



THE UNIVERSITY OF  
TENNESSEE  
KNOXVILLE

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OFFICE OF EQUITY & DIVERSITY

**SEXUAL  
MISCONDUCT,  
RELATIONSHIP  
VIOLENCE,  
STALKING, AND  
RETALIATION**  
ANNUAL  
REPORT

JANUARY-DECEMBER 2016

# SEXUAL MISCONDUCT, RELATIONSHIP VIOLENCE, STALKING, AND RETALIATION ANNUAL REPORT

## CONTENTS

Letter from the Title IX Coordinator .....	3
Staffing .....	4
Prevention, Education, and Training Highlights .....	4
Communication to Students, Faculty, and Staff .....	7
Violence Against Women Grant .....	10
Reports of Sexual Misconduct, Relationship Violence, Stalking, and Retaliation .....	11
Care and Support for Students Who Report Sexual Misconduct .....	16

**FROM THE TITLE IX COORDINATOR**

May 17, 2017

Dear UT students, faculty, and staff,

Your help and commitment are making a difference in creating a campus community that strives to provide an environment free from sexual misconduct, relationship violence, stalking, and retaliation. Thanks to increased efforts and awareness on the part of all of us, more and more students are reporting incidents of misconduct and receiving the care and support needed to help with these difficult and complex issues. We are committed to a community where active bystanders speak up and Vols truly do help Vols.

For the past two years, the university has provided the campus with an annual update on the numbers of reports of sexual misconduct. Equally important has been the sharing of information about the numbers of interim measures provided to students affected by sexual assault and sexual violence. The same data is provided in this report for the period of January through December 2016. The report has been enhanced this year to include statistics on stalking and relationship violence. Additionally, we are providing an overview of campus Title IX efforts including enhanced staffing, training, and education efforts.

As we move forward, we will continue to evaluate our Policy on Sexual Misconduct, Relationship Violence, Stalking, and Retaliation (“Policy”), procedures, and service to the campus. We look forward to receiving the report from the independent Title IX Commission to further inform our efforts and ensure we’re meeting the needs of our community. We hope this information will help inform you about this critical issue. We encourage you to review the following pages and ask any questions or provide any feedback you may have. You can send your comments or reach us at [titleix@utk.edu](mailto:titleix@utk.edu), or you may contact me directly.

Thank you for your commitment to making our campus a safe and discrimination-free environment.

Sincerely,

Jenny Richter  
Title IX Coordinator  
Office of Equity and Diversity  
1840 Melrose Avenue  
Knoxville, TN 37996  
865-974-2498  
[jrichter@utk.edu](mailto:jrichter@utk.edu)

## STAFFING

### STAFFING AND RESOURCE COMMITMENTS

The university committed \$700,000 annually to prevention, education, and investigation efforts. Additionally, the Center for Health Education and Wellness (CHEW), as the recipient of a grant from the US Department of Justice Office on Violence Against Women, hired a full-time sexual violence prevention coordinator. The new personnel resources were distributed as follows:

- **Senior deputy Title IX coordinator** assigned to the Office of Equity and Diversity (OED).
- **Two Title IX investigators** assigned to OED.
- **Prevention and education position** assigned to CHEW.
- **Sexual violence prevention coordinator** assigned to CHEW, funded by the Office of Violence Against Women grant.
- **Two athletics wellness coordinators** (one of which is a new position) through a contract with a local provider, the Helen Ross McNabb Center (HRM). HRM was responsible for hiring these employees.

Resources were provided for student and staff training, education, materials, fliers, advertisements, printed materials, website creation and enhancement, speakers, and programming.

## PREVENTION, EDUCATION, AND TRAINING HIGHLIGHTS

Prevention, education, and training are a cornerstone of the university's efforts to create a climate that is safe and supportive for all.

The **Center for Health Education and Wellness** created an enhanced comprehensive training and programming schedule for students and student groups for the 2016-17 academic year.

The **Athletics Department** worked with the Helen Ross McNabb Center to create a prevention programming and wellness plan that provides education regarding sexual misconduct, healthy relationships, decision making, alcohol, drugs, and retaliation and establishing healthy boundaries.

The **Office of Equity and Diversity** conducted training covering the policy and mandatory reporter responsibilities for all new employee and faculty orientation sessions. Other employee and faculty workshops included training on mandatory reporter responsibilities, sexual harassment, Title IX, and gender discrimination.

The **UT Police Department** provided annual Title IX training for its officers and specialized training for investigators assigned to be primary contacts for sexual misconduct, relationship violence, and stalking complaints.

**Campus Clarity: Think About It module** offered through FYS 100: **3,098 students logged in with 2,780 completions**

**Be Smart. Be Safe. Be a VOL. orientation** for all new students, transfer, Volunteer Bridge, and international students covering consent, the Volunteers Speak UP! active bystander initiative, and alcohol: **24 presentations reaching 6,297 students**

**“Start the Conversation” consent and alcohol guides and panel discussions** provided during orientation for families covering consent, the Volunteers Speak UP! active bystander initiative, and alcohol: **18 presentations reaching 5,665 family members**

**New employee orientation: 51 orientation sessions reaching 926 attendees**

**New faculty orientation: 67 faculty members**

**39 IN-PERSON TRAINING SESSIONS WERE FACILITATED FOR FACULTY AND STAFF GROUPS INCLUDING**

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- Student Life Staff
- University Housing Staff
- Student Health Staff
- Student Counseling Staff
- Dean of Students Staff
- Athletics Staff and Coaches
- Various Academic Departments
- Council of Deans

**PREVENTION AND EDUCATION**

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VOLS 2 VOLS Peer Health Educators ..... Grew from **22** to **32** members

Resident assistants, assistant hall directors, and hall directors ..... **157** trained

Student orientation leaders ..... **37** trained

Student conduct board members trained in Title IX ..... **26** trained

Workshops for faculty and staff on sexual assault response ..... **6** presentations; **444** trained

Workshops for faculty and staff on 974-HELP ..... **147** trained

Volunteers Speak UP! active bystander training ..... **53** presentations; **1,061** students



Educating students on healthy relationships, sexual health, and consent .....**22** presentations; **402** students

“Know Your Policy” presentations (sports clubs, fraternities, sororities, student-athletes, and student organizations) ..... **1,394** students

**SPECIALIZED TRAINING FOR  
UT POLICE DEPARTMENT INVESTIGATORS**

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- Public Agency Training Council—Sex Crimes Investigations
- How Being Trauma-Informed Improves Criminal Justice System Responses
- Investigation of Sex Crimes Training for Campus Police and Public Safety Agencies
- The Southern Police Institute Sex Crimes Investigation Course
- Campus Technical Assistance and Resource Project—Campus Law Enforcement Trainer Development Program on Sexual and Gender-Based Violence
- International Association of Chiefs of Police—Trauma Informed Sexual Assault Investigations

**CAMPUS-WIDE EVENTS**

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VOlentines: Consent ..... **300** students

Safe Spring Break: Consent/active bystander..... **500** students

Topic Tuesdays ..... **1,000** students

Hike the Hill in Heels ..... **330** students, faculty, and staff

Group Dialogues ..... **15** students

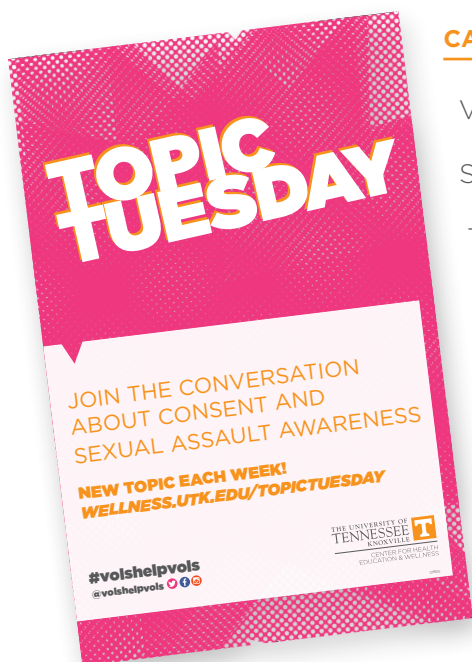
Red Zone..... **1,400** students

Safe Fall Break: Consent/active bystander .....**173** students

Red Flag Campaign: Dating violence and stalking ..... **400** students

Hot Cocoa and Consent .....**200** students

**Total event attendance** ..... **4,318**



**RESOURCE FAIRS AND TABLING EVENTS**

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**36** tables reaching **1,134** students, faculty, and staff

# COMMUNICATION TO STUDENTS, FACULTY, AND STAFF

## COMPREHENSIVE WEBSITE FOR POLICIES AND PROCEDURES

In 2015, the university launched [sexualassault.utk.edu](http://sexualassault.utk.edu), a comprehensive online information center and has since made enhancements and policy changes. Members of the university community as well as members of the public can access the site to find:

- How to get help
- How to get campus and community support
- More about policies and procedures
- Information about the Title IX coordinator and deputy coordinators
- A description of the university's Sexual Assault Response Team
- Mandatory reporter identification and responsibilities
- Descriptions and definitions of consent
- Other important definitions
- Training videos
- Links to information and online training

The screenshot shows the website for Sexual Misconduct, Relationship Violence, and Stalking at the University of Tennessee. The page is organized into several sections:

- Navigation:** A sidebar menu on the left includes links for Home, Get Help Now, Campus & Community Support, Policy & Procedures, Title IX Coordinators, Sexual Assault Response Team (SART), Mandatory Reporters, Consent, Definitions & Explanations, and News & Announcements.
- Commitment Statement:** A paragraph stating the university's commitment to a safe learning and working environment, free from sexual misconduct and relationship violence.
- Quote:** A green box containing a quote from the Title IX coordinator: "We must continue to work together to increase awareness about reporting options, confidential resources, complaint procedures, and other available options if sexual misconduct, relationship violence, or stalking occurs."
- DOCUMENTS:** A section with links to various PDF documents, including "Policy on Sexual Misconduct, Relationship Violence, Stalking, and Retaliation (PDF)", "Annual Update, Spring 2016", "Reports of Student-On-Student Sexual Assaults, 2015 (PDF)", "Statistics on Care and Support Provided to Student Victims of Sexual Assault, 2015 (PDF)", and "Vols Help Vols: You Are Not Alone support guide Center for Health Education & Wellness (PDF)".
- KEY CONTACTS:** A section providing contact information for the Sexual Assault Response Team, including phone numbers for immediate help on campus (865-474-4337) and in an emergency (865-474-5488). It also lists the 24-hour hotline (865-622-7273).
- Support for Students:** A video player showing a woman speaking, with a "Support for Students" title.
- Footer:** Contact information for the Office of Equity & Diversity (1840 Merrow Avenue, Knoxville, TN 37996) and a search bar.

## DAILY BEACON ADS

- Welcome back ads: VSU, 974-HELP, 5 Things, Alcohol
- 974-HELP football ads (2)
- Consent and Sexual Assault
- VOLS 2 VOLS Recruitment
- Keep Calm and Prevent Sexual Assault, Dating Violence, Stalking
- VOLS HELP VOLS Exists Off-Campus Too
- 5 Things a Volunteer Knows
- Take Back the Night

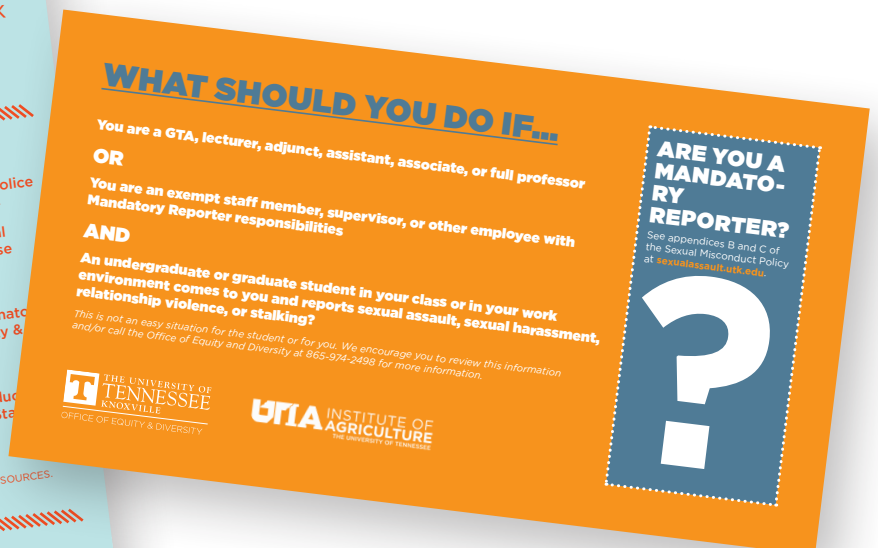
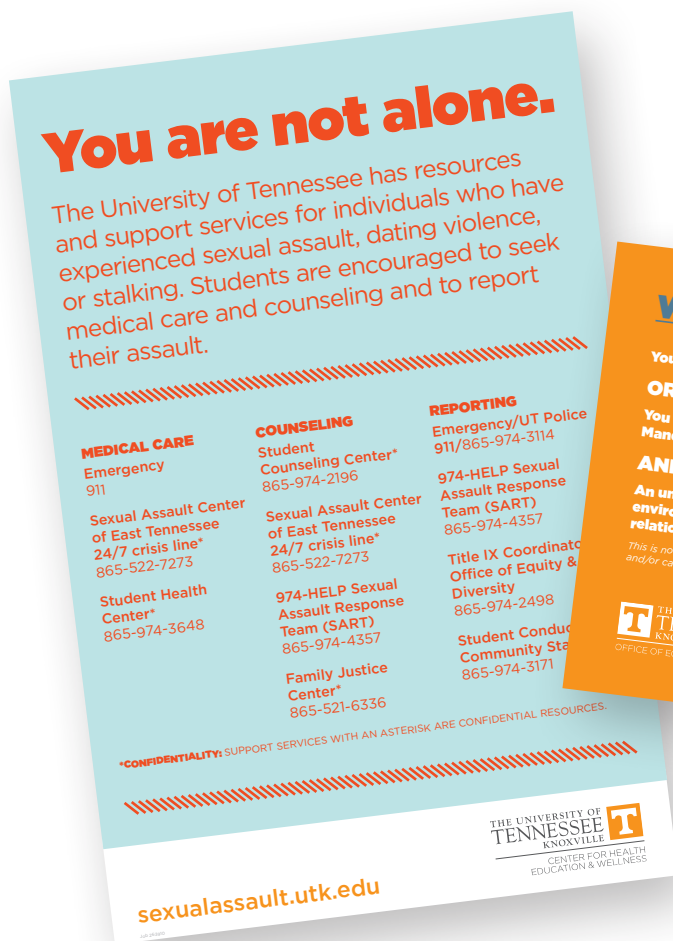
**SOCIAL MEDIA: TWITTER AND FACEBOOK**

 Twitter Events	Posts	 Facebook Events	Posts
Consent	2	V2V	12
Healthy Relationships	1	Alcohol and Drugs Week	29
Topic Tuesday	4	VOlentine's Day	7
Hike the Hill in Heels	10	Topic Tuesday	7
Sexual Assault Awareness Month (SAAM)	8	Safe Spring Break	3
VSU/Active Bystander	2	Hike the Hill in Heels	13
Group Dialogue (SAAM)	1	Support for Students	1
Red Zone	16	SAAM	20
Red Flag—Dating Violence/ Stalking Awareness (DVSA)	3	VSU	5
Take Back the Night	2	Group Dialogues (SAAM)	5
Cocoa and Consent	3	Consent	3
		SVP	3
		Red Zone	29
		Diversity Dialogues	2
		Red Flag (DVSA)	14
		Know Your Policy	1
		Take Back the Night	3
		Cocoa and Consent	3
<b>TOTAL</b>	<b>52</b>		<b>160</b>



## POSTERS/POSTCARDS

- “You Are Not Alone” resource/services/reporting posters: **432** in 70 buildings on campus including all residence halls, sorority and fraternity houses, and athletics facilities
- “Know Your Policy” cards: **4,000** to sports clubs and other registered student organizations
- “Know Your Policy” posters: **354** in 52 locations on campus including all residence halls, sorority and fraternity houses, and athletics facilities
- Consent posters: **859** in 54 locations on campus including all residence halls, sorority and fraternity houses, and athletic facilities
- 974-HELP resource magnets: **3,557** distributed to residence halls
- “Are You a Mandatory Reporter?”: **6,115** postcards to faculty and staff
- “What to Do If You Receive a Report”: **6,115** postcards to faculty and staff
- Various campus-wide emails notifying community of Title IX resources and improvements, policy updates, mandatory reporter duties, and instructional staff reporting duties



## VIOLENCE AGAINST WOMEN GRANT

2016 is the second year of UT's \$299,821 grant from the US Department of Justice Office on Violence Against Women.

- This year's grant activities included creation of a multidisciplinary **Coordinated Community Response Team (CCRT)** composed of individuals from UT departments and community agencies. The CCRT encompasses different frames and perspectives that enhance the response to sexual violence on campus through engaging in activities such as reviewing policy, coordinating prevention education, and evaluating response protocols. The CCRT provides the opportunity for idea exchange, collaboration, and relationship development.
- The CCRT has **62 members with key representation** from the Athletics Department, the Center for Health Education and Wellness, the UT Police Department, the Office of Student Conduct and Community Standards, the faculty, First-Year Studies, the Student Counseling Center, the Campus Ministers Council, the Office of Equity and Diversity, the UT Legal Clinic, Student Health, the Office of Multicultural Student Life, Off-Campus and Commuter Student Services, the Dean of Students Office, and the Student Government Association, and off-campus agencies including the Family Justice Center, the Sexual Assault Center of East Tennessee, and the Knoxville Police Department. Committees focus on policy, programming, and communication.
- All activities of the grant and CHEW prevention work are reviewed by a **30-member Student Advisory Committee**, which includes members from SEAT, the Student Government Association, the Office of Sorority and Fraternity Life, the Office of Sustainability, VOLS 2 VOLS, the *Daily Beacon*, the Athletics Department, and the Vol Team.
- Taught by the Center for Health Education and Wellness, **"Sexual Violence: The Issue, the Challenge, Creating Change"** was developed and established as an academic credit class in the leadership minor in the College of Education, Health, and Human Sciences. The course introduces students to current issues, research, and promising practices. Students develop final projects to address interventions for change at the campus, community, or population level.

## REPORTS OF SEXUAL MISCONDUCT, RELATIONSHIP VIOLENCE, STALKING, AND RETALIATION

OED is publishing the data in this report to enhance transparency and inform the campus community about the number of reports of misconduct alleged to have been committed by a university student (“prohibited conduct”) in violation of the university’s Policy on Sexual Misconduct, Relationship Violence, Stalking, and Retaliation.

We recognize the significant increase in the number of reports of sexual misconduct in 2016. We believe that the increase in the number of those reports is primarily a result of increased prevention, education, and training efforts described on pages 4–6 and is indicative of a shift toward a campus culture in which students feel comfortable seeking care and support from the university and employees recognize their responsibilities to report prohibited conduct.

We hope the following notes will be helpful in understanding the data:

- Definitions of prohibited conduct are provided on the following page.
- The data reported here is on a calendar-year basis.
- The data does not include reports made to confidential resources such as the Student Counseling Center.
- In an effort to provide the most accurate portrayal of reporting, the data includes all cases in which at least one of the following applies:
  - The university knows the identity of the respondent;<sup>1</sup>
  - The identity of the respondent is known to the complainant but is not provided to the university; or
  - The identity of the respondent is unknown to the complainant.<sup>2</sup>
- If an incident involved more than one type of misconduct (e.g., sexual misconduct and relationship violence), then for purposes of the data reported here the Title IX coordinator classified the incident based on the principal allegation.
- In accordance with the Clery Act, the University of Tennessee Police Department (UTPD) annually publishes data on sexual assault, relationship violence, and stalking in its Annual Security and Fire Safety Report (ASFSR). There may be differences between the data summarized below and the statistics reported by UTPD in the ASFSR as a result of:
  - Differences between definitions of prohibited conduct in the university’s policy and the definitions of criminal offenses in the Clery Act
  - The exclusion of reports in the ASFSR that were determined to be unfounded by UTPD

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1. “Respondent” means a person or registered student organization that has been accused of committing prohibited conduct. This term does not imply prejudgment concerning whether the person or registered student organization committed prohibited conduct.

2. “Complainant” means a person who may have been subjected to prohibited conduct regardless of whether that person makes a report or seeks action under the university’s policy. This term does not imply prejudgment concerning whether the person was subjected to prohibited conduct.

- Data in the ASFSR is limited to reports of crimes that occurred on campus, on public property, or on university-controlled off-campus property, regardless of whether the individuals involved were students (e.g., ASFSR data may include sexual assaults committed against employees or other nonstudents). Unlike the ASFSR, the data summarized below includes sexual misconduct, relationship violence, stalking, and retaliation committed by a student off campus.

## DEFINITIONS OF PROHIBITED CONDUCT

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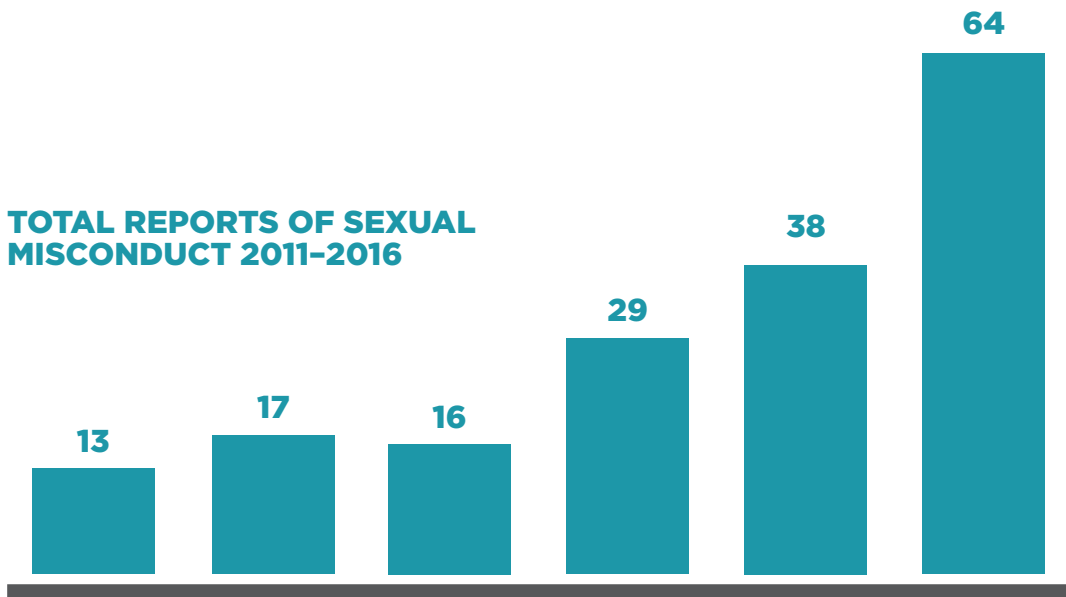
**“Sexual misconduct”** means sexual harassment, sexual assault, sexual exploitation, and all other words and/or conduct that would constitute a sex offense crime. **“Sexual assault”** means nonconsensual sexual intercourse or nonconsensual sexual contact.

**“Relationship violence”** means dating violence, domestic violence, and all other words and/or conduct that would constitute a relationship violence crime. **“Dating violence”** means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim of the violence. **“Domestic violence”** means a felony or misdemeanor crime of violence committed: (1) by a current or former spouse or intimate partner of the victim; (2) by a person with whom the victim shares a child in common; (3) by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner; (4) by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or (5) by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

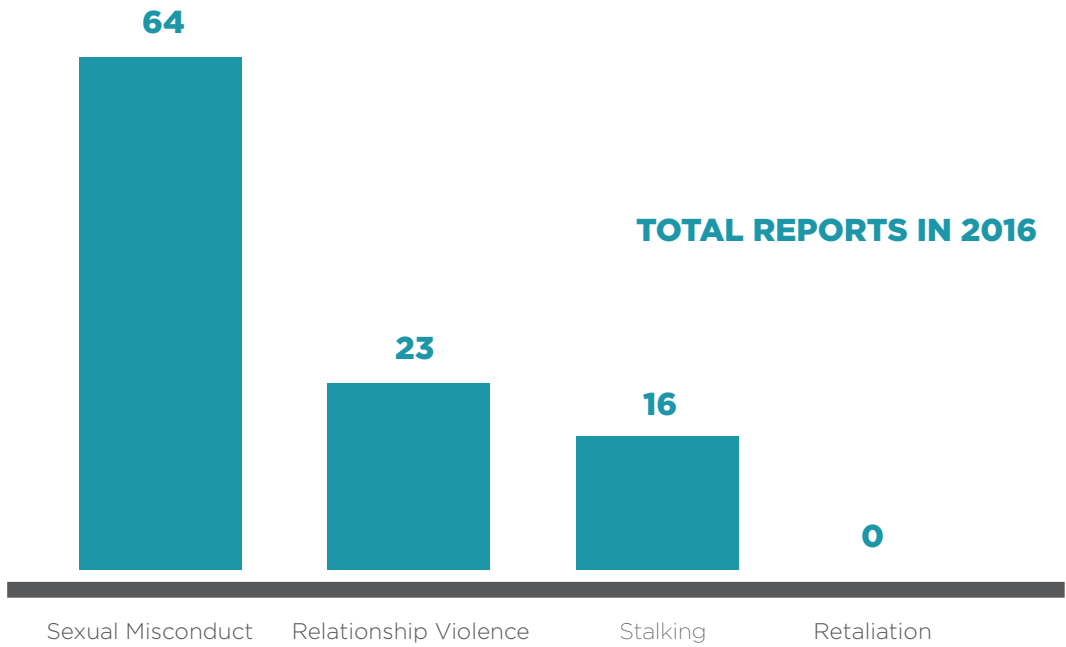
**“Stalking”** can include both electronic and in person acts. Stalking generally means engaging in a course of conduct directed at a specific person that would cause a reasonable person to: (1) fear for the person’s safety or the safety of others; or (2) suffer substantial emotional distress.

**“Retaliation”** means an act or attempted act taken because of a person’s participation in a protected activity that would discourage a reasonable person from engaging in protected activity. “Protected activity” includes a person’s good-faith (1) opposition to prohibited conduct; (2) report of prohibited conduct to the university or to a state or federal agency; (3) participation (or reasonable expectation of participation) in any manner in an investigation, proceeding, hearing, or interim measure under the university’s policy; or (4) exercise of rights or responsibilities under any provision of the Clery Act.

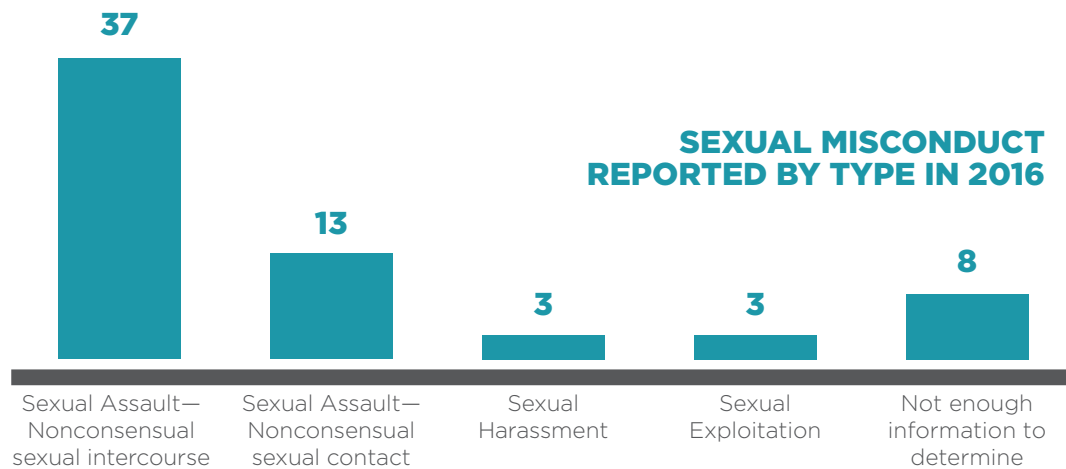
**TOTAL REPORTS OF SEXUAL MISCONDUCT 2011-2016**



**TOTAL REPORTS IN 2016**



**SEXUAL MISCONDUCT REPORTED BY TYPE IN 2016**



## RESPONDENT INFORMATION

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	Sexual Misconduct	Relationship Violence	Stalking	Total
Complainant identified respondent	31	20	14	65
Complainant declined to identify respondent	23	3	1	27
Respondent unknown to complainant	10	0	1	11
<b>Total</b>	<b>64</b>	<b>23</b>	<b>16</b>	<b>103</b>

## SEXUAL MISCONDUCT AND RELATIONSHIP VIOLENCE BY LOCATION

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	Sexual Misconduct	Relationship Violence	Total
On campus, residence hall	12	7	19
On campus, other	15	5	20
Off campus	28	9	37
Student declined to identify	9	2	11
<b>Total</b>	<b>64</b>	<b>23</b>	<b>87</b>

## STALKING BY LOCATION

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	Stalking
On campus	4
Off campus	4
On and off campus	8
<b>Total</b>	<b>16</b>

## RESOLUTIONS FOR CASES REPORTED IN 2016

	Sexual Misconduct	Relationship Violence	Stalking	Total
Respondent not identified or unknown	33	3	2	38
University honored request for limited action <sup>3</sup>	13	8	9	30
Complainant declined to participate in process. University did not have enough information to move forward.	7	1	0	8
Alternative Resolution <sup>4</sup>	0	1	1	2
Evidence did not support a finding of a policy violation based on a preponderance of the evidence <sup>5</sup>	6	1	2	9
Respondent found not responsible for violating the policy after a hearing <sup>6</sup>	0	1	0	1
Respondent found responsible for violating the policy <sup>7</sup>	2	2	1	5
Respondent left university and received a disciplinary hold <sup>8</sup>	0	5	0	5
Pending disciplinary hearing	3	1	1	5
<b>Total</b>	<b>64</b>	<b>23</b>	<b>16</b>	<b>103</b>

3. A complainant has the right to request limited action, in which case the university will weigh the request against the university's obligation to provide a safe, nondiscriminatory environment for all members of the community. More information regarding limited action can be found in the policy.

4. At any point during the investigation and resolution process, a report may be resolved through an alternative other than the procedures outlined in the policy.

5. All investigations and proceedings, including disciplinary hearings, must be conducted using a preponderance of the evidence standard, meaning whether it is more likely than not that prohibited conduct occurred.

6. If a respondent does not wish to accept the charges and/or sanctions issued by Student Conduct, they have the right to request a disciplinary hearing.

7. "Responsible" is the term used when it is found that a respondent violated the university code of conduct by the preponderance of evidence standard. The finding can be made by the Office of Student Conduct after a respondent accepts responsibility for the misconduct; by the Student Disciplinary Board following a hearing under the procedures described in *Hilltopics*; or by an administrative law judge following a hearing under the Uniform Administrative Procedures Act.

8. When a respondent receives a disciplinary hold, they must address the investigation or hearing before and/or upon their return.

## LAW ENFORCEMENT REPORTS<sup>9</sup>

	Sexual Misconduct	Relationship Violence	Stalking
UTPD	9	7	6
KPD	8	3	3

## CARE AND SUPPORT FOR STUDENTS WHO REPORT SEXUAL MISCONDUCT

This report provides data on the number of interim measures<sup>10</sup> provided to students who made a report of sexual misconduct to the University of Tennessee, Knoxville, in the calendar year January 1–December 31, 2016. The data does not include reports of sexual misconduct made to confidential resources such as the Student Counseling Center.

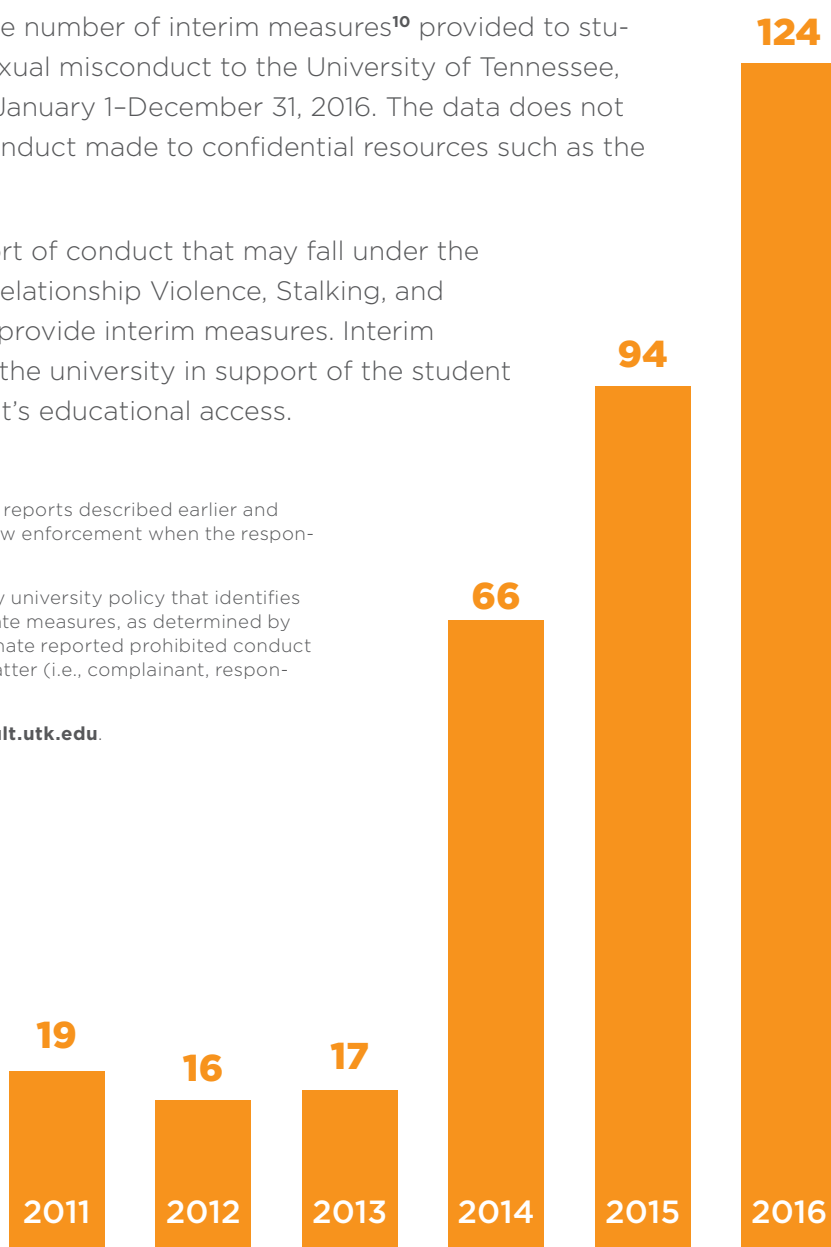
If the university receives a report of conduct that may fall under the Policy on Sexual Misconduct, Relationship Violence, Stalking, and Retaliation,<sup>11</sup> the university will provide interim measures. Interim measures are actions taken by the university in support of the student and in protection of the student’s educational access.

9. These numbers are reflective of the 103 reports described earlier and therefore do not reflect reports made to law enforcement when the respondent was a nonstudent.

10. “Interim measures” is a term defined by university policy that identifies and provides for reasonable and appropriate measures, as determined by the university, which are designed to eliminate reported prohibited conduct and protect the persons involved in the matter (i.e., complainant, respondent, potential witnesses).

11. The policy can be found at [sexualassault.utk.edu](http://sexualassault.utk.edu).

## TOTAL NUMBER OF INTERIM MEASURES FOR SEXUAL MISCONDUCT REPORTS





## TOTAL NUMBER OF INTERIM MEASURES: 195

	Sexual Misconduct	Dating/Domestic Violence	Stalking
Counseling	47	15	10
Medical Services	25	2	0
Academic Support	39	15	9
No Contact Directive	6	7	12
Housing	7	1	0
<b>Total</b>	<b>124</b>	<b>40</b>	<b>31</b>

## INTERIM MEASURES ARE AVAILABLE TO STUDENTS

- even if the student does not want to report to law enforcement
- even if the student does not want to participate in the university's conduct process
- even if the student does not identify the respondent
- even if the respondent is not affiliated with the university
- as needed and on an ongoing basis while the student is enrolled at the university

During the first contact<sup>12</sup> with the university, students are made aware of all available interim measures and reporting options, including filing a report with police and/or the Office of Equity and Diversity. The most common interim measures were tracked. Additional interim measures are available; in meeting with a member of the Sexual Assault Response Team, student's options and needs are identified. A student may receive as many interim measures as the student accepts. This report does not reflect interim measures provided in 2016 to students who reported in previous calendar years.

## Total number of students assisted:<sup>13</sup> 104

12. "First contact" is defined as contact with a member of the Sexual Assault Response Team, the Office of Equity and Diversity, the Office of Conduct and Community Standards, the Office of the Dean of Students, or the University of Tennessee Police Department. If a student reports to another mandatory reporter, the student will be connected with one of the offices above.

13. "Students assisted" includes cases of "student-on-student" misconduct as well as students who report experiencing misconduct by unaffiliated individuals. The numbers on this report are higher than in the "student-on-student" report as they include nonstudent respondents. It is important to note that students who reported in other calendar years are not reflected in these numbers, but are still able and often do receive continued support and interim measures from the University.