

# Yale University

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*Report of Complaints of Sexual Misconduct  
Brought forward from July 1, 2016 through December 31, 2016*

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## **Introduction**

Yale University is deeply committed to cultivating a safe and respectful campus climate – a climate in which sexual misconduct has no place. Of course, that commitment cannot be realized unless the Yale community is fully aware of the relevant policies and resources and actively engaged in efforts to prevent sexual misconduct and make positive culture change. The semi-annual report of complaints of sexual misconduct, first published in January of 2012, is but one initiative designed to raise community awareness and stimulate broad community engagement.

The current report presents information about 81 complaints of sexual misconduct that were brought to the university's attention between July 1, 2016 and December 31, 2016. It also provides updates on three complaints that were first presented during previous reporting periods. The information about the complaints is presented in both statistical and descriptive formats. The "Guide to This Report," which follows this introduction, contains additional information about the format and content of the report. Links to information about Yale's policies, procedures, and definitions are found both in the Guide and throughout the report. As I have noted in past introductions, while this report is intended to provide as much information as possible regarding Yale's response to complaints of sexual misconduct, it must do so while protecting the privacy of the individuals whose very real experiences are reflected in the complaints.

While it is impossible to identify any definitive trends, we have noted a sustained increase in the number of complaints brought to the university's attention in the three reporting periods following the publication of the results of the 2015 Association of American Universities Sexual Climate Survey (AAU Survey). This increase is even more notable with regard to the number of complaints brought to Title IX coordinators for informal resolution.

While the recent increase in reporting is encouraging and likely the result of heightened community awareness, the results of the AAU Survey indicate that there remain significant numbers of individuals in our community who do not seek support from university resources. We must therefore continue to identify and address barriers to reporting. Toward that end, we are working to shed more light on Yale's procedures through the creation of additional "hypothetical case scenarios" that address a broad range of behaviors and are tailored to local campus communities. We are also making substantial changes to the Sexual Misconduct Response website to include information that is both more accessible and more responsive to the community's questions about our procedures and resources to address sexual misconduct; we hope to launch the new site in the summer.

In my introduction to the last semi-annual report in August 2016, I remarked on the high level of community engagement that followed the publication of the results of the 2015 AAU Survey. I am impressed and gratified to see that this engagement has not only been sustained but has intensified. Schools and departments across the campus continue to introduce initiatives aimed at identifying and impacting factors that influence local culture. One new initiative that has garnered broad interest is a bystander intervention workshop customized to address the dynamics and patterns of academic and social life particular to the graduate and professional schools. This program, which was developed by graduate and professional student interns in the Title IX Office working with the Office of Gender and Campus Culture, has been offered in numerous departments and professional school settings. Demand

**Questions?** See the [Title IX FAQs](#) and [Sexual Misconduct Scenarios](#) for more information.

is high and intensive training sessions are now underway to prepare additional students, faculty and staff to facilitate future workshops (to get more information and/or to request a workshop contact the Title IX Office at [titleix@yale.edu](mailto:titleix@yale.edu) or 203-432-4446).

In closing, I want to thank the many, many members of the Yale community who have contributed to our shared goal of making our campus a safe and respectful place to live, work and study—I look forward to continuing to partner with you in the days ahead. And, as always, I welcome your questions and suggestions regarding the report and the university's programs to respond to sexual misconduct. You may reach me at [titleix@yale.edu](mailto:titleix@yale.edu) or by contacting my office at 203-432-4446.

Stephanie Spangler

February 15, 2017

**Questions?** See the [Title IX FAQs](#) and [Sexual Misconduct Scenarios](#) for more information.

## Guide to This Report

This report includes both statistical and descriptive summaries of the complaints brought forward within this reporting period (July 1 – December 31, 2016) which are organized according to the office or committee that addressed the complaint most recently and/or definitively: the University-Wide Committee on Sexual Misconduct (UWC), the Title IX coordinators, and the Yale Police Department (YPD).

The statistical summaries present the complaints by complainant affiliation, by respondent affiliation, by gender configuration, and lastly by the venue through which the complaint was primarily addressed. Throughout the narrative portion of the report you will find cases that engaged more than one of these venues, showing the close coordination of the UWC, the Title IX coordinators, and the YPD in working with complainants to find the venues that will best meet their needs.

While intended to be broadly informative, the report does have limitations. Because of privacy obligations, the report cannot fully convey the variety and complexity of circumstances associated with cases that may appear similar in the brief narrative descriptions. Likewise, the report assigns complaints to general categories such as “sexual assault” and “sexual harassment” that encompass broad ranges of behavior. We have embedded links to key definitions and terminology in the report (which also appear at the end of this report), so that readers can understand what behaviors may be included in any category. We have also included links to [Frequently Asked Questions](#) and to hypothetical case [scenarios](#), which illustrate Yale’s definition of consent. Readers can find comprehensive information about Yale’s policies, definitions and procedures in the guide “[Preventing and Responding to Sexual Misconduct: Building a Climate of Safety and Respect at Yale.](#)”

## Statistical Summary of Complaints<sup>i</sup>

The statistics below include all complaints of sexual misconduct brought forward within this reporting period (July 1 – December 31, 2016), regardless of when the alleged events occurred. To avoid duplication, the tables below do not include complaints presented as updates in this report since these complaints were already included in the statistical summaries of previous reports (information about the updates to these complaints can be found on pages 8 and 13 of this report). The complaints of sexual misconduct are sorted in broad categories (e.g., sexual assault, intimate partner violence, sexual harassment) based on the complainant’s allegations. Complaints involving more than one allegation of sexual misconduct are listed only once. The complainant is the person who reported having experienced misconduct, or, in the case of third-party complaints, the person who is reported to have experienced it. The respondent is the person (or persons) alleged to have committed the misconduct.

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<sup>i</sup> The sexual assault data in this report will not correspond to Yale’s annual report required under the federal Clery Act because this report uses a more expansive definition of sexual assault and includes cases from a wider geographic jurisdiction than in the Clery report.

**Questions?** See the [Title IX FAQs](#) and [Sexual Misconduct Scenarios](#) for more information.

Table 1. Sexual Misconduct Complaints by University Affiliation

		University affiliation							Total	
		Undergrad	G&P Student	Staff	Postdoc	Faculty	Other Yale Affiliate	Non-Yale		Unknown
<a href="#">Sexual Assault</a>	Complainant	17	4	0	0	0	1	1	0	23
	Respondent	11	0	2	1	1	1	1	6	
<a href="#">Intimate Partner Violence</a>	Complainant	1	3	0	0	0	0	1	0	5
	Respondent	1	1	0	0	0	0	3	0	
<a href="#">Sexual Harassment</a>	Complainant	19	13	5	1	1	3	0	0	42
	Respondent	12	2	6	0	6	3	9	4	
<a href="#">Stalking</a>	Complainant	2	2	1	0	0	0	0	0	5
	Respondent	1	1	0	0	0	0	2	1	
<a href="#">Other</a>	Complainant	1	3	0	0	0	0	2	0	6
	Respondent	0	0	1	0	3	0	2	0	
<b>TOTAL</b>									<b>81</b>	

Table 2. Sexual Misconduct Complaints by Gender Configuration

		Complainant gender					Total
		Female	Male	Other Gender Identity	Multiple Mixed Gender Complainants	Gender Not Known	
Respondent gender	Female	2	3	0	0	0	5
	Male	50	6	0	0	1	57
	Other Gender Identity	0	0	0	0	0	0
	Multiple Mixed Gender Respondents	0	0	0	0	0	0
	Gender Not Known	9	2	0	0	8	19
	<b>Total</b>	<b>61</b>	<b>11</b>	<b>0</b>	<b>0</b>	<b>9</b>	<b>81</b>

Questions? See the [Title IX FAQs](#) and [Sexual Misconduct Scenarios](#) for more information.

Table 3. Sexual Misconduct Complaints by Venue

		Venue (Office or committee that addressed the complaint)			
		UWC - Formal	Title IX Coordinator	YPD	Total
Category of sexual misconduct reported	<a href="#">Sexual Assault</a>	5	17	1	<b>23</b>
	<a href="#">Intimate Partner Violence</a>	0	1	4	<b>5</b>
	<a href="#">Sexual Harassment</a>	0	38	4	<b>42</b>
	<a href="#">Stalking</a>	0	2	3	<b>5</b>
	<a href="#">Other</a>	1	3	2	<b>6</b>
	<b>Total</b>	<b>6</b>	<b>61</b>	<b>14</b>	<b>81</b>

In providing a range of formal and informal options for pursuing complaints, the university seeks to meet the varied needs of potential complainants. Given the violating nature of sexual misconduct, it is important that those who have experienced it retain as much control as possible over the actions taken in response. Accordingly, whenever possible, it is the complainant who decides whether or not to pursue a complaint, and in what venue. In certain unusual circumstances, such as those involving risks to the safety of individuals and/or the community, the university will bring matters to a formal hearing independently of the wishes of an individual complainant. The choice of an informal process does not imply the matter is less serious than those matters pursued through formal processes, nor does it preclude the complainant from choosing to bring a formal complaint at a later date.

## Descriptive Summaries of Complaints

The descriptive summaries of complaints are organized in tables below according to the office or committee that reviewed and addressed the complaints, i.e., the University-Wide Committee on Sexual Misconduct (UWC), the Title IX coordinators, and the Yale Police Department (YPD).

Although a complaint may be brought to multiple venues, each complaint is described only once in this report, based on which venue primarily addressed the complaint. The UWC, Title IX coordinators and YPD routinely collaborate and coordinate their activities to ensure that complaints are resolved promptly and equitably. All reports of sexual misconduct brought to the YPD, for example, are reviewed by the University Title IX Coordinator; similarly, all reports of possible criminal activity brought to the Title IX coordinators (including those reported via the UWC) are shared with the YPD.

**Questions?** See the [Title IX FAQs](#) and [Sexual Misconduct Scenarios](#) for more information.

## University-Wide Committee on Sexual Misconduct: Formal Complaints

The following complaints were pursued through formal resolution with the UWC. In every case, the complainant was provided information about all options for pursuing complaints – including formal, informal, and criminal processes – as well as information about support resources such as the Sexual Harassment and Assault Response & Education Center ([SHARE](#)). See the [UWC Procedures](#) for more information.<sup>ii</sup> Also see page 17 of this report for an explanation of commonly-used terminology.

*During this reporting period (July 1 – December 31, 2016), there were 6 new formal complaints brought forward to the UWC, which are reported in this table. In addition, below are updates to cases that were reported as pending in a previous report.*

<b>Complainant</b>	<b>Respondent</b>	<b>Category of Misconduct Reported</b>	<b>Description/Actions Taken</b>
Yale College Student	Yale College Student	<a href="#">Sexual assault</a>	A YC student alleged that they were <a href="#">sexually assaulted</a> by another YC student. The respondent withdrew from the university with the disciplinary charge pending, a fact that is noted on the respondent's transcript. Should the respondent apply to return to Yale College, eligibility for matriculation will be conditioned on the UWC's resolution of the outstanding complaint.
Yale College Student	Yale College Student	<a href="#">Sexual assault</a>	A YC student alleged that another YC student engaged in sexual penetration without <a href="#">consent</a> . The case is pending.
Yale College Student	Staff	<a href="#">Sexual assault</a>	A former YC student alleged that a Yale staff member engaged in sexual penetration without <a href="#">consent</a> . The UWC did not accept jurisdiction because the respondent was a casual/temporary employee. The case was referred to a Title IX coordinator. The respondent subsequently resigned.
Yale College Student	Faculty	<a href="#">Policy on Teacher-Student Consensual Relations</a>	A Title IX coordinator brought a formal complaint alleging that a faculty member engaged in sexual activity with a YC student, in violation of the <a href="#">Policy on Teacher-Student Consensual Relations</a> . The case is pending.
Graduate & Professional Student	Faculty	<a href="#">Sexual assault</a>	A G&P student alleged that a faculty member engaged in sexual touching without <a href="#">consent</a> . The UWC did not find <a href="#">sufficient evidence</a> to support the allegation. The UWC found <a href="#">sufficient evidence</a> that the faculty member violated the <a href="#">Policy on Teacher-Student Consensual Relations</a> . The respondent was given a written reprimand, was put on probation for the remainder of the respondent's affiliation with Yale, and was required to complete training on current policies on sexual misconduct and Teacher-Student Consensual Relations. <a href="#">No-contact restrictions</a> were imposed and the respondent is not permitted to participate in academic decisions about the complainant.

<sup>ii</sup> Based on feedback from the university community, the UWC procedures were clarified in October 2015 to reflect the UWC's practice of consulting with a Title IX coordinator to resolve informal complaints. As a result, all informal complaints are presented in this report in the Title IX Coordinator section.

**Questions?** See the [Title IX FAQs](#) and [Sexual Misconduct Scenarios](#) for more information.

Complainant	Respondent	Category of Misconduct Reported	Description/Actions Taken
Graduate & Professional Student	Postdoctoral Trainee	<a href="#">Sexual assault</a>	A G&P student alleged that they were <a href="#">sexually assaulted</a> by a postdoctoral trainee. The respondent subsequently did not return to work and was therefore terminated. Should the respondent apply to return to Yale, eligibility for return will be conditioned on the UWC's resolution of the outstanding complaint.

*Updates to previous complaints: The complaints below were reported as pending in a previous report as complaints brought to a Title IX coordinator or the UWC. They were included in the statistical summaries in the previous report and are therefore not included in the statistical summaries at the beginning of this report.*

Complainant	Respondent	Category of Misconduct Reported	Description/Actions Taken
Yale College Student	Yale College Student	<a href="#">Sexual assault</a>	<i>Original summary:</i> A YC student alleged that another YC student engaged in sexual penetration without <a href="#">consent</a> .  <i>Update:</i> The UWC found <a href="#">sufficient evidence</a> to support the allegation. The respondent was suspended for two terms until May 2017.
Graduate & Professional Student	Faculty	<a href="#">Sexual harassment</a>	<i>Original summary:</i> A Title IX coordinator <a href="#">brought a formal complaint</a> alleging that a faculty member engaged in <a href="#">sexual harassment</a> that created a hostile environment.  <i>Update:</i> The UWC found <a href="#">sufficient evidence</a> to support the allegation. The respondent was suspended from the faculty for one term, suspended from leadership positions and advising new students for five years, and required to complete training on sexual harassment and appropriate workplace conduct.

## Title IX Coordinators

The following complaints were brought forward to either the University Title IX Coordinator or a Deputy Title IX coordinator (any of whom are referred to here as “Title IX coordinator”). The Title IX coordinators do not conduct formal hearings. However, depending on the affiliation of the parties, they may investigate complaints to the degree possible and work with the complainant, the respondent, and, where appropriate, the respondent’s supervisor to achieve a resolution of the complaint, which may include sanctions for respondents who are staff members and remedies and ongoing accommodations for the complainant. They may also put in place measures to support and protect the complainant. In making their determinations and recommendations, the Title IX coordinators strive to comply with the complainant’s wishes for resolution while ensuring that the university provides a safe and nondiscriminatory environment for all members of the Yale community. See the [Title IX](#) website for more information. Also see page 17 of this report for an explanation of commonly-used terminology.

**Questions?** See the [Title IX FAQs](#) and [Sexual Misconduct Scenarios](#) for more information.



During this reporting period (July 1 – December 31, 2016), there were 61 cases brought forward to a Title IX coordinator. In addition, below are updates to complaints that were reported as pending in a previous report.

## SECTION I.

While the specific actions may vary from case to case, Title IX coordinators respond to complaints by addressing any immediate concerns a complainant may have, connecting complainants and respondents with appropriate resources, ensuring that complainants are fully aware of the options available for further action, and helping to facilitate those actions.

In the following complaints, the complainant chose to pursue a resolution of the complaint with a Title IX coordinator. In some cases, the complainant requested that the Title IX coordinator pursue a resolution of the complaint with the respondent. In other cases, the coordinator identified measures that might be taken (e.g., departmental training, academic/workplace accommodations) without revealing to the respondent that a report has been made and consulted with the complainant prior to implementing these measures. In these cases, the complainant was informed that no action can be taken against a respondent without providing notice of the complaint to the respondent. In every case, the complainant was provided information about all options for pursuing complaints – including formal, informal, and criminal processes – as well as information about support resources such as the Sexual Harassment and Assault Response & Education (SHARE) Center.

Complainant	Respondent	Category of Misconduct Reported	Description/Actions Taken
Yale College Student	Yale College Student	<a href="#">Sexual assault</a>	A YC student reported that another YC student engaged in sexual activity without <a href="#">consent</a> . The complainant declined to pursue a formal complaint at this time. The Title IX coordinator offered academic accommodations for the complainant.
Yale College Student	Yale College Student	<a href="#">Sexual assault</a>	A YC student reported that another YC student engaged in sexual activity without <a href="#">consent</a> . The complainant declined to pursue a formal complaint at this time. After consulting with the complainant, the Title IX coordinator referred the respondent for voluntary counseling on appropriate conduct and imposed <a href="#">no-contact restrictions</a> .
Yale College Student	Yale College Student	<a href="#">Stalking</a>	A YC student reported that another YC student sent unwanted and distressing messages to the complainant on a number of occasions. The complainant declined to pursue a formal complaint at this time. After consulting with the complainant, the Title IX coordinator <a href="#">counseled the respondent</a> on appropriate conduct and imposed <a href="#">no-contact restrictions</a> .
Yale College Student	Yale College Student	<a href="#">Sexual harassment</a>	A YC student reported that another YC student made unwanted advances. The complainant declined to pursue a formal complaint at this time. After consulting with the complainant, the Title IX coordinator <a href="#">counseled the respondent</a> on appropriate conduct.
Yale College Student	Yale College Student	<a href="#">Sexual harassment</a>	A YC student reported that another YC student made unwanted advances. The complainant declined to pursue a formal complaint at this time. After consulting with the complainant, the Title IX coordinator <a href="#">counseled the respondent</a> on appropriate conduct and referred the respondent for additional counseling.
Yale College Student	Yale College Student	<a href="#">Intimate partner violence</a>	A YC student reported a physical assault involving two other YC students who were in a relationship. The complaint is pending.

Questions? See the [Title IX FAQs](#) and [Sexual Misconduct Scenarios](#) for more information.

Complainant	Respondent	Category of Misconduct Reported	Description/Actions Taken
Yale College Student	Yale College Student	<a href="#">Sexual harassment</a>	A YC student reported that another YC student made unwanted advances. The complainant declined to pursue a formal complaint at this time. The Title IX coordinator implemented residential accommodations for the complainant.
Yale College Student	Yale College Student	<a href="#">Sexual assault</a>	A YC student reported that another YC student engaged in sexual touching without <a href="#">consent</a> . The complaint is pending.
Yale College Student	Yale College Student	<a href="#">Sexual harassment</a>	A YC student reported that another YC student paid unwanted attention to the complainant. The complaint is pending.
Yale College Student	Yale College Student	<a href="#">Sexual assault</a>	A YC student reported that another YC student engaged in sexual activity without <a href="#">consent</a> . The complainant declined to pursue a formal complaint at this time. After consulting with the complainant, the Title IX coordinator referred the respondent for counseling on appropriate conduct and imposed <a href="#">no-contact restrictions</a> .
Yale College Student	Graduate & Professional Student	<a href="#">Stalking</a>	A YC student reported that a G&P student sent unwanted and distressing messages to the complainant on a number of occasions. This complaint is pending.
Yale College Student	Staff	<a href="#">Sexual assault</a>	A former YC student reported an incident of inappropriate touching by a staff member. The staff member was no longer employed at Yale at the time of the complaint.
Yale College Student	Staff	<a href="#">Sexual harassment</a>	A YC student reported that a staff member made inappropriate comments to the complainant. A Title IX coordinator <a href="#">investigated</a> and did not find <a href="#">sufficient evidence</a> to support the allegations. The Title IX coordinator recommended training on appropriate workplace conduct for the respondent. The respondent subsequently left Yale.
Yale College Student	Faculty	<a href="#">Sexual harassment</a>	A YC student reported that a faculty member made inappropriate comments to the complainant. The complaint is pending.
Yale College Students	Faculty	<a href="#">Sexual harassment</a>	YC students reported that a faculty member made inappropriate comments to the complainants. The complaint is pending.
Yale College Students	Non-Yale	<a href="#">Sexual harassment</a>	YC students reported that they were <a href="#">sexually harassed</a> during a study abroad program by an unknown individual. The program staff provided accommodations to the complainants during the program. The Title IX coordinator provided additional training to the relevant program staff.
Graduate & Professional Student	Graduate & Professional Student	<a href="#">Sexual harassment</a>	A G&P student reported that another G&P student whom the complainant did not identify paid unwanted attention to the complainant. The complainant declined to pursue a formal complaint at this time. The Title IX coordinator implemented academic accommodations for the complainant.
Graduate & Professional Student	Staff	<a href="#">Sexual harassment</a>	A G&P student reported that a staff member made unwanted advances. The complainant declined to pursue a formal complaint at this time. After consulting with the complainant, the Title IX coordinator <a href="#">counseled the respondent</a> on appropriate conduct and imposed <a href="#">no-contact restrictions</a> .

Questions? See the [Title IX FAQs](#) and [Sexual Misconduct Scenarios](#) for more information.

Complainant	Respondent	Category of Misconduct Reported	Description/Actions Taken
Graduate & Professional Student	Faculty	<a href="#">Policy on Teacher-Student Consensual Relations</a>	A faculty member reported that another faculty member may have engaged in a relationship with a G&P student in violation of the <a href="#">Policy on Teacher-Student Consensual Relations</a> . The complaint is pending.
Graduate & Professional Student	Faculty	<a href="#">Sexual harassment</a>	A G&P student reported that a faculty member made unwelcome advances to the complainant and other G&P students. The complaint is pending.
Graduate & Professional Student	Faculty	<a href="#">Policy on Teacher-Student Consensual Relations</a>	A faculty member reported that another faculty member may have engaged in a relationship with a G&P student in violation of the <a href="#">Policy on Teacher-Student Consensual Relations</a> . The complaint is pending.
Graduate & Professional Student	Faculty	<a href="#">Sexual harassment</a>	A G&P student reported that a faculty member made inappropriate comments to the complainant. An administrator, in consultation with the Title IX coordinator, <a href="#">counseled the respondent</a> on appropriate workplace conduct.
Graduate & Professional Student	Yale Affiliate	<a href="#">Sexual harassment</a>	A G&P student reported that a Yale affiliate made inappropriate comments to the complainant. An administrator, in consultation with the Title IX coordinator, referred the complaint to the respondent's employer for further investigation.
Graduate & Professional Student	Yale Affiliate	<a href="#">Sexual harassment</a>	A G&P student reported that a Yale affiliate made inappropriate comments to the complainant. An administrator, in consultation with the Title IX coordinator, referred the complaint to the respondent's employer, who initiated an investigation. The employer <a href="#">counseled all of its staff</a> on appropriate workplace conduct.
Graduate & Professional Student	Non-Yale	<a href="#">Sexual harassment</a>	A G&P student reported that, during the student's training at an off-campus worksite, a non-Yale individual made inappropriate comments to the complainant. An administrator, in consultation with the Title IX coordinator, referred the complaint to the worksite supervisor. The employer conducted training on sexual harassment for all of its staff and will monitor the situation.
Graduate & Professional Student	Non-Yale	<a href="#">Sexual harassment</a>	A G&P student reported that a non-Yale individual made unwanted advances to the complainant during an off-campus summer program. An administrator, in consultation with the Title IX coordinator, referred the matter to the respondent's employer for further action.
Graduate & Professional Student	Non-Yale	<a href="#">Sexual harassment</a>	A G&P student reported that, during the student's training at an off-campus worksite, a non-Yale individual made inappropriate comments to the complainant. An administrator, in consultation with the Title IX coordinator, referred the complaint to the worksite supervisor. The employer conducted training on sexual harassment for all of its staff and will monitor the situation.
Graduate & Professional Student	Non-Yale	<a href="#">Sexual harassment</a>	A third party reported that a G&P student was sexually harassed by a non-Yale individual at an off-campus business. The complaint is pending.

**Questions?** See the [Title IX FAQs](#) and [Sexual Misconduct Scenarios](#) for more information.

Complainant	Respondent	Category of Misconduct Reported	Description/Actions Taken
Graduate & Professional Student	Non-Yale	<a href="#">Sexual harassment</a>	A G&P student reported that, during the student's training at an off-campus worksite, a non-Yale individual made inappropriate comments to the complainant. An administrator, in consultation with the Title IX coordinator, referred the complaint to the worksite supervisor. The employer conducted training on sexual harassment for all of its staff and will monitor the situation.
Graduate & Professional Student	Non-Yale	<a href="#">Sexual assault</a>	A G&P student reported that, during the student's training at an off-campus worksite, a non-Yale individual engaged in sexual touching without the complainant's consent. An administrator, in consultation with the Title IX coordinator, referred the complaint to the worksite supervisor for further investigation.
Staff	Staff	<a href="#">Sexual harassment</a>	A staff member reported that another staff member engaged in inappropriate touching and made unwanted advances toward the complainant. The Title IX coordinator <a href="#">investigated</a> and found <a href="#">sufficient evidence</a> to support the allegations. The respondent's employment was terminated.
Staff	Staff	<a href="#">Sexual harassment</a>	A staff member reported that another staff member made inappropriate comments to the complainant. The respondent admitted to the conduct. The Title IX coordinator <a href="#">counseled the respondent</a> on appropriate conduct and implemented workplace accommodations for the complainant.
Staff	Faculty	<a href="#">Sexual harassment</a>	A staff member reported that a faculty member engaged in inappropriate touching of the complainant. The complaint is pending.
Staff	Faculty	<a href="#">Sexual harassment</a>	A staff member reported that a faculty member made inappropriate comments to the complainant. The complainant declined to pursue a formal complaint at this time. The respondent's supervisor, in collaboration with the Title IX coordinator, <a href="#">counseled the respondent</a> on appropriate conduct.
Staff	Yale Affiliate	<a href="#">Sexual harassment</a>	A staff member reported that a Yale affiliate engaged in inappropriate touching and made inappropriate comments to the complainant. The complainant declined to pursue a formal complaint at this time. After consulting with the complainant, the complainant's supervisor <a href="#">counseled the respondent</a> on appropriate conduct.
Faculty	Unknown	<a href="#">Sexual harassment</a>	A faculty member reported that an unknown individual posted a sexually explicit message in a public hallway on campus. The Title IX coordinator referred the matter to the YPD and Yale Security for further investigation.
Postdoctoral Trainee	Unknown	<a href="#">Sexual harassment</a>	A postdoctoral trainee reported that an unknown individual posted a sexually explicit message in a public hallway on campus. The Title IX coordinator referred the matter to the YPD and Yale Security for further investigation.
Yale Affiliate	Staff	<a href="#">Sexual harassment</a>	An administrator reported that a staff member made inappropriate comments to a Yale affiliate. The complainant declined to pursue a formal complaint at this time. The respondent's supervisor, in collaboration with the Title IX coordinator, <a href="#">counseled the respondent</a> on appropriate conduct.

Questions? See the [Title IX FAQs](#) and [Sexual Misconduct Scenarios](#) for more information.

Complainant	Respondent	Category of Misconduct Reported	Description/Actions Taken
Non-Yale	Staff	<a href="#">Other</a>	A non-Yale individual reported that a staff member engaged in inappropriate sexual activity on campus. The Title IX coordinator <a href="#">investigated</a> and found <a href="#">sufficient evidence</a> to support the allegations. The respondent subsequently resigned.
Non-Yale	Yale Affiliate	<a href="#">Sexual assault</a>	A non-Yale visitor on campus reported that a participant in a Yale summer program engaged in sexual touching without <a href="#">consent</a> . The Title IX coordinator <a href="#">investigated</a> and found <a href="#">sufficient evidence</a> to support the allegations. The respondent's participation in the Yale program was terminated.

*Updates to previous complaints: The complaints below were reported as pending in a previous report as complaints brought to a Title IX coordinator. They were included in the statistical summaries in the previous report and are therefore not included in the statistical summaries at the beginning of this report.*

Complainant	Respondent	Category of Misconduct Reported	Description/Actions Taken
Graduate & Professional Student	Faculty	<a href="#">Sexual harassment</a>	<i>Original summary:</i> A G&P student reported that a faculty member made inappropriate comments and made unwanted physical contact with the complainant. The complainant declined to pursue a formal complaint at this time.  <i>Update:</i> After consulting with the complainant, the Title IX coordinator counseled the respondent on appropriate conduct.

## SECTION II.

In some cases, after consulting with a Title IX coordinator regarding all options for pursuing complaints – including formal, informal, and criminal processes – and receiving information about support resources such as the Sexual Harassment and Assault Response & Education (SHARE) Center, the complainant decides not to pursue the complaint any further and requests that no action be taken by the coordinator. In these cases, the Title IX coordinator will inform the complainant that a complaint can be pursued at a later time and will follow up with the complainant to check on the complainant's wellbeing. Except in cases of acute threat of harm to the complainant or to the campus community, the Title IX coordinator will not take any action without the complainant's agreement.

The following table provides a statistical summary of those complaints where the complainant chose not to pursue the complaint and the coordinator took no further action. The complainants involved always have the option to pursue further action, in which case descriptive updates will be provided in future reports.

		Undergrad	G&P Student	Staff	Postdoc	Faculty	Other Yale Affiliate	Non-Yale	Unknown	Total
<a href="#">Sexual assault</a>	Complainant	2	1	0	0	0	0	0	0	3
	Respondent	2	0	0	0	0	0	0	1	
<a href="#">Sexual harassment</a>	Complainant	2	1	0	0	0	0	0	0	3
	Respondent	1	1	0	0	0	0	1	0	

**Questions?** See the [Title IX FAQs](#) and [Sexual Misconduct Scenarios](#) for more information.

### SECTION III.

In some cases, information about incidents of sexual misconduct comes to a Title IX coordinator from a third party, such as an administrator, a friend of those involved, or a witness. In these cases, the coordinator will reach out to the potential complainant to offer support and to discuss resources and options. Some complainants choose not to engage in further discussion with the coordinator or provide any additional information. The coordinator may explore whether there are any measures that might be taken without involving the complainant or revealing to the respondent that a report has been made and will attempt to consult with the complainant prior to taking any action. Except in cases of acute threat of harm to the complainant or to the campus community, the Title IX coordinator will not take any action without the complainant's agreement.

The following table provides a statistical summary of those complaints where the complainant chose not to engage with the Title IX coordinator and the coordinator took no further action. The complainants involved always have the option to pursue further action, in which case descriptive updates will be provided in future reports.

		Undergrad	G&P Student	Staff	Postdoc	Faculty	Other Yale Affiliate	Non-Yale	Unknown	Total
<a href="#">Sexual assault</a>	Complainant	7	0	0	0	0	0	0	0	7
	Respondent	3	0	0	0	0	0	0	4	
<a href="#">Sexual harassment</a>	Complainant	8	0	0	0	0	0	0	0	8
	Respondent	7	0	0	0	0	0	0	1	

### Yale Police Department

The following are cases in which the complainant chose to contact the Yale Police Department (YPD), which addressed each case according to its procedures (see the [Yale Police website](#) for more information). All reports of possible sexual misconduct made to the YPD are reviewed by the University Title IX Coordinator. See page 17 of this report for an explanation of commonly-used terminology.

*During this reporting period (July 1 – December 31, 2016), there were 27 contacts with the YPD regarding possible sexual misconduct. 14 were handled primarily by the YPD and are described below. The remaining were referred to the UWC or a Title IX coordinator for further investigation and resolution and are thus described above.*

Complainant	Respondent	Category of Misconduct Reported	Description/Actions Taken
Yale College Students	Unknown	<a href="#">Sexual harassment</a>	YC students reported receiving sexually explicit phone calls from an unknown caller. The YPD investigation is ongoing. The YPD provided the complainants with <a href="#">information on safety and victim services</a> .
Yale College Student	Unknown	<a href="#">Sexual assault</a>	The YPD was called to a local hospital to retrieve a sexual assault evidence kit. The hospital staff reported that an unidentified YC student was sexually assaulted by an unknown individual.
Graduate & Professional Student	Non-Yale	<a href="#">Intimate partner violence</a>	A G&P student reported a physical assault by a non-Yale individual with whom the complainant was in a relationship. The YPD assisted the complainant with filing a complaint with the NHPD and provided the complainant with <a href="#">information on safety and victim services</a> .

**Questions?** See the [Title IX FAQs](#) and [Sexual Misconduct Scenarios](#) for more information.

Complainant	Respondent	Category of Misconduct Reported	Description/Actions Taken
Graduate & Professional Student	Non-Yale	<a href="#">Stalking</a>	A G&P student reported that a non-Yale individual sent harassing messages to the complainant on multiple occasions. At the request of the complainant, the YPD warned the respondent not to contact the complainant and provided the complainant with <a href="#">information on safety and victim services</a> .
Graduate & Professional Student	Non-Yale	<a href="#">Sexual harassment</a>	A G&P student reported that a non-Yale contractor sent unwanted messages to the complainant on a number of occasions. The YPD referred the complaint to the contractor's employer, who terminated the respondent's employment. The YPD provided the complainant with <a href="#">information on safety and victim services</a> .
Graduate & Professional Student	Non-Yale	<a href="#">Intimate partner violence</a>	A G&P student reported a physical assault by a non-Yale individual with whom the complainant was in a relationship. The NHPD investigated and arrested the respondent. The YPD provided the complainant with <a href="#">information on safety and victim services</a> .
Graduate & Professional Student	Non-Yale	<a href="#">Other</a>	A G&P student reported that a non-Yale individual engaged in acts of voyeurism. The YPD investigated and could not substantiate the allegations. The YPD provided the complainant with <a href="#">information on safety and victim services</a> .
Graduate & Professional Student	Non-Yale	<a href="#">Intimate partner violence</a>	A G&P student reported a physical assault by a non-Yale individual with whom the complainant was in a relationship. The NHPD investigated and arrested the respondent and the complainant.
Graduate & Professional Student	Unknown	<a href="#">Stalking</a>	A G&P student reported that a non-Yale individual sent harassing messages to the complainant on multiple occasions. The YPD provided the complainant with <a href="#">information on safety and victim services</a> .
Staff	Non-Yale	<a href="#">Stalking</a>	A staff member reported that a non-Yale individual sent harassing messages to the complainant on multiple occasions. At the request of the complainant, the YPD warned the respondent not to contact the complainant and provided the complainant with <a href="#">information on safety and victim services</a> .
Yale Affiliates	Staff	<a href="#">Sexual harassment</a>	An administrator reported that a staff member engaged in inappropriate touching and made inappropriate comments to two Yale affiliates. The YPD referred the complaint to Human Resources for further investigation. The respondent's employment was terminated.
Yale Affiliate	Unknown	<a href="#">Sexual harassment</a>	A Yale affiliate reported that an unknown individual kissed the complainant without consent at an off-campus establishment. The YPD investigated and could not identify the respondent. The YPD provided the complainant with <a href="#">information on safety and victim services</a> .
Non-Yale	Graduate & Professional Student	<a href="#">Intimate partner violence</a>	A non-Yale individual reported a physical assault by a G&P student with whom the complainant was in a relationship. The YPD investigated and arrested the respondent. The YPD provided the complainant with <a href="#">information on safety and victim services</a> .
Non-Yale	Non-Yale	<a href="#">Other</a>	A non-Yale individual reported that a non-Yale contractor engaged in acts of voyeurism while on campus. The YPD referred the matter to the respondent's supervisor who removed the respondent from campus. The YPD provided the complainant with <a href="#">information on safety and victim services</a> .

Questions? See the [Title IX FAQs](#) and [Sexual Misconduct Scenarios](#) for more information.



## Brief Definitions

The following are definitions for the specific terms Yale uses in this Report to categorize the behaviors that would constitute sexual misconduct under Yale's policies. For more information on Yale's sexual misconduct policies and definitions, go to the [Sexual Misconduct Response website](#).

**Sexual assault** is any kind of nonconsensual sexual contact, including rape, groping, sexual penetration (which is the insertion of a penis, finger or object into another person's vagina or anus), or any other nonconsensual sexual touching.<sup>iii</sup>

Sexual activity requires **affirmative consent**, which is defined as positive, unambiguous, and voluntary agreement to engage in specific sexual activity throughout a sexual encounter. Consent cannot be inferred from the absence of a "no"; a clear "yes," verbal or otherwise, is necessary. Consent to some sexual acts does not constitute consent to others, nor does past consent to a given act constitute present or future consent. Consent must be ongoing throughout a sexual encounter and can be revoked at any time.

Consent cannot be obtained by threat, coercion, or force. Agreement under such circumstances does not constitute consent.

Consent cannot be obtained from someone who is asleep or otherwise mentally or physically incapacitated, whether due to alcohol, drugs, or some other condition. A person is mentally or physically incapacitated when that person lacks the ability to make or act on considered decisions to engage in sexual activity.

Engaging in sexual activity with a person whom you know -- or reasonably should know -- to be incapacitated constitutes sexual misconduct. For illustrations of Yale's consent definition, see the *Sexual Misconduct Scenarios* at <http://smr.yale.edu/>.

**Intimate partner violence (IPV)** occurs when a current or former intimate partner uses or threatens physical or sexual violence. IPV also may take the form of a pattern of behavior that seeks to establish power and control by causing fear of physical or sexual violence. Stalking may also constitute IPV.

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

**Stalking** is repeated or obsessive unwanted attention directed toward an individual or group that is likely to cause alarm, fear, or substantial emotional distress. Stalking may take many forms, including following, lying in wait, monitoring, and pursuing contact. Stalking may occur in person or through a medium of communication, such as letters, e-mail, text messages, or telephone calls. In some circumstances, two instances of such behavior may be sufficient to constitute stalking.

**Other** includes a range of prohibited behaviors that do not fall into the categories above. Examples include voyeurism, audio-visual recording of sexual activity without consent, retaliation, and violations of the [Policy on Teacher-Student Consensual Relations](#).

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<sup>iii</sup> The sexual assault data in this report will not correspond to Yale's annual report required under the federal Clery Act because this report uses a more expansive definition of sexual assault and includes cases from a wider geographic jurisdiction than in the Clery report.

**Questions?** See the [Title IX FAQs](#) and [Sexual Misconduct Scenarios](#) for more information.



## Terminology Commonly Used in this Report

“UWC **formal complaint**”: Formal resolution of a complaint through the UWC involves an investigation by an external fact-finder, a hearing, adjudication, and possible disciplinary sanctions. See the [UWC Procedures](#) for more information.

“A Title IX coordinator **brought a formal complaint...**”: Under certain circumstances, the Title IX coordinator of the university or any Yale school may bring a complaint to the UWC. Generally, a Title IX coordinator may file a complaint in situations on behalf of someone who experienced sexual misconduct but who cannot or will not themselves take the formal role of a complainant; this may be an issue of jurisdiction, safety, or preference. In certain circumstances involving a serious threat to the university community, a Title IX coordinator may bring a complaint to the UWC when there is evidence that the university’s policy on sexual misconduct has been violated and the Title IX coordinator’s intervention is needed to ensure that the matter reaches the UWC. See the [UWC procedures](#) for more information.

“The Title IX coordinator **investigated...**”: An investigation by a Title IX coordinator generally includes, but is not limited to: interviewing the complaint and respondent, interviewing any witnesses or other parties with knowledge of the alleged conduct, and collecting documentation (including email or other communications) relevant to the complaint. Upon reviewing the evidence gathered, The Title IX coordinator determines whether a violation of university policy occurred, whether any actions should be taken, and recommends disciplinary action, if warranted.

“**Sufficient evidence** to support the allegations”: The UWC and the Title IX coordinators apply the “preponderance of the evidence” standard (i.e., it is more likely than not) to determine, based on the evidence gathered during the investigation, whether the alleged conduct occurred and, if so, whether it violates any university policies.

“The respondent was **counseled on appropriate conduct**”: In some cases, the Chair of the UWC, the Title IX coordinator, or an administrator working in consultation with the Title IX coordinator, will meet with the respondent to review the allegations and the university’s definitions and policies, discuss and affirm expected behaviors, and warn the respondent about possible consequences for violations of the university sexual misconduct policies.

“Imposed **no-contact restrictions**”: In most cases, the respondent is issued a warning to cease all forms of contact (including physical, verbal, and electronic) with the complainant. In some cases, contact restrictions may limit access to any or certain parts of campus.

“Provided the complainant with **information on safety and victim services**”: The YPD has a Sensitive Crimes & Support Coordinator who assists those affected by sexual misconduct and can help complainants make contact with SHARE or other university offices, coordinate interim safety measures, provide safety planning, and serve as a liaison with victims’ assistance services. See the [YPD website](#) for more information.

“The case is **pending**”: In the case of a formal complaint under review by the UWC, “pending” means that the review of the complaint is still in process and the result will not be reported until a final decision on the complaint has been issued. In the case of a complaint brought to a Title IX coordinator, “pending” means that the resolution of the complaint is still in process, e.g., the Title IX coordinator and the complainant are still evaluating options.

**Questions?** See the [Title IX FAQs](#) and [Sexual Misconduct Scenarios](#) for more information.