Post-8/14/2020 SVSH Resolution Process Flowchart v13aug2020 **START** NO Did the alleged conduct occur on or after August 14, 2020? YES \ Did the Title IX Officer receive a DOE Formal Complaint? The complainant submitted a written complaint; is participating NO or attempting to participate in a University program or activity; and is requesting an investigation. AND The allegation is made against a Respondent as defined by SVSH Policy. YES Is the alleged conduct DOE Is the alleged conduct DOE NO NO **Sex-Based Harassment? Sex-Based Harassment?** (See reverse) (See reverse) YES **YES** Did the alleged conduct Did the alleged conduct occur in a University program occur in a University program NO NO and was the complainant in and was the complainant in the US at the time of the the US at the time of the alleged conduct? alleged conduct? **Dismiss Complaint** Continue assessment under Section V.A.3 of the policy. Continue assessment under AND YES Section V.A.3 of the policy. YES Inform parties of dismissal **END** decision, with opportunity for appeal. **END** Alleged conduct is DOE-Covered Conduct but was Alleged conduct is DOE-Covered Conduct not received via a Formal Complaint

received via Formal Complaint.

Begin the DOE Grievance Process or Alternative Resolution.

END

Title IX Officer must either close the report, "sign" a formal complaint themselves and open either a DOE Grievance Process or Alternative Resolution, or open an Other Inquiry (if it applies).

FND

Is the alleged conduct DOE Sex-Based Harassment?

 Is the alleged behavior conduct that meets the definition of Sexual Assault-Penetration?

OR

 Does the alleged behavior include intentional touching of the Complainant's intimate body part (genitals, anus, groin, breast, or buttocks) without the Complainant's consent (as defined in Section II of the Policy)?

OR

• Is the alleged behavior conduct that meets the definition of Relationship Violence in Section II of the Policy? Is the alleged behavior conduct that meets the definition of Stalking in Section II of the Policy?

OR

• Is the alleged behavior sexual intercourse with a person under the age of 18? Is the alleged behavior conduct that meets the definition of Invasion of Sexual Privacy in Section II of the Policy, and that a reasonable person would determine was so severe, pervasive, and objectively offensive that it effectively denied the Complainant equal access to the University's programs or activities?

OR

• Is the alleged behavior conduct by an employee that meets the definition of Quid Pro Quo Sexual Harassment in Section II of the SVSH Policy?

OR

• Is the alleged behavior unwelcome sexual or other sex-based conduct (as defined in Section II of the Policy) that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denied the Complainant equal access to the University's programs or activities (i.e. SH – Hostile Environment)?

For questions email OPHD: ask_ophd@berkeley.edu

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