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*University of Missouri – Kansas City*

*Office of Affirmative Action*

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## **2018-2019 ANNUAL REPORT**

If you are a person with a disability and believe you may need accommodations, please contact the Office of Affirmative Action to request assistance or general information; we are happy to help you.

**Phone:** 816-235-1323 **Location:** Administrative Center, 5115 Oak St., Room 212

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October 15, 2019

To the Members of the University of Missouri–Kansas City 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 UMKC Office of Affirmative Action (OAA) from August 1, 2018, through July 31, 2019.

In subsequent pages, we provide an in-depth analysis of incident reports received and processed by OAA during the 2018-2019 academic/reporting year. 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.

### UNIVERSITY POLICIES

OAA is tasked with enforcing the institution’s anti-discrimination policies, located in the following sections of the Collected Rules and Regulations (CRRs). 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.

- [CRR 600.010](#) Equal Employment/Educational Opportunity and Nondiscrimination Policy
- [CRR 600.020](#) Sex Discrimination, Sexual Harassment and Sexual Misconduct in Education/ Employment Policy
- Equity Resolution Process 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–Kansas City, including individual departments, programs, or other institutional entities ([CRR 600.060](#))

Three other policies also pertain to some reports submitted to OAA:

- [CRR 200.010](#) Standard of Conduct (Students)
- [CRR 300.110](#) Standards of Faculty Conduct
- [CRR 330.065](#) Consensual Romantic Relationship Policy

### OFFICE OF AFFIRMATIVE ACTION TEAM MEMBERS & SERVICES

OAA’s mission is carried out each day by dedicated staff members who are committed to inclusion and equity, as well as the University’s key values of learning, diversity, integrity, accountability, respect, and collaboration.

Dr. Sybil Wyatt (she/her/hers) is the Director of Affirmative Action and the University's Title IX Coordinator. She supervises OAA and serves as the Equity Officer for a majority of our investigations. Dr. Wyatt also assists employees of the University with disability accommodations as the Employee ADA Coordinator.

Michael Garvin (he/him/his) is the Equity Specialist and a Senior Investigator with OAA. He conducts intake meetings and investigates many formal complaints of protected characteristic discrimination and harassment, and while Michael's focus is on Equity at the University, he also investigates Title IX-related complaints as needed.

KC Atchinson (she/her/hers) is the Title IX Compliance Specialist and a Senior Investigator with OAA. She conducts intake meetings and investigates many of our formal complaints of sexual misconduct, and while KC's focus is on Title IX, she also investigates issues of Equity as needed.

Lacie McClellan-Fox (she/her/hers) serves as an Investigator and Employee ADA Specialist with OAA. She conducts intake meetings and assists Michael and KC in investigating complaints of protected characteristic discrimination and harassment and sexual misconduct. Lacie also assists Dr. Wyatt in addressing disability accommodations requests from University employees.

Christi Roeder (she/her/hers) serves as OAA's Equity Assistant. She manages the OAA database and tracks and compiles aggregate data for our annual reports. Christi also sends initial outreach from OAA following reports of discrimination, harassment, and/or sexual misconduct; assists with scheduling; and provides resource referrals to individuals working with OAA.

The OAA team also serves the University in the following ways: providing training on inclusiveness in hiring practices and monitoring such practices to ensure equal opportunity, coordinating the University's annual Affirmative Action Plan, offering a conflict management program for students and employees, partnering to provide campus-wide training on such matters as disability accommodations for students and bystander intervention, and consulting on a wide array of matters involving our campus community.

### VIOLENCE PREVENTION & RESPONSE TEAM MEMBERS & SERVICES

The Violence Prevention & Response Program (VPR) is an OAA partner and is also overseen by Dr. Sybil Wyatt. Michelle Kroner is the Violence Prevention & Response Manager; Maya Burtin serves as the Violence Prevention Coordinator. VPR is tasked with assisting students, faculty, and staff in crisis intervention and management. Michelle and Maya also provide educational programming to our University community and in the Kansas City area on issues related to sexual misconduct, including sexual assault, relationship violence, and stalking on the basis of sex.

In 2018-2019, VPR served 176 individuals through direct one-on-one contact: 38 with a concern related to sexual violence, 99 with a concern related to interpersonal violence (domestic or intimate partner violence and other interpersonal violence), and 39 with a concern related to stalking. These individuals sought information, advocacy, support, referrals, or assistance either for themselves or a friend, and/or reporting information to the Title IX Coordinator and/or the police.

In regard to prevention and awareness programming during the same period, VPR gave approximately 84 presentations, overviews, etc., on a range of topics, including consent, sexual health, bystander intervention, and sexual misconduct in all forms. Additionally, VPR held or participated in events that allowed students, faculty, and staff to interact with the VPR team and access information, support, and referrals, including information tables, an art gallery show, new student orientation, healing arts activities, and more. Attendance for in-person programming was approximately 13,834 for the Report period. Further, VPR managed the mandatory online new student training, *Not Anymore*; 2,564 incoming students completed the training, yielding an 88 percent average completion rate.

We encourage you to review this Report carefully and visit OAA's Equity & Title IX website at <https://info.umkc.edu/title9/> and VPR's website at <https://info.umkc.edu/vpr/> for more information. Additionally, we thank all of our campus partners for their support and tireless efforts toward common goals of fostering inclusive excellence at UMKC.

With appreciation,



Dr. Sybil B. Wyatt  
Director of Affirmative Action  
Title IX Coordinator  
Employee ADA Coordinator

## GUIDE TO READING THE REPORT

### Key Definitions and Relevant Policy Provisions:

In addressing alleged instances of discrimination, harassment, and sexual misconduct, OAA follows and applies the definitions and processes as stated in the University of Missouri Collected Rules and Regulations (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.

**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 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-Kansas City 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. UMKC policy further outlines several forms of prohibited sex/gender discrimination in [CRR 600.020](#): sexual harassment, sexual misconduct, stalking on the basis of sex, dating/intimate partner violence, and sexual exploitation.

**Complainant:** Individual(s) targeted by the alleged actions of another in violation of the University's anti-discrimination policies. In this 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 OAA, regardless of how an individual's case is resolved.

**Respondent:** Accused individual(s); person(s) alleged to have violated the University's anti-discrimination policies. In this Report, the term *respondent* is used to describe all people or entities that are reported to have violated policy, regardless of whether the report is pursued 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 OAA 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 as prohibited by the University's policies. OAA 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 OAA team members. Assuming we have the name(s) of the potential complainant(s), OAA's Equity Assistant contacts them via email to provide information about our office and available on-campus and community resources, as well as extending an offer to connect them with an OAA Investigator if they would like to discuss the reported incident and any concerns of discrimination they may have. If they choose to be in contact with an Investigator, the Investigator provides them with various options for resolving the allegations of discrimination. The most formal option would be for the complainant to file a formal complaint, which would typically trigger a full investigation. Often, other forms of conflict resolution are available as options as well.

**Complaint/Formal Complaint:** If a complainant chooses to move forward with an investigation, a report transitions to a complaint/formal complaint; the same is true should the University move forward with an investigation on behalf of a complainant.

**Equity Resolution Process:** The process by which formal complaints of discrimination are resolved, as outlined in CRRs [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. UMKC policy includes 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 typically ensues upon OAA's receipt of a report of behavior that may be in violation of University policy with the purpose of gathering enough information to make a threshold decision as to whether the allegations describe a violation of the University's anti-discrimination policies or should be referred to another University office/unit for resolution. An Investigator's initial contact with a complainant is part of this inquiry, in addition to attempts to obtain additional information from the reporter, witnesses, and/or documentation in some cases.

**Full Investigation:** A fact- and information-gathering process during which OAA Investigators interview parties and witnesses and collect evidence in various forms. A full investigation is initiated after a formal complaint is submitted to OAA by a complainant, or after the Director of Affirmative Action 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 UMKC 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](#).

Additionally, 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 UMKC 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:

- 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)
- Inability to physically or verbally communicate coherently, particularly with regard to consent (e.g., slurred or incoherent speech)
- Lack of full control over physical movements (e.g., difficulty walking or standing without stumbling or assistance)
- Physical symptoms (e.g., vomiting or incontinence).

#### Brief Description of the Resolution Processes:

**Summary Resolution:** During or upon the completion of investigation, the Equity Officer or Title IX Coordinator will review the information gathered by Investigators; based on that review, the Equity Officer or Title IX Coordinator will make a summary determination as to whether, based on the evidence gathered, there is a sufficient basis to proceed with the Equity Resolution Process. At this point, cases are either (a) dismissed as insufficient to proceed, or (b) they proceed to resolution via Administrative or Hearing Panel Resolution processes (or, if deemed appropriate and approved by all parties, some form of Conflict Resolution).

**Conflict Resolution:** An option available as a method of complaint resolution in some instances, based upon the circumstances of the complaint. Conflict resolution uses alternative mechanisms such as mediation, facilitated dialogue, restorative justice, or educational trainings/meetings. OAA utilizes forms of Conflict Resolution before, during, after, or in lieu of full investigations, depending on the willingness of the parties, the nature of the allegations, and the susceptibility of the complaint to being resolved in this less formal way.

**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. Note that Administrative Resolution is the default process for resolving allegations against respondents when their cases move past the summary resolution phase of the Equity Resolution Process. When respondents are students or faculty, the parties may choose to have the complaint resolved through a Hearing Panel Resolution.

**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 student or faculty 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.

Jurisdiction:

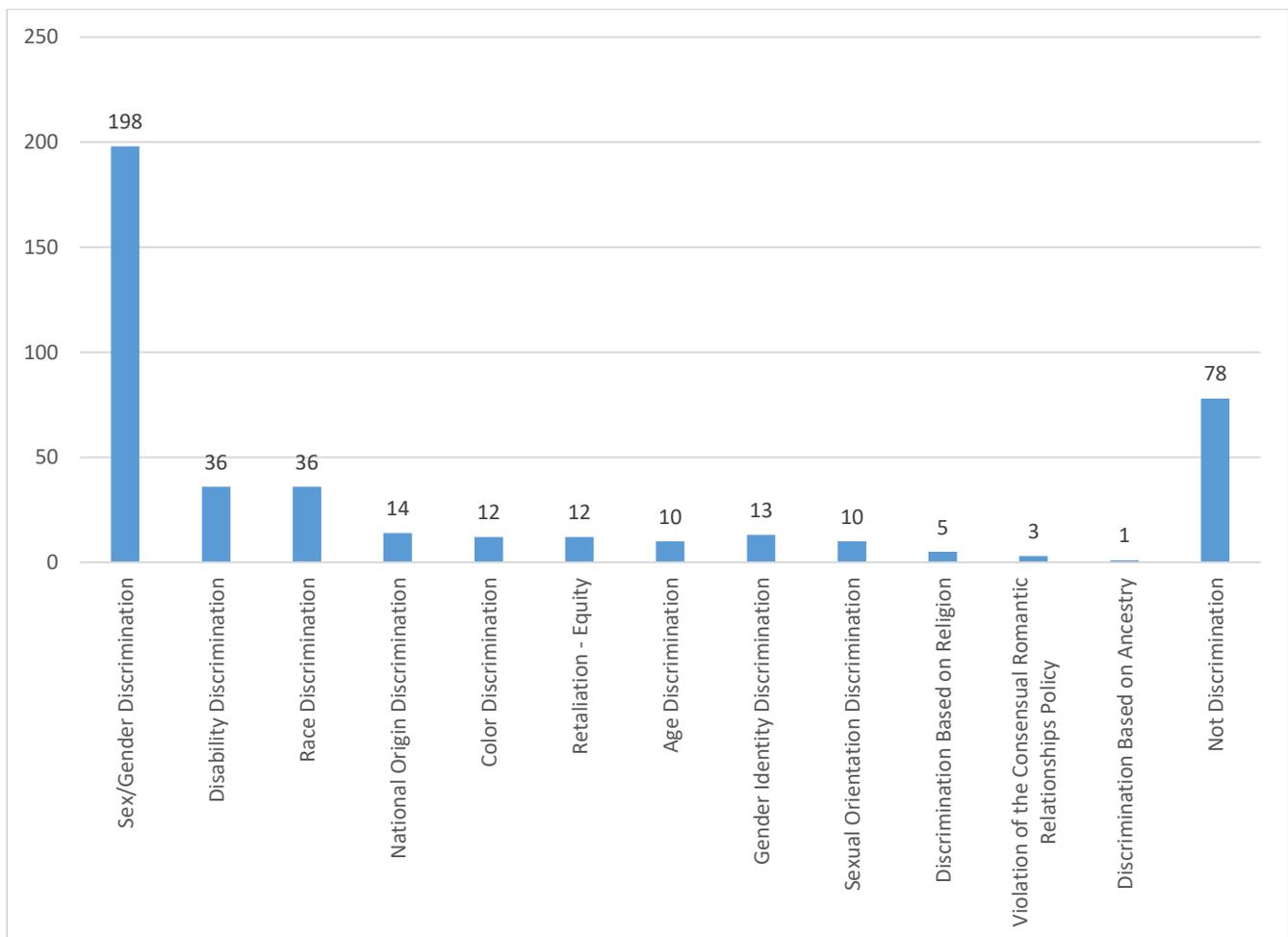
The University's anti-discrimination policies state that jurisdiction shall generally be limited to conduct that occurs on the University of Missouri–Kansas City premises or at University-sponsored or University-supervised functions. However, the University may take appropriate action in certain circumstances 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](#).

**NOTE:** The data provided by this Report differs from the data UMKC provides in their annual report required by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act). Clery-reportable incidents include sexual assault (rape, fondling, incest, statutory rape), dating/domestic violence, and stalking, and only those occurring on campus, in off-campus buildings or property owned or controlled by the University, and on public property within or immediately adjacent to and accessible from the campus. This Report includes all alleged incidents of sex/gender discrimination and harassment, including all alleged incidents of sexual misconduct, reported to OAA, regardless of the location where the incident is alleged to have occurred.

## OVERVIEW: ALL INCIDENTS REPORTED TO OAA

Figures 1-1a. All Reports of Alleged Policy Violations

Type of Alleged Violation	# of Reports
Sex/Gender Discrimination	198
Disability Discrimination	36
Race Discrimination	36
National Origin Discrimination	14
Color Discrimination	12
Retaliation - Equity	12
Age Discrimination	10
Gender Identity Discrimination	13
Sexual Orientation Discrimination	10
Discrimination Based on Religion	5
Violation of the Consensual Romantic Relationship Policy	3
Discrimination Based on Ancestry	1
Not Discrimination	78



**Figures 1-1a Explanation:** In 2018-2019, OAA received 350 reports alleging 436 violations of UMKC’s anti-discrimination/consensual relationships policies. In these reports, 331 distinct respondents (individuals/entities)

were accused of 436 violations. Note that these are accusations and allegations, not ultimate findings. This chart lists all the alleged violations, most of which are discriminatory in nature. OAA also received some reports of alleged behaviors unrelated to discrimination, referred to here as *Not Discrimination*. Examples of such allegations include physical abuse by someone other than a domestic/intimate partner, threatening or intimidating behaviors, bullying or unprofessional conduct, and/or alcohol and drug violations. Often, these allegations stem from or are reported in conjunction with an incident that also involves equity concerns, so OAA may take jurisdiction over all the allegations from that given incident per the CRRs. In other cases, if there is no link to any allegations of discrimination, the matter is then referred to another appropriate campus department/unit, such as the UMKC Police Department, the Provost’s Office, Human Resources, or Violence Prevention & Response.

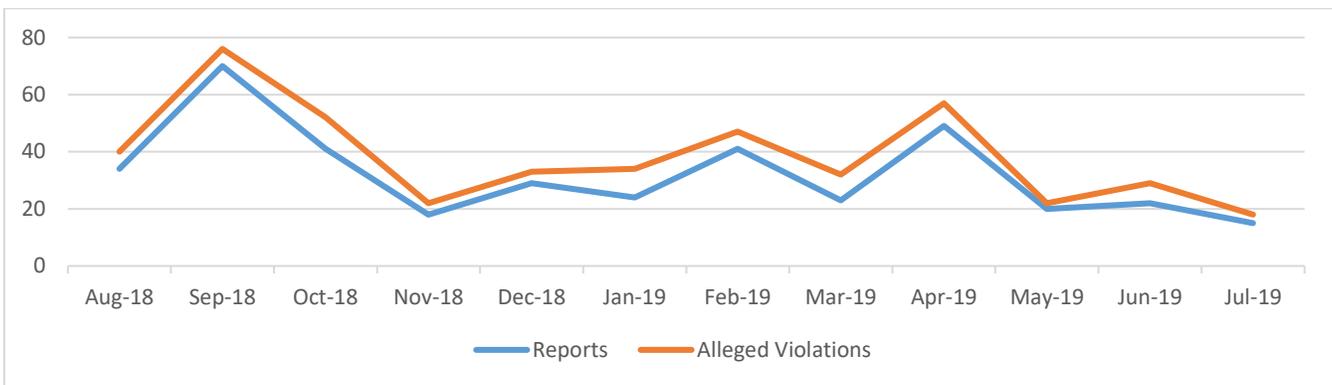
Figure 2. Types of Respondents Accused of Discrimination/Violations of the Consensual Relationships Policy

Alleged Violation	Faculty	Staff	Students	UMKC Entities	Unaffiliated	Unknown/Undisclosed	Total
Sex/Gender Disc.	34	12	77	6	36	21	186
Age Disc.	5	1	0	4	0	0	10
Ancestry Disc.	0	0	0	1	0	0	1
Color Disc.	6	0	2	0	1	0	9
Disability Disc.	15	5	2	12	1	0	35
Gender Identity Disc.	4	1	3	2	0	0	10
National Origin Disc.	5	2	2	3	0	0	12
Race Disc.	11	5	8	7	2	1	34
Religion Disc.	2	1	1	0	1	0	5
Sexual Orientation Disc.	4	1	3	0	0	0	8
Retaliation - Equity	5	1	0	6	0	0	12
Violation of Consensual Relationships Policy	3	0	0	0	0	0	3

**Figure 2 Explanation:** The total number of respondents indicated in Figure 2 (325) includes only those respondents accused of discrimination and/or violations of the Consensual Relationships Policy. There were an additional 6 respondents from reports of Failure to Report a Title IX Violation (3)/False Reporting – Title IX (3), bringing the total number of respondents to 331 as noted in Figures 1-1a Explanation.

Figure 3-3a. Number of Reports Received by Month

Month	Reports	Alleged Violations
Aug-18	34	40
Sep-18	70	76
Oct-18	41	52
Nov-18	18	22
Dec-18	29	33
Jan-19	24	34
Feb-19	41	47
Mar-19	23	32
Apr-19	49	57
May-19	20	22
Jun-19	22	29
Jul-19	15	18



**Figures 3-3a 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 OAA 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 (same respondent). 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.

Figure 4. Location of Reported Incidents

Location	# at Location
On Campus	340
Off Campus	77
Electronic Communications	13
Unknown/Undisclosed	9

**Figure 4 Explanation:** Only one category per report is included in this data, noting 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 OAA outreach and the location information was not included in the initial report, or if a complainant chooses not to disclose that information to us.

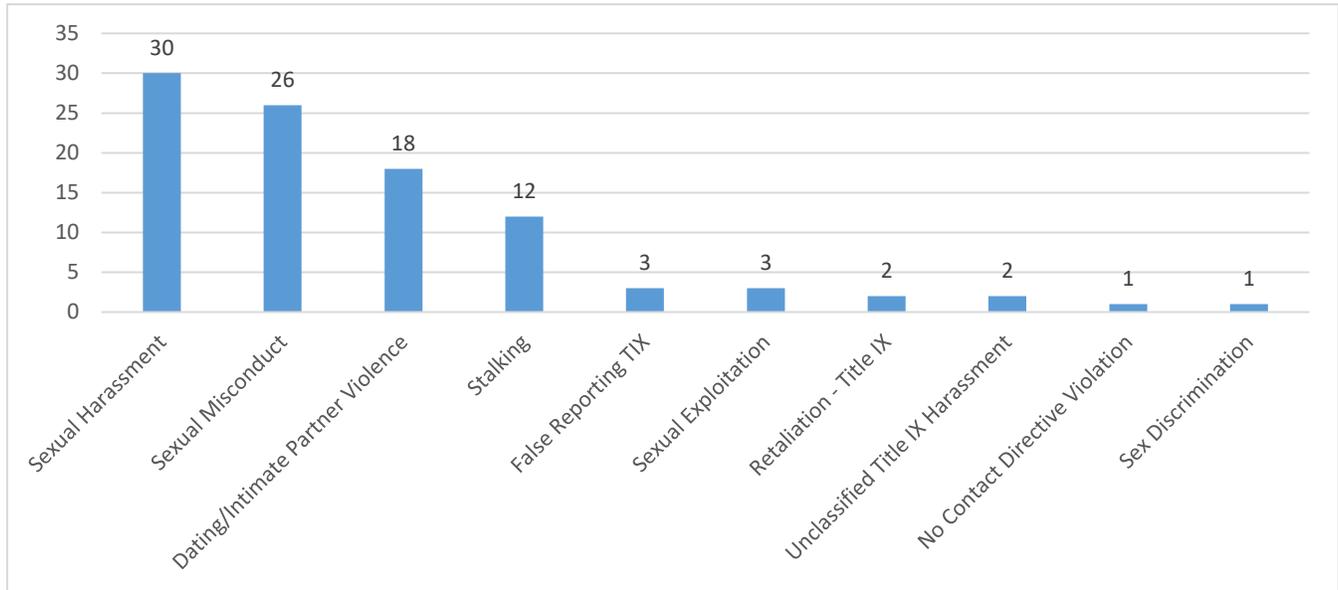
Figure 5. Types/Classifications of People Submitting Reports to OAA

Reporter Type	# of People
Staff	153
Faculty	131
Student	81
Agency (MCHR/EEOC)	14
Anonymous	12
Other	12
UMKC Police Department	9
Parent/Family	6
Third Party	6

**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. *MCHR* refers to the Missouri Commission on Human Rights; *EEOC* refers to the Equal Employment Opportunity Commission.

## In-Depth Analysis: Sex/Gender Discrimination

Figure 6. Sex/Gender Discrimination Allegations Against Student Respondents



**Figure 6 Explanation:** To make the graph easier to read, given the high number of categories, data labels have been omitted. Data is included on this page.

Figure 7. Sex/Gender Discrimination Allegations Against Student Respondents\*

Sex/Gender Allegation	Alleged Violations
Sexual Harassment	30
Sexual Misconduct	26
Dating/Intimate Partner Violence	18
Stalking	12
False Reporting TIX	3
Sexual Exploitation	3
Retaliation - Title IX	2
Unclassified Title IX Harassment	2
No Contact Directive Violation	1
Sex Discrimination	1

**Figure 7 Explanation:** In 2018-2019, 90 students were accused of 98 violations of the University’s Sex Discrimination, Sexual Harassment and Sexual Misconduct Policy. *Unclassified Title IX Harassment* 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 OAA 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 *Title IX*, which would likely be some form of gender/sex discrimination under UMKC policy, but we have refrained from speculating in an effort to present the most accurate data. **\*NOTE:** In Figures 6-7b, *Student Respondents* includes unknown/undisclosed respondents and student organizations.

Figure 7a. Sexual Misconduct Allegations Against Student Respondents

Sexual Misconduct Type	Alleged Violations
Nonconsensual Sexual Intercourse	18
Nonconsensual Sexual Contact	6
Exposure of Genitals	1

Figure 7b. Sexual Exploitation Allegations Against Student Respondents

Sexual Exploitation Type	Alleged Violations
Predatory Drugs or Alcohol	3

Figure 8. Sex/Gender Discrimination Allegations Against Employee Respondents

Sex/Gender Allegation	Alleged Violations
Sexual Harassment	22
Sex Discrimination	13
Retaliation - Title IX	4
Failure to Report a Title IX Incident	3
Violation of Consensual Relationships Policy (CRR 330.065)	3
Witness Intimidation/Harassment - Title IX	2
Unclassified Title IX Harassment	1
Pregnancy Discrimination	1

**Figure 8 Explanation:** In 2018-2019, 46 employees – including faculty and staff – were accused of 49 violations of the University’s Sex Discrimination, Sexual Harassment, and Sexual Misconduct Policy. Violations of the Consensual Romantic Relationship Policy are included with Sex/Gender Discrimination for the purposes of this Report, although it is not included under the same CRR.

Figure 9. Sex/Gender Discrimination Allegations Against UMKC Entity Respondents

Sex/Gender Allegation	Alleged Violations
Sex Discrimination	5
Sexual Harassment	1

**Figure 9 Explanation:** In 2018-2019, 6 entities were accused of 6 violations of the Sex Discrimination, Sexual Harassment and Sexual Misconduct Policy.

Figure 10. Sex/Gender Discrimination Allegations Against Unaffiliated Respondents

Sex/Gender Allegations	# of Alleged Violations
Sexual Misconduct	12
Dating/Intimate Partner Violence	8
Sexual Harassment	8
Sexual Exploitation	5
Stalking on the Basis of Sex	2
Sex Discrimination	1

**Figure 10 Explanation:** In 2018-2019, 31 individuals not affiliated with UMKC were accused of 36 violations for the Sex Discrimination, Sexual Harassment and Sexual Misconduct Policy.

Figure 10a. Sexual Misconduct Allegations Against Unaffiliated Respondents

Sexual Misconduct Allegations	# of Alleged Violations
Nonconsensual Sexual Intercourse	10
Nonconsensual Sexual Contact	1
Unclassified Sexual Misconduct	1

**Figure 10a 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 OAA 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 UMKC policy, but we have refrained from speculating in an effort to present the most accurate data.

Figure 10b. Sexual Exploitation Allegations Against Unaffiliated Respondents

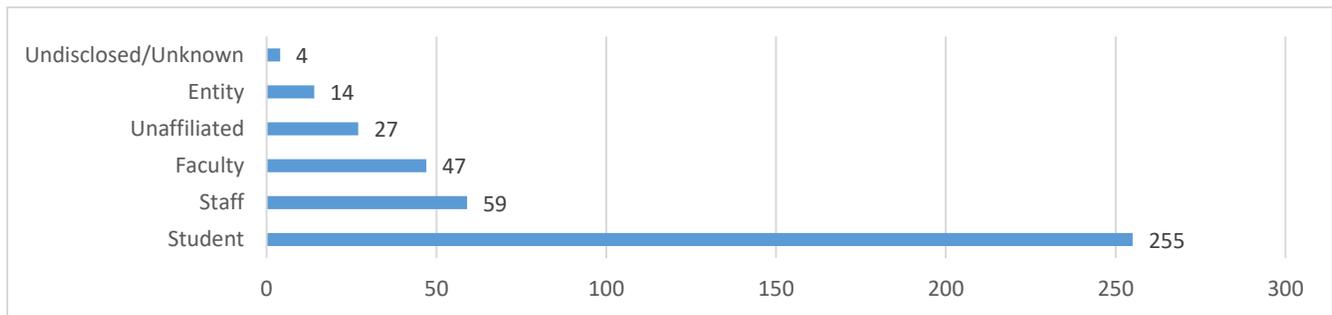
Sexual Exploitation Allegations	# of Alleged Violations
Predatory Drugs or Alcohol	2
Inducing Another to Expose Their Genitals	1
Nonconsensual Distribution of Intimate Images	1
Prostituting Another Person	1

**NOTE on Timing of Reports to OAA:** All reports submitted to OAA from August 1, 2018, through July 31, 2019, are counted as part of the data in this Report. These numbers are based on the date the report was received, *not* the date of the alleged 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 OAA, which may occur for various reasons. Thus, not every incident included in this Report occurred during the 2018-2019 academic year, and not every incident occurred while the complainant and/or respondent were associated with UMKC.

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

Figures 11-11a. Types of Complainants

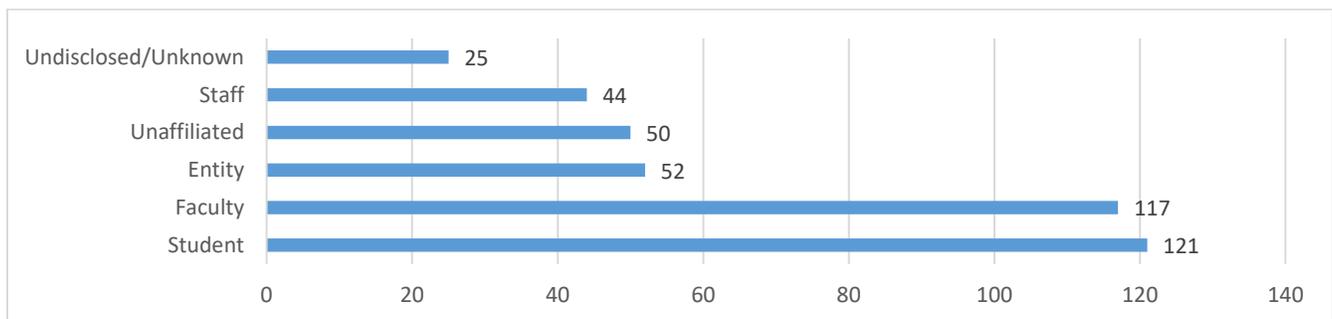
Complainant Type	# of Complainants
Student	255
Staff	59
Faculty	47
Unaffiliated	27
Entity	14
Undisclosed/Unknown	4



**Figures 11-11a Explanation:** The term *complainant* is used to describe alleged victims of policy violations, whether or not they choose to file formal complaints. In that way, it is a general term.

Figures 12-12a. Types of Respondents

Respondent Type	# of Respondents
Student	121
Faculty	117
Entity	52
Unaffiliated	50
Staff	44
Undisclosed/Unknown	25



**Figures 12-12a Explanation:** The term *respondent* is used to describe all people or entities that allegedly violate policy, regardless of whether they go through a full investigation or are found responsible.

Figure 13. Types of Complainants and Respondents

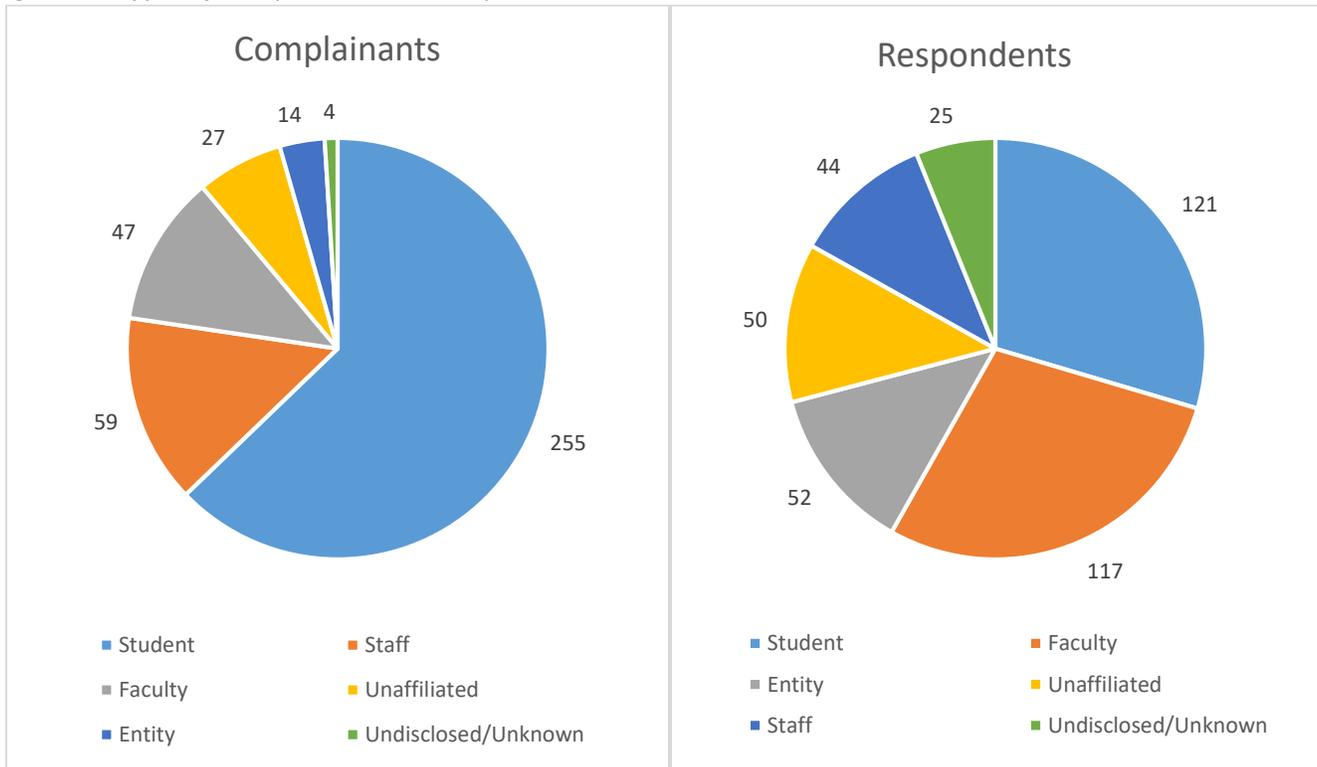


Figure 14. Types of Complainants who Accused Faculty of Policy Violations

Types of Complainants	# of Complainants
Student	54
Faculty	31
Staff	12
Entity	8
Unaffiliated	6
Undisclosed/Unknown	2

**Figure 14 Explanation:** In 2018-2019, 113 complainants accused 117 faculty respondents.

Figure 15. Types of Complainants who Accused Staff of Policy Violations

Types of Complainants	# of Complainants
Staff	22
Student	7
Unaffiliated	5
Faculty	3
Unknown/Undisclosed	2
Entity	1

**Figure 15 Explanation:** In 2018-2019, 40 complainants accused 44 staff respondents.

Figure 16. Types of Complainants who Accused Students of Policy Violations

Types of Complainants	# of Complainants
Student	114
Unaffiliated	6
Staff	4
Entity	3
Faculty	1

**Figure 16 Explanation:** In 2018-2019, 128 complainants accused 121 student respondents.

Figure 17. Types of Complainants who Accused Unknown/Undisclosed Persons

Types of Complainants	# of Complainants
Student	25
Faculty	2

**Figure 17 Explanation:** In 2018-2019, 27 complainants accused 25 unknown/undisclosed respondents.

Figure 18. Types of Complainants Who Accused UMKC Entities of Policy Violations

Types of Complainants	# of Complainants
Staff	20
Student	17
Faculty	11
Unaffiliated	4
Entity	2

**Figure 18 Explanation:** In 2018-2019, 54 complainants accused 52 entity respondents.

Figure 19. Types of Complainants who Accused Unaffiliated Individuals of Policy Violations

Types of Complainants	# of Complainants
Student	29
Unaffiliated	11
Staff	2
Faculty	1

**Figure 19 Explanation:** In 2018-2019, 43 complainants accused 50 unaffiliated respondents.

## In-Depth Analysis: Types of Final Resolutions

Figure 20. Alleged Violations Resolved by Forms of Conflict Resolution, by Respondent Type

Type of Alleged Violation	Faculty	Entity	Staff	Student	Unaffiliated	Unknown/ Undisclosed	Total
Sexual Harassment	2	0	3	5	4	0	14
Disability Discrimination	5	2	3	1	0	0	6
Race Discrimination	0	0	0	4	0	0	4
Stalking on the Basis of Sex	0	0	0	2	1	1	4
Witness Intimidation or Harassment - Title IX	0	0	2	0	0	0	2
Sexual Orientation Discrimination	0	0	1	1	0	0	2
Unclassified Title IX Harassment	1	0	0	0	0	0	1
Gender Identity Discrimination	0	0	1	0	0	0	1
Sex Discrimination	0	0	1	0	0	0	1
Nonconsensual Sexual Contact	0	0	0	1	0	0	1

**Figure 20 Explanation:** OAA uses various forms of conflict resolution to resolve reports of discrimination, harassment, and sexual misconduct (with limitations). Methods of conflict resolution include mediation, facilitated dialogue between parties, 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 OAA 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 an Administrative or Hearing Panel Resolution, per [CRR 600.030](#), [CRR 600.040](#), [CRR 600.050](#), or [CRR 600.060](#). **NOTE:** *Students* in Figure 20 includes individual student respondents as well as student organizations.

Figure 21. Resolution of Reports to OAA and Alleged Violations Therein

Resolution Type	Reports	Alleged Violations
Reluctant Complainant	78	91
Referral to Other Department	69	71
Request Not to Pursue	58	68
Conflict Resolution	40	43
Out of Jurisdiction	32	36
Ongoing	20	36
Conclusion of Preliminary Investigation	16	19
Insufficient Information	11	11
Investigations -> Summary Resolution	8	11
Incorporated into UMKC Investigation	6	7
Voluntary Permanent Separation	6	11
Complaint Withdrawn	4	11
Investigations -> Administrative Resolution	3	4
Discretionary Jurisdiction	3	4
Consultation	2	2
EEOC Dismissal	2	6

**Figure 21 Explanation:** In 2018-2019, 358 reports alleging 431 policy violations were resolved through the specific resolution methods listed above. Numbers in these tables include all respondent types. *Reluctant complainant* refers to a complainant who did not respond to contact from OAA. *Ongoing* complaints had not yet been resolved as of July 31, 2019.

Figure 22. Resolution of Reports After Full Investigations

Resolution Type	Students	Faculty	Staff	Total
Administrative Resolution	3	0	0	3
Summary Resolution	0	4	4	8
Hearing Panel Resolution	0	0	0	0

**Figure 22 Explanation:** In 2018-2019, there were 11 completed investigations. Of the 11 completed investigations, 8 were dismissed at the Summary Resolution stage. Of the remaining 3 investigations that continued past summary resolution, 3 were resolved by Administrative Resolution. There were no investigations resolved by Hearing Panel in 2018-2019. Some investigations that were opened in 2018-2019 were not yet resolved as of July 31, 2019. **NOTE:** *Students* in Figure 20 includes individual student respondents as well as student organizations.

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

## Student Respondents

Figure 23. Resolution of Reports to OAA

Student Respondent Resolutions	Number
Administrative Resolution	3
Summary Resolution	0
Hearing Panel Resolution	0

Figure 24. Allegations Resolved by Administrative Resolution

Student Administrative Resolutions	Number
Nonconsensual Sexual Intercourse	2
Nonconsensual Sexual Contact	1
Stalking on the Basis of Sex	1

**Figures 23-24 Explanation:** In 2018-2019, 3 investigations involving 4 allegations (listed in Figure 24) against student or student organization respondents were resolved through Administrative Resolution. No investigations were resolved by Hearing Panel Resolution. No investigations were dismissed during the Summary Resolution stage of the Equity Resolution Process.

## Faculty Respondents

Figure 25. Resolution of Reports to OAA

Faculty Respondents	Number
Summary Resolution	4
Administrative Resolution	0
Hearing Panel Resolution	0

Figure 26. Allegations Dismissed by Summary Resolution

Faculty Summary Resolutions	Number
Retaliation - Equity	2
Retaliation - Title IX	1
Sex Discrimination	1

**Figures 25-26 Explanation:** In 2018-2019, no investigations against a faculty respondent were resolved through Administrative Resolution or Hearing Panel Resolution, and 4 investigations involving 4 allegations were dismissed at the Summary Resolution stage of the Equity Resolution Process.

## Staff Respondents

*Figure 27. Resolution of Reports to OAA*

Staff Respondents	Number
Summary Resolution	1
Administrative Resolution	0
Hearing Panel Resolution	0

*Figure 28. Allegations Dismissed by Summary Resolution*

Staff Summary Resolution	Number
National Origin	1

**Figures 27-28 Explanation:** In 2018-2019, no investigations against a staff respondent were resolved through Administrative Resolution or Hearing Panel Resolution, and 1 investigation involving 1 allegation was dismissed at the Summary Resolution stage of the Equity Resolution Process.

## In-Depth Analysis of Outcomes: Findings and Sanctions

Figure 29. All Alleged Policy Violations Resolved by Administrative or Hearing Panel Resolution

All Alleged Policy Violations	Administrative Resolution	Hearing Panel Resolution
Nonconsensual Sexual Intercourse	2	0
Nonconsensual Sexual Contact	1	0
Stalking on the Basis of Sex	1	0

**Administrative Resolution** was utilized in 3 matters that included 4 alleged policy violations in 2018-2019. Respondents were found responsible for at least one violation in 3 of the 3 matters. Of the 3 cases, none of the outcomes were appealed.

**Hearing Panel Resolution** was not utilized in any investigations in 2018-2019.

Figure 30. Outcomes per Violation

Outcomes	Administrative Resolution	Hearing Panel Resolution
Responsible	1	0
Not Responsible	3	0

**Figure 30 Explanation:** In 2018-2019, one of the respondents was found responsible for one policy violation. Of the 3 total respondents who were party to cases where final decisions were made through Administrative or Hearing Panel Resolutions, 2 of them were not found responsible for any violations.

Figure 31. Sanctions Imposed for Respondents Found Responsible

Sanction	Number
No Trespass Directive	1

**Figure 31 Explanation:** In 2018-2019, 1 respondent, who was found responsible for 1 violation, received 1 sanction, listed here.

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Thank you for reviewing this Annual Report and supporting our campus.

### Contact Information

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