution Type	2015-2016	2016-2017
Summary Resolution	3	5
Administrative Resolution	10	11
Hearing Panel Resolution	7	5
<b>TOTAL</b>	<b>20</b>	<b>21</b>

**Figure 25. Allegations Resolved by Hearing Panel Resolution (2016-2017) (Table)**

Nonconsensual Sexual Intercourse	4
Liquor Law Violation	2
Stalking on the Basis of Sex/Gender	1
Dating/Intimate Partner Violence	1
Going Beyond Boundaries of Consent	1
Threatening/Intimidating Behaviors	1
Failure to Comply	1
Drug Law Violation	1
Physical Abuse	1
<b>TOTAL</b>	<b>13</b>

**Figure 27. Allegations Resolved by Administrative Resolution (2016-2017) (Table)**

Nonconsensual Sexual Contact	3
Liquor Law Violation	3
Nonconsensual Sexual Intercourse	2
Religious Bullying/Harassment	2
Sexual Harassment	2
Dating/Intimate Partner Violence	2
Threatening/Intimidating Behaviors	2
Drug Law Violation	2
Stalking on the Basis of Sex/Gender	1
Exposure of Genitals	1
Physical Abuse	1
Failure to Comply	1
Other Endangering Behavior	1
Violation of Other University Policies	1
Forgery	1
Retaliation	1
<b>TOTAL</b>	<b>26</b>

Nonconsensual Sexual Intercourse	2
Nonconsensual Sexual Contact	2
Predatory Drugs/Alcohol	2
Sexual Orientation Discrimination	1
<b>TOTAL</b>	<b>7</b>

**Figure 26. Allegations Dismissed by Summary Resolution (2016-2017)→**

**Figures 24-27 Explanation:** In 2016-2017, 11 investigations/reports involving 26 allegations (listed in Figure 27) against students and student organizations were resolved through Administrative Resolution, and 5 investigations involving 13 allegations (Figure 25) were resolved by Hearing Panel Resolution. Five other investigations involving 7 allegations (Figure 26) were dismissed at the Summary Resolution stage of the Equity Resolution Process.

## Faculty Respondents

**Figure 28.** Resolution of Reports to OCRT9 (Table)

Types of Resolution	2015-2016	2016-2017
Summary Resolution	12	10
Administrative Resolution	6	3
Hearing Panel Resolution	2	1
<b>TOTAL</b>	<b>20</b>	<b>14</b>

**Figure 29.** Allegations Resolved by Hearing Panel Resolution (2016-2017) (Table)

Sex/Gender Discrimination	1
<b>TOTAL</b>	<b>1</b>

**Figures 28-31 Explanation:** In 2016-2017, 3 investigations involving 6 allegations (listed in Figure 30) against faculty respondents were resolved through Administrative Resolution, and 1 investigation involving 1 allegation (Figure 29) was resolved by Hearing Panel Resolution. Ten other investigations involving 12 allegations (Figure 31) were dismissed at the Summary Resolution stage of the Equity Resolution Process.

**Figure 30.** Allegations Resolved by Administrative Resolution (2016-2017) (Table)

Sexual Harassment	3
Consensual Romantic Relationship Policy	2
Stalking on the Basis of Sex/Gender	1
<b>TOTAL</b>	<b>6</b>

**Figure 31.** Allegations Dismissed by Summary Resolution (2016-2017) (Table)

Sexual Harassment	4
Sex/Gender Discrimination	5
Race Discrimination/Harassment	1
Invasion of Sexual Privacy	1
National Origin Discrimination	1
<b>TOTAL</b>	<b>12</b>

## Staff Respondents

**Figure 32.** Resolution of Reports to OCRT9 (Table)

Types of Resolution	2015-2016	2016-2017
Summary Resolution	12	13
Administrative Resolution	0	7
<b>TOTAL</b>	<b>12</b>	<b>20</b>

**Figure 33.** Allegations Resolved by Administrative Resolution (2016-2017) (Table)

Sexual Harassment	4
Age Discrimination	1
Gender Identity Discrimination	1
Dating/Intimate Partner Violence	1
<b>TOTAL</b>	<b>7</b>

**Figure 34.** Allegations Dismissed by Summary Resolution (2016-2017) (Table)

Race Discrimination	6
Disability Discrimination	3
Sexual Harassment	2
National Origin Discrimination	2
Pregnancy Discrimination	2
Sex/Gender Discrimination	1
Veteran Status Discrimination	1
Voyeurism	1
Retaliation	1
<b>TOTAL</b>	<b>19</b>

**Figures 32-34 Explanation:** In 2016-2017, 7 investigations involving 7 allegations (listed in Figure 33) against staff respondents were resolved through Administrative Resolution, and 13 investigations involving 19 allegations (Figure 34) were dismissed at the Summary Resolution stage of the Equity Resolution Process.

## In-Depth Analysis of Outcomes: Findings and Sanctions (2016-2017)

**Figure 35.** ALL Alleged Policy Violations Resolved by Administrative or Hearing Panel Resolution (Table)

TYPE OF ALLEGED VIOLATION	Hearing Panel Resolution	Administrative Resolution	TOTAL
Sexual Harassment	0	9	9
Nonconsensual Sexual Intercourse	4	2	6
Liquor Law Violation	2	3	5
DIPV	1	3	4
Stalking on the Basis of Sex/Gender	1	2	3
Nonconsensual Sexual Contact	0	3	3
Drug Law Violation	1	2	3
Threatening/Intimidating Behaviors	1	2	3
Religious Discrimination/Harassment/Bullying	0	2	2
Violation of Consensual Romantic Relationship Policy	0	2	2
Physical Abuse	1	1	2
Failure to Comply with Sanctions/Directives	1	1	2
Age Discrimination	0	1	1
Forgery, Alteration or Misuse of MU Documents, Records or ID	0	1	1
Sex/Gender Discrimination	1	0	1
Exposure of Genitals	0	1	1
Other Endangering Behavior	0	1	1
Gender Identity Discrimination	0	1	1
Going Beyond the Boundaries of Consent to Sexual Activity	1	0	1
Violation of Other University Policies	0	1	1
Retaliation	0	1	1
<b>TOTAL</b>	<b>14</b>	<b>39</b>	<b>53</b>

**Administrative Resolution** was utilized in 21 matters that included 39 alleged policy violations, in 2016-2017. Respondents were found responsible for at least one violation in 17 of the 21 matters. Of the 21 cases, outcomes in 7 (33%) of them were appealed (see Figure 38, below). In 5 of the 7 appeals, the initial decisions were upheld. In the remaining 2 cases, the appellate officer adjusted the findings and/or sanctions.

**Hearing Panel Resolution** was utilized in 6 matters involving 14 alleged policy violations, in 2016-2017. Respondents were found responsible for at least one violation in all 6 matters. All 6 decisions were appealed (Figure 38, below). In 4 of the 6 appeals, the initial decisions were upheld. In the remaining 2 cases, the appellate officer adjusted the findings and/or sanctions.

**Figure 36.** Outcomes per Violation (Table)

Finding	Hearing Panel	Administrative Resolution	TOTAL
Responsible	7	27	34
Not Responsible	6	8	14
No Finding	1	4	5

**Figure 36 Explanation:** In 2016-2017, 23 student, faculty, and staff respondents were found responsible for 34 policy violations (and, at the same time, found *not* responsible for 10 violations of which they were accused). There were 5 alleged violations that were not ultimately decided, typically when the alleged behavior was encompassed in a finding of responsibility for another policy violation. For example, if a respondent is accused of physical abuse

and dating/intimate partner violence (DIPV), decision-makers could find responsibility for the latter and then decide not to make a separate finding on the physical abuse charge if they feel the respondent's behaviors were addressed in the DIPV finding. Of the 27 total respondents who were party to cases where final decisions were made through Administrative or Hearing Panel Resolutions, 4 of them (accused of 4 separate violations) were not found responsible for any violations.



**Figure 37. Sanctions Imposed for Respondents Found Responsible (Table)**

Campus Suspension/Trespass Warning	15
Required Training/Education	13
Residence Hall Expulsion	9
University Suspension	8
Development/Improvement Plan	7
Contact Restrictions	6
Disciplinary Probation	6
Permanent University Expulsion	4
Alcohol Education/Restrictions	4
Other	10

**Figure 37 Explanation:** In 2016-2017, 23 respondents, who were found responsible for 34 policy violations, received 82 sanctions, listed here. Examples of “Other” sanctions may include loss of supervisory responsibilities or administrative titles; required written statements or reflections; unpaid suspensions from work; written warnings; letters of reprimand; loss of annual pay increases; nonrenewal of contracts; etc.

**Figure 38. Outcomes of Appealed Decisions (Table)**

Initial Decisions Upheld	9
Decision/Sanctions Adjusted	4
<b>TOTAL</b>	<b>13</b>

**Accommodations and Other Remedial Actions:**

**Figure 39. Most Common Remedial Actions and Accommodations for Respondents (Table)**

Required Educational Event/Training/Assignment/Meeting	251
Trespass Warning	22
Contact Restrictions	19
Referral to Mental Health and/or Academic Support Services	10
Adjustments to Work Schedules/Assignments	6
Mediation/Facilitated Dialogue/Restorative Justice	2
Loss of Privileges (Activities)	2

**Figure 39 Explanation:** These are some of the most frequently occurring remedial measures/actions and accommodations for respondents outside of the Administrative or Hearing Panel Resolution Processes. This list does not include the sanctions from Figure 37. Rather, these measures or referrals were used in cases that did not lead to full investigations and findings; many were part of conflict resolution processes without a formal complaint, instead. In addition to those

listed, other remedial actions have included verbal and written warnings, notifications to supervisors or student organization advisors, and voluntary separations from the University by students or employees.

**Additional Notes:** Trespass Warnings may apply to all of campus or only to specific buildings/facilities. All parties and witnesses involved in reports to OCRT9 have access to various campus and/or community resources, including counseling services and academic assistance; the numbers in this table, Figure 39, refer to matters in which more specific, or intentional, efforts were made to connect respondents to those resources.

**Figure 40. Most Common Remedial Actions and Accommodations for Complainants (Table)**

Spoke and/or met with OCRT9 Staff	486
Academic Accommodations/Support Services	39
Referral to Advocacy Services	35
Referral to Mental Health or Medical Services	29
Housing Accommodations/Adjustments	16
Workplace Accommodations	13
Referral to Other Support/Advocacy Services	11
Referral to IT	5
Referral to Disability Center	4

**Figure 40 Explanation:** Similar to Figure 39, all complainants receive information regarding resources such as counseling and advocacy services. The numbers in this table correspond to matters in which extra efforts were made to connect complainants with those resources/options, beyond basic notification of their availability on and off campus. In some cases, complainants request that a mutual no contact directive be put in place to prohibit any communication with another party, and that other party agrees to the arrangement; those numbers are included as “Contact Restrictions” in this table. “Advocacy Services” includes referrals to the RSVP (Relationship & Sexual Violence Prevention) Center on campus, as well as off-campus resources like True North in Columbia.

**NOTE:** Law Enforcement agencies were involved in 120 of the 693 reports received during the 2016-2017 reporting year. Most of that involvement occurred prior to the reporting of those incidents to OCRT9 and/or independent of OCRT9’s involvement in the matter. Also, note that Clery numbers are separately tracked and submitted to MUPD for publication, in compliance with federal law; those matters are not necessarily included in this total of 120.

## OCRT9 EDUCATION AND PREVENTION EFFORTS

During the 2016-2017 reporting year, OCRT9 conducted about **147** presentations, trainings, and tabling sessions around campus that reached at least **5,431** people, including students, faculty, administrators, and other staff. These efforts were largely led by the Education & Prevention Coordinator, Brittani Fults, with assistance from the rest of the OCRT9 team and partners in the Division of Inclusion, Diversity & Equity.

Some educational outreach was conducted in direct response to reports OCRT9 received regarding concerns of discrimination within various groups or departments. On the other hand, many of the trainings and events were preventative in nature, intended to continue education throughout our Community in an effort to decrease instances of discrimination in the future and to create a more inclusive campus environment for all students, employees, and visitors.

**Training and presentation topics** have included, but are not limited to: violence prevention; transgender inclusion in higher education; microaggressions; ethics; self-advocacy; inclusive workplaces and classrooms; leadership and professional development; safety and support for international students; allyship and the LGBTQ+ community; cultural competency in health care settings; intersectionality; and general introduction to the anti-discrimination policies at MU, mandatory reporting, the role of OCRT9, and parties' rights within the Equity Resolution Process.

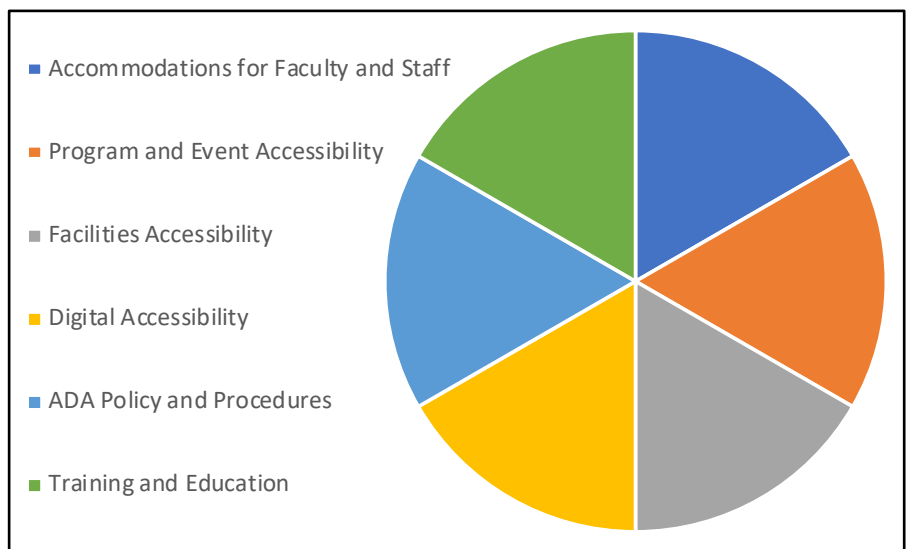
OCRT9 has **collaborated** with various departments and units at MU, including the Social Justice Centers, student organizations, the Department of Athletics, counseling and wellness resources, groups within Student Affairs, academic advisors, MU Extension offices, Human Resource Services, academic colleges, and MU Health Care. Ms. Fults has also represented the University at various admissions events and local and national conferences. Additionally, she partners with the RSVP (Relationship & Sexual Violence Prevention) Center and the LGBTQ Resource Center at MU to facilitate Green Dot and Safe Space trainings on campus and in the Columbia community (note: attendance statistics from these external events are not included in the numbers above).

- Highlighted events in 2016-2017:
  - **Blurred Lines:** Interactive program that addresses biases and myths surrounding relationship violence and sexual assault in the Black community. This scenario-based educational opportunity directly confronts misconceptions that are embedded within communities about what violence looks like and who is affected.
  - **International Student Talk Back:** Program designed to connect international students with campus resources if they experience power-based violence or other forms of discrimination. OCRT9 collaborated with the MU Counseling Center, RSVP Center, International Center, Graduate Professional Council, Asian Affairs Center, and Student Health Center to host the event.
  - **Graduate Assistant Teacher Orientation:** Workshop providing graduate students with an overview of their rights and options, resources, the University's mandated reporting policy, and tips for creating an inclusive classroom environment.
  - **OCRT9/ADA Open House:** Event cosponsored with Staff Advisory Council that allowed folks from across campus to come and visit our office in the Heinkel Building, meet our staff, and learn about our services and resources in an informal, conversational setting.

# OFFICE OF ACCESSIBILITY AND ADA

Led by Amber Cheek and Mohamed Shahin, the work of the Office of Accessibility and ADA, which is a branch within the MU Office for Civil Rights, Title IX & ADA, touches every aspect of campus life:

- **Employee accommodations** promote Faculty and Staff productivity, retention, and recruitment.
- **Education** increases awareness of disability as an essential component of diversity and of MU's Inclusive Excellence Framework.
- **Customized guidance on the ADA** helps MU maintain its commitment to the Americans with Disabilities Act and disability inclusion.
- **Increasing physical accessibility** of campus facilities promotes belonging, usability, and independence for students, faculty, staff, and visitors with disabilities.
- **Ensuring Digital Accessibility** provides equal opportunity and usability of our digital campus for persons with disabilities.
- **Event accessibility** ensures equal access for persons with disabilities on campus and in the Columbia community as a whole.
- **Planning for the safety of persons with disabilities** is essential to emergency preparedness.



## Important Definitions

- **Disability:** A physical or mental impairment that substantially impacts one or more major life activities or major bodily functions.
- **Reasonable Accommodation:** An assistive device or modification to a workplace policy which allows an employee with a disability to have equal opportunity.
- **Physical Accessibility:** An individual with a disability's ability to access the University's physical facilities.
- **Digital Accessibility:** An individual with a disability's ability to access the University's "digital campus" via online platforms and digital communications.
- **Program Access:** An individual with a disability's ability to participate in programs offered by the University, including events.
- **Employment Access:** A person with a disability's ability to have equal opportunity in hiring, retention, promotion, training, and all of the benefits of employment at the University.

## Major Responsibilities of the Office of Accessibility and ADA

- Employment Access:
  - Arrange reasonable accommodations for faculty and staff with disabilities, in collaboration with Human Resources.
  - Provide training on reasonable accommodations and disability awareness in the workplace.
  - Work to address systemic barriers that affect employment opportunity for persons with disabilities at MU.
- Program Access:
  - Provide advice and guidance on planning accessible events and programs.
  - Assist with arranging reasonable accommodations for attendees at University events.
  - Investigate event access complaints.
  - Promote education to ensure equal access for persons with disabilities in all University programs.
- Physical Facilities Access:
  - Provide advice on accessibility of existing facilities and design projects.
  - Investigate facilities accessibility complaints.
  - Conduct accessibility walkthroughs of construction and existing facilities.
  - Pursue strategic projects to improve accessibility of campus, in collaboration with Campus Facilities, Parking and Transportation, and the Disability Center.
- Digital Communications Access:
  - Provide advice and guidance on digital accessibility requirements, in collaboration with the ACT Center.
  - Resolve digital access complaints.
  - Pursue strategic projects that improve campus-wide digital accessibility.
- Policy and Practice Development:
  - Participate in the drafting and development of policies that affect the interests of persons with disabilities.
  - Assist departments across campus with developing practices and procedures that ensure access for persons with disabilities and prevent systemic discrimination.
- Education and Campus Climate:
  - Conduct trainings on disability awareness, accessibility, and the ADA.
  - Collaborate with the Disability Center and Chancellor's Committee for Persons with Disabilities to plan events and support student initiatives which foster an inclusive campus climate for persons with disabilities.

### Campus partners include:

- Disability Center
- Campus Facilities
- Adaptive Computing Technology Center
- Marketing & Communications
- Parking and Transportation
- Residential Life
- IT

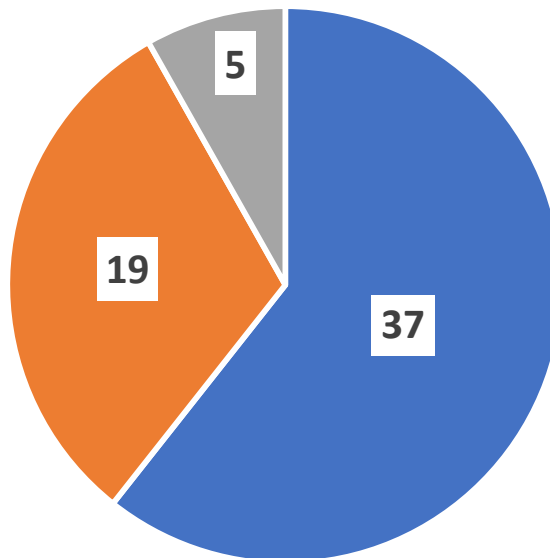
## Reasonable Accommodations

In 2016-2017, the Office of Accessibility and ADA assisted with reasonable accommodations for 61 people on campus. These accommodations have ensured the productivity and retention of our most valuable resource: our people.

A few **examples** of common accommodations include: adding microphones to classrooms for faculty with hearing disabilities, assistive technology for staff with vision disabilities, wheelchair accessible desks, “speech to text” software for employees who are unable to type, and ergonomic keyboards and mice for employees with arthritis.

**Figures 41-41a.** Individuals who Received Assistance with Reasonable Accommodations (Table and Pie Chart)

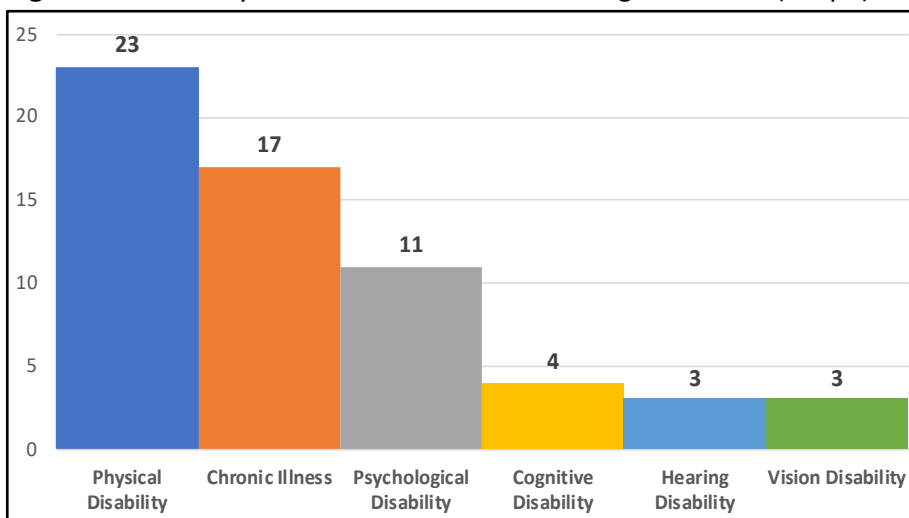
Faculty	19 (31.1%)
Staff	37 (60.7%)
Others	5 (8.2%)
<b>TOTAL</b>	<b>61</b>



**Figure 42.** Primary Disabilities of Those Receiving Assistance (Table)

Physical Disability	23 (37.7%)
Chronic Illness	17 (27.9%)
Psychological Disability	11 (18.0%)
Cognitive Disability	4 (6.6%)
Hearing Disability	3 (4.9%)
Vision Disability	3 (4.9%)
<b>TOTAL</b>	<b>61</b>

**Figure 42a.** Primary Disabilities of Those Receiving Assistance (Graph)



## Office of Accessibility and ADA Trainings and Presentations

The ADA Coordinator gave 30 presentations/trainings in 2016-2017:

**Figure 43.** Presentations by ADA Coordinator (Table)

Digital Accessibility	7
General ADA Compliance	5
Employee Accommodations	8
Event Accessibility	1
Disability Awareness	7
Other	2

**Note:** Audiences included Chancellor's Staff, Provost's Staff, Dean's Council, supervisors, staff, faculty, and students, as well as members of the Columbia community.

## **Selected Initiatives and Accomplishments in 2016-2017**

- Created the Digital Accessibility Initiative, a campus-wide strategic initiative to improve access to our digital campus, in collaboration with IT, the ACT Center, the Disability Center, and Mizzou Creative
- Formed and adopted the Digital Accessibility Policy
- Implemented the Accessible Signage Initiative, which installed wayfinding signage to help visitors find accessible entrances on 93 buildings and 413 entrances
- Created a standardized Accommodation Plan procedure for accommodations
- Created the State of Accessibility event in collaboration with the Disability Center and ACT Center
- Started a “Central Fund” for accommodations for faculty and staff funded by IDE
- Hired an Accessibility and Accommodations Specialist to support the work of the Office of Accessibility and ADA
- Worked with Residential Life and the Disability Center to draft Service Animal and Assistance Animal guidelines and clarify procedures and processes
- Implemented accessibility improvements at the Missouri Theatre

## **Future Planning and Goals**

To continue to enhance accessibility and inclusion, the Office of Accessibility and ADA planned to advance the following goals and initiatives during the 2017-2018 academic year:

- Create a Digital Accessibility Advisory Board and Digital Accessibility Working Group to oversee the implementation of the Digital Accessibility Policy
- Conduct an accessibility review of all restrooms on campus
- Begin a comprehensive review of accessible parking on campus
- Do outreach regarding the reasonable accommodation process to encourage employee utilization of the Office of Accessibility and ADA
- Begin a disability awareness educational campaign in collaboration with the Disability Center and Adaptive Computing Technology Center
- Collaborate with Human Resources and the ACT Center to ensure accessibility and disability-friendliness of the application, hiring, onboarding, and training platforms for employees
- Replace all “handicapped parking” signs on campus with “accessible parking” signs
- Complete a redesign of the [ada.missouri.edu](http://ada.missouri.edu) website
- Work with Campus Facilities to revamp and improve the campus accessibility map

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Thank you for reviewing this report and supporting our campus.

### **Contact Information**

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