2020 ANNUAL REPORT ON SEXUAL VIOLENCE AND SEXUAL HARASSMENT (SVSH):

Prevention, Incidence, and Response

Berkeley

UNIVERSITY OF CALIFORNIA

1.0 *Forward*

This is the third in a series of annual reports on sexual violence and sexual harassment (SVSH). As Chancellor, I commissioned these annual reports as part of a broader effort to build a culture at UC Berkeley which is based on respect, inclusivity, and equity of experience.

At the time of this writing, the country is experiencing unusual challenges that make it more important than ever to do our utmost to create a healthy campus climate. SVSH prevention efforts are an important part of this mission. Understanding and addressing the individual, institutional and societal factors that can give rise to harassment and violence benefits everyone in ways that go beyond the strict definitions of SVSH. Only in a truly healthy climate will all members of the community be able to fulfill the promise of their talents and ambitions.

Over the past years, I have been inspired by efforts to create a campus climate aligned with our values and principles of community. I am grateful for the hard and heartfelt work of our dedicated students, faculty and staff — and to you, the reader, for your interest in this important topic.

Fiat lux!

Carol T. Christ
Chancellor, University of California, Berkeley

2.0 *Preface*

Each Annual Report on Sexual Violence/Sexual Harassment (SVSH) presents a portrait of a year in the life of the campus. This, the third annual report, covers the time span between July 1, 2019 and June 30, 2020.

In the two years since the first Annual Report was issued in 2018, UC Berkeley has continued to strengthen its campus services for those who have survived SVSH recently or in the past; those who are supporting survivors; those seeking assistance in improving the climate in their academic departments and student groups; and those who are concerned they may have caused harm. The Berkeley campus, as part of the UC system, has also adapted to changes in UC, state, and federal policies that govern the campus response to SVSH.

One theme running through each Annual Report is accountability. This term can mean different things to different people at different times. It can mean thinking about the need to sanction those who have harmed others. It can mean that the campus needs to be transparent about incidents that have occurred and actions that have been taken in response. It can mean that the campus community explicitly assumes responsibility for preventing harm from occurring, through understanding and mitigating the risk factors that can lead to SVSH. This report strives to address all of these components of accountability in covering prevention and response efforts as openly as possible.

Another property of this report is its sheer length. You will find discussed in these pages a long, diverse list of campus partners who play a part in preventing and responding to SVSH. This report symbolizes the effort the campus has made to coordinate these pieces. The narrative of this report is designed to help readers comprehend the whole. It also helps campus partners to understand where their piece fits into the larger picture.

We hope that you will find useful information and a community connection in these pages. By painting as complete a portrait as possible of our campus efforts, this report models the philosophy that preventing sexual harassment and violence is a community responsibility. Thank you for reading; thank you for being part of our community.

Sharon Inkelas
Special Faculty Advisor to the Chancellor on Sexual Violence/Sexual Harassment; Associate Vice Provost for the Faculty; Professor, Department of Linguistics

Ava Blustein
Special Projects Analyst, Office of the SVSH Advisor

3.0 *Executive Summary*

This report presents information about recent history, campus infrastructure, and current efforts to prevent and respond to sexual violence and sexual harassment (SVSH) in the Berkeley campus community. It covers the time span between July 1, 2019 and June 30, 2020.

Guiding values UC Berkeley's approach to SVSH prevention and response is shaped by guiding values. Committees such as CCRT (section 6.2) structure meetings and their collective work around their values and mission statements. Making values visible helps those involved in SVSH prevention and response anchor their work and stay accountable. It is also important to revisit and update them regularly. The guiding values to which this report itself is anchored are stated in section 4.

A shifting landscape From social movements to policy revisions to campus infrastructural changes, SVSH prevention and response has been dynamic in recent years. 2019-2020 was no exception. Sections 4 and 5 cover a number of changes which have impacted the campus in a variety of ways.

A complex network UC Berkeley has a highly distributed network of departments, groups, and administrators with various responsibilities for SVSH prevention and response. Section 6 illuminates this network with descriptions of campus and off-campus partners and the ways in which they collaborate.

Prevention SVSH affects the entire community; consequently, preventing SVSH is a responsibility shared by everyone connected to UC Berkeley. Section 7 portrays the multifaceted and, in some cases, innovative efforts on campus to address the root causes of SVSH and create a safe environment.

Survivor support When SVSH occurs, survivors require care and support. Survivor support resources on campus are the focus of section 8. Multiple offices on campus provide survivor support services for students, faculty, and staff. This report explains the individual functions of these offices as well as the student groups that have formed to support survivors.

Reporting and response Section 9 explains the process for reporting SVSH incidents to the Office for the Prevention of Harassment and Discrimination (OPHD), the campus Title IX office; and to the University of California Police Department (UCPD). Section 11 provides detail about the difference between investigation and adjudication and lays out the steps of each phase, as they apply to students, staff, and faculty. Section 11 also provides aggregated data on case outcomes.

Quantifying impact Since not all incidents are formally reported, the best way to fully comprehend the impact of SVSH on the campus is to view incidence rates and types through multiple lenses. Section 10 of this report offers this opportunity by providing data from formal reporting to UCPD and OPHD, data regarding utilization of confidential support services, and data from various surveys.

Next steps The Berkeley campus continually strives to improve, recognizing that we as individuals, and as a community, are all responsible for transforming our culture and living up to our values. Section 12 examines progress towards goals that were identified in the previous two reports and elevates some new priorities for 2020-2021. There is still considerable work to be done.

4.0 *Introduction and Aims*

SVSH, an acronym which literally expands as "sexual violence and sexual harassment," encompasses a broad spectrum of experiences. These include, but are not limited to, relationship (domestic and dating) violence, sexual assault, sexual harassment, stalking, invasions of sexual privacy, and retaliation against those who have reported misconduct, as defined in the University of California Policy on Sexual Violence and Sexual Harassment ("UC SVSH Policy").

SVSH is fundamentally at odds with the university's mission and principles of community. The efforts to prevent and respond to SVSH documented in this report are integral not only to the university's diversity, equity, and inclusion initiatives, but also to the university's pursuit of excellence.

The goal of this report, which covers the period from July 1, 2019 through June 30, 2020, is to illuminate ongoing efforts at UC Berkeley to prevent and respond to SVSH on campus. As the third in a series, this year's report is an opportunity to track patterns and progress across years. The report represents a sustained commitment to hold the campus accountable for transforming campus culture to ensure that SVSH is never tolerated, and that incidents which do occur are responded to effectively.

2019-2020 was a unique year. This report is a portrait of a particularly interesting segment of time. It situates that segment both in historical context and in the context of the aspiration for a future free of SVSH.

This comprehensive report is not a short read, nor is it necessary to read from beginning to end. Readers may want to dip into particular sections to read about what interests them most.

4.1. GUIDING VALUES

UC Berkeley's approach to SVSH prevention and response is shaped by the following guiding values, which are reflected in the structure of this report.

4.1.1. Addressing SVSH is a community responsibility

A central tenet of SVSH prevention and response efforts at UC Berkeley is that everyone in our community can be part of creating a more inclusive, respectful, and equitable place to learn and work. There are things every individual — student, staff, faculty, and even alumni — can do to prevent SVSH. Everyone must take responsibility for doing what they can.

To embody this belief, the work of addressing SVSH on our campus cannot be limited to practitioners, administrators, activists, or survivors. A broad network of people and offices, sketched in section 6, collaborate to accomplish change across the various communities that make up the UC Berkeley campus.

SVSH is linked to other forms of oppression in its root causes, and people who hold marginalized identities are more likely to experience these types of harm in the campus community. Addressing SVSH is therefore integral to the campus goal of ensuring a diverse, equitable, and inclusive environment. Creating this environment is essential to addressing SVSH harm. These most basic values are articulated in the form of UC Berkeley's Principles of Community:

Berkeley Principles of Community
https://diversity.berkeley.edu/principles-community

We place honesty and integrity in our teaching, learning, research and administration at the highest level.

We recognize the intrinsic relationship between diversity and excellence in all our endeavors.

We affirm the dignity of all individuals and strive to uphold a just community in which discrimination and hate are not tolerated.

We are committed to ensuring freedom of expression and dialogue that elicits the full spectrum of views held by our varied communities.

We respect the differences as well as the commonalities that bring us together and call for civility and respect in our personal interactions.

We believe that active participation and leadership in addressing the most pressing issues facing our local and global communities are central to our educational mission.

We embrace open and equitable access to opportunities for learning and development as our obligation and goal.

More information about how diversity, equity, and inclusion efforts connected with SVSH prevention and response in 2019-2020 can be found in section 12.

4.1.2. A prevention focus

UC Berkeley utilizes a primary prevention approach, focusing on the ability of the university, and communities within it, to prevent harm from occurring before it happens. Primary prevention is aimed at creating environments that are respectful, equitable, inclusive — in short, environments in which students and employees thrive. In a primary prevention orientation, campus initiatives have the goal of empowering communities to address the root causes of harm. They drive culture shifts by promoting prosocial (socially positive) norms. Section 7 of this report presents data on coordinated campus-wide prevention efforts developed for specific communities.

In 2019 the campus joined the National Academies of Sciences, Engineering, and Mathematics (NASEM) Action Collaborative, participating with other universities in the collective generation and sharing of data-driven best practices for campus prevention programs.

4.1.3. Centering survivors

We center survivors as agents and experts in their own lives, honoring the decisions they make for themselves. This means respecting survivors who report as well as survivors who choose not to, and recognizing that sharing one's experiences is courageous. It also means honoring the activism, leadership, and knowledge of survivors who are working to end sexual violence. Another way we strive to center survivors is by supporting them and listening to their needs. The campus approach to survivor support is described in section 8.

Ideally, a survivor-centered orientation would result in a system that survivors find trauma-informed, flexible, and just. But there are numerous limitations in any institutional process which make it difficult to fully live up to these goals. We must recognize that these limitations can cause frustration, pain, and re-traumatization for survivors. We seek to report on the current campus moment while acknowledging limits with honesty and empathy. It is important to identify and acknowledge gaps in our practices and efforts in order to sustain progress.

4.1.4. Illuminating a complex system

Section 11 of this report strives to illuminate the processes of reporting, investigating, and adjudicating, and to present aggregate data about outcomes. This information is important to survivors and those accused, as well as to community members, in order to understand how the university holds individuals accountable for their actions within a fair process that protects the safety and privacy of all. Sometimes, there is a tension between the kind of transparency needed for the community to fully assess accountability, and the rights of parties in a case to privacy. It is hoped that clarity regarding processes, and aggregate data, strike the needed balance in this regard. Only with full understanding of campus processes can the community be fully empowered to ask the right questions and advocate for appropriate and needed improvements.

4.1.5. Honoring those who do the work

An impact of sexual violence that often goes unrecognized is the secondary trauma and stress experienced by those who do the difficult work surveyed in this report. Vicarious trauma, long hours, and high caseloads put individuals at risk of burnout. It is important to recognize the challenges in SVSH prevention and response and honor those who do this important work in the campus community.

4.1.6. Seeking to improve

No matter how much the campus improves, it can always get better. Section 12 assesses progress made towards the goals identified in the previous two reports and offers new, additional goals for the forthcoming year.

4.2. SOCIAL CHANGE AND A SHIFTING POLICY LANDSCAPE

The first (2018) Annual Report surveyed Berkeley and the UC's history of SVSH student activism, audits, investigations, policy changes, and infrastructural developments (see 2018 Annual Report, section 3.3). The following year's report (2019) documented the impacts of #metoo, additional campus infrastructural developments, the Department of Education's proposal of new Title IX rules, and several

systemwide policy changes (see 2019 Annual Report, section 4.2). In keeping with tradition, this section reviews societal events and policy changes which influenced campus efforts to prevent and respond to SVSH this year: the celebration of 150 Years of Women at UC Berkeley, the protest movement for Black lives, the COVID-19 pandemic, and the issuance of new Title IX regulations.

4.2.1. 150 Years of Women at Berkeley

October 3, 2020 marked the 150th anniversary of the Regents' unanimous decision to admit women to UC Berkeley on equal terms with men. Though several smaller colleges had already been coeducational, UC Berkeley was among the first public universities to embrace gender equality, leading some of its current academic peers by nearly 100 years. In 2020, UC Berkeley launched a year-long celebration and historical study of the role of women on the UC Berkeley campus. This celebration commemorated many "firsts": the first woman to graduate from UC Berkeley (1874), the first woman to become a full faculty member (1918), the first year in which the undergraduate student body achieved gender parity (2000). The celebration also noted "firsts" that took way too long to achieve, such as the first woman chancellor (2017) and the first woman dean of engineering (2018). A major component of the "150W" celebration was its history project. The 150W website features numerous commissioned essays and other studies focusing on the histories of particular individuals and groups, including students, alumni, staff, faculty, and donors. These essays cover a wide range of experiences, including some which illustrate the sex- or gender-based discrimination experienced by members of the UC Berkeley community. By documenting this history, the 150W project serves as a reminder that discrimination and harassment have not been eradicated and that there is still work to do to make UC Berkeley more just and equitable.

4.2.2. The Protest Movement for Black Lives

The COVID-19 pandemic disproportionately affected Black, Native American, and Latinx communities, highlighting long-existing racial disparities in the U.S. In this context, the murders of George Floyd[1] on May 25, 2020 and Breonna Taylor[2] on March 13, 2020 by police officers, the February 23, 2020 murder of Ahmaud Arbery by two white men[3], and many other incidents of racialized violence reignited a widespread national protest movement for structural change and racial justice. Black Lives Matter protests across the nation moved many people in America to confront issues of anti-blackness and structural racism and to consider reforms or alternatives to the criminal justice system. The UC Berkeley community participated actively in this movement as well, confronting anti-Blackness, calling out institutional racism, and proposing to rethink campus policing. As Chancellor Christ said in a campus-wide message on June 1, 2020, UC Berkeley "must call out and hold accountable our broken structures, build bridges that will lead to mutual understanding and respect across differences, and work to create a future in which we can all thrive." The Black Lives Matter movement renewed efforts to change the names of several buildings, and to promote diversity, equity, inclusion, and belonging in the Berkeley community.

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[1] Hill, E., Tiefenthäler, A., Triebert, C., Jordan, D., Willis, H., Stein, R. (2020, May 31). How George Floyd was killed in police custody. *The New York Times.* https://www.nytimes.com/2020/05/31/us/george-floyd-investigation.html

[2] Read, B. (2020). What we know about the killing of Breonna Taylor. *The Cut. Retrieved October 2, 2020, from* https://www.thecut.com/2020/09/breonna-taylor-louisville-shooting-police-what-we-know.html

[3] Fausset, R. (2020, September 10). What We Know About the Shooting Death of Ahmaud Arbery. *The New York Times.* https://www.nytimes.com/article/ahmaud-arbery-shooting-georgia.html

2019 saw a notable rise in reports of SVSH to OPHD. In 2020, SVSH reports declined (see section 10), but reports of racial discrimination and other non-SVSH forms of harassment and discrimination to OPHD and the Center for Student Conduct rose. The well-established link between sexual violence and other forms of oppression and harm is an urgent reminder that addressing SVSH must center marginalized communities (12.1.1), and that activism aimed at reducing the oppression engendered by SVSH is intertwined with Black Lives Matter activism and other social justice movements.

4.2.3. COVID-19 Pandemic and Shelter-in-Place Order
On March 16, 2020, Alameda County issued a shelter-in-place order in response to the growing COVID-19 pandemic. As the first UC campus to be affected by such an order, the entire UC Berkeley community, including units involved in preventing and addressing SVSH, abruptly transitioned to remote operations. The only exceptions were made for units providing so-called "essential" services that required an on-campus presence. SVSH prevention programs, advocacy, counseling, investigations, hearings, and other services were still continuing to operate remotely as of the end of the period covered by this report. (Details about how individual campus units covered in this report modified their operations in response to pandemic conditions can be found in section 6.)

It was widely reported in the national news that pandemic conditions caused the incidence of domestic violence to rise[4]. Shelter-in-place orders exacerbated the conditions which often enable domestic violence to occur, inhibited mechanisms of detection and intervention, and decreased survivors' access to resources.

The transition from in-person to remote interactions also correlated with an increase in reports of online abusive conduct. OPHD and the Center for Student Conduct observed an increase in cyberstalking, cyber harassment, and a new form of internet misconduct called Zoombooming, in which participants in meetings held in virtual space use offensive names or share screens with offensive imagery or verbiage. This was a national trend to which Berkeley was not immune, though numerous steps were quickly taken by the campus to prevent and respond to Zoom intrusions into remote class sessions and other campus activities.

4.2.4. New Title IX Regulations
The 2018 and 2019 Annual Reports documented the process by which the federal Department of Education (DOE) rescinded the previous administration's Title IX guidance and proposed new Title IX regulations. Following a Notice-and-Comment period and almost a year and a half of revision, the long-anticipated new Title IX rules were released in May 2020, with an effective date of August 14, 2020. Many in the UC community expressed serious concerns about aspects of the new rules, which included a narrowed definition of sexual harassment and a new requirement of direct cross-examination of witnesses by parties' advisors in adjudication procedures. In a statement, President Janet Napolitano said "UC opposes these ill-conceived changes and, in spite of them, will continue our hard-won momentum through education, prevention, and processes that are fair and compassionate to all parties." Systemwide Title IX Director Suzanne Taylor convened a working group composed of representatives from all the UC campuses to assist with bringing the relevant UC policies and frameworks into compliance with the new rules. The revised policies and procedures went into effect after the time period covered in this report, on August 14, 2020.

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[4] Taub, A. (2020, April 6). A New Covid-19 Crisis: Domestic Abuse Rises Worldwide. *The New York Times.*
https://www.nytimes.com/2020/04/06/world/coronavirus-domestic-violence.html

5.0 *Infrastructural change on the Berkeley campus*

Overall, campus structures relating to SVSH prevention and response remained similar to 2018-2019, with some additions.

As noted in the 2018 annual report, revisions to the Sexual Violence and Sexual Harassment Student Adjudication Framework (PACAOS Appendix E) that went into effect in March 2019 introduced live fact-finding hearings into the adjudication procedures of cases involving student respondents (see section 11.2.1 for a description of the student adjudication process). In response, two professional roles were augmented in 2019-2020: the Hearing Coordinator, who manages the administrative and procedural aspects of the hearing, and the Hearing Officer, who reviews materials, facilitates the hearing, and makes a determination on disputed facts and whether a policy was violated. UC Berkeley generally uses attorneys from an outside law firm as Hearing Officers in SVSH student hearings. See section 6.5.8 for information about the function of the Hearing Coordinator.

In fall 2019, the campus hired a Campus Clery Coordinator (see section 6.5.9.1 for a description).

In spring 2020, coinciding with the retirement of the previous Title IX officer, the campus undertook a national search for the Executive Director of Civil Rights and Whistleblower Compliance, a new position overseeing the Title IX office and other related investigative functions. The new hire began in July 2020, outside the period covered in this report.

Human Resources, under new leadership, changed its name to People & Culture and made several new appointments in areas related to SVSH Prevention and Response, including filling key vacancies in Labor and Employee Relations and creating a new position of director of Diversity, Equity, Inclusion, and Belonging. Most of the new hires/positions discussed above joined the Coordinated Community Review Team (see section 6.2) and SVSH Core Team (section 6.3), bringing fresh perspectives and additional strength to the campus approach to SVSH prevention and response.

6.0 *Current context: understanding the complex mosaic of campus expertise and resources*

Every member in the campus community has a role and responsibility in preventing and responding to SVSH. Through the Coordinated Community Review Team (CCRT), SVSH Core Team, and other collaborations, campus units break down silos to create a large cross-functional network of groups, offices, and initiatives. This section guides the reader through this landscape.

Section 6.1 begins with senior administration and the SVSH Advisor position. Sections 6.2 and 6.3 cover key campus committees which help coordinate the network of units working on SVSH prevention and response efforts: CCRT (section 6.2), three CCRT working groups (section 6.2.1), and SVSH Core Team (section 6.3). Section 6.4 covers the Office on Violence Against Women (OVW) Grant Coordinator. Section 6.5 reviews those campus centers which, either as their core mission or as part of a more general portfolio, offer direct service support to survivors, respondents, or others affected by SVSH; those offices focusing on formal SVSH reporting and response; and those centers whose work contributes to overall SVSH prevention. Section 6.6 focuses on student organizations within the Associated Students of the University of California (ASUC) that are dedicated to preventing sexual violence and providing resources to students who are involved in SVSH investigations or adjudications. Section 6.7 covers student-led organizations involved in SVSH prevention. Lastly, two important off-campus community partners are described in section 6.8.

Though this section may seem long, and the list of those units covered may seem comprehensive, the review is inevitably incomplete. Grateful acknowledgements are due to those who work behind the scenes or who may otherwise inadvertently have been left out.

SVSH ADVISOR'S OFFICE

6.1. In 2017, Chancellor Carol Christ made the inaugural appointment of the Special Faculty Advisor to the Chancellor on Sexual Violence and Sexual Harassment ("SVSH Advisor"). The role of the SVSH Advisor is to help coordinate the range of SVSH prevention and response efforts on campus and to serve as a liaison between the Chancellor's office and the rest of the campus community. Berkeley is unique among the UC campuses in designating this cabinet-level senior administrative position. The SVSH Advisor Office produces the Annual Reports on SVSH.

Prof. Sharon Inkelas continued as the SVSH Advisor in 2019-2020, working with special projects analyst Ava Blustein. The SVSH Advisor consults with academic departments; co-chairs CCRT; advises the Peer Review Committee; and helps elevate the importance of SVSH prevention and response on campus. The SVSH Advisor office also supports the CCRT working groups and SVSH Core Team and carries out special projects like revamping the SVSH hub website (svsh.berkeley.edu). The SVSH Advisor represents Berkeley nationally in efforts like the American Association of Universities Advisory Board and the National Academies of Sciences, Engineering and Medicine Action Collaborative.

In recognition of the relationship between SVSH prevention and creating equitable, diverse, inclusive environments, the SVSH Advisor Office collaborated with academic partners on elevating those principles in academic contexts, such as personnel and program reviews (see more in section 12).

In 2019-2020, the SVSH Advisor Office partnered with the Sexual Violence Commission and multiple ASUC commissions (section 6.6.), as well as the Academic Senate to create an academic accommodations hub website. The SVSH Advisor Office focused on expanding the accessibility and inclusivity of campus resources.

COORDINATED COMMUNITY REVIEW TEAM (CCRT)

6.2. Appointed by the Chancellor, members of the Coordinated Community Review Team (CCRT) provide advice and guidance to campus leadership on issues related to the prevention of and response to sexual and interpersonal violence and harassment. Given the large and decentralized nature of Berkeley's urban campus, CCRT is critical to a coordinated prevention and response effort. CCRT was formed in 2016, replacing a previous campus-wide SVSH advisory committee. CCRT meets quarterly. Members of CCRT volunteer on various working groups (see section 6.2.1.), which meet more frequently. In 2019-2020, CCRT was co-chaired by the SVSH Advisor and the Deputy Associate Chancellor. The committee comprises a diverse collective of campus and community practitioners and stakeholders, including the units listed in Table 1:

Units represented on CCRT		
Academic Personnel Office	Center for Support and Intervention (CSI)	LEAD Center
Academic Senate	Chancellor's Immediate Office	Multicultural Community Center (MCC)
Alameda County District Attorney's Office	Communications and Public Affairs	New Student Services
Alameda County Family Justice Center (FJC)	Disability Access and Compliance (DAC)	Office for Faculty Equity and Welfare (OFEW)
ASUC Intimate Partner Violence Commission	Division of Equity & Inclusion (E&I)	Office for the Prevention of Harassment and Discrimination (OPHD)
ASUC Sexual Violence Commission	Division of Student Affairs and Dean of Students Office	Office of Legal Affairs (OLA)
ASUC Office of the President	Ethics, Risk & Compliance Services	Ombuds Office for Students and Postdoctoral Appointees
ASUC Student Advocate's Office (SAO)	Executive Director of Civil Rights & Whistleblower Compliance	PATH to Care Center
Bay Area Women Against Rape (BAWAR)	Family Violence Law Center (FVLC)	Residential Life
Be Well at Work - Employee Assistance, University Health Services	Gender Equity Resource Center (GenEq)	Respect is Part of Research (RPR)
Berkeley Law	Government and Community Relations	Respondent Services Coordinators
Berkeley Police Department	Graduate Assembly (GA)	Restorative Justice Center
Berkeley Student Cooperative (BSC or Co-ops)	Graduate Division	Social Services, University Health Services
Berkeley Study Abroad	Greeks Against Sexual Assault (GASA)	Staff Ombuds Office
Cal Athletics	Health Promotion at University Health Services	Special Faculty Advisor to the Chancellor on Sexual Violence and Sexual Harassment (SVSH Advisor Office)
Campus Clery Coordinator	HR People and Culture	University of California Police Department (UCPD)
CE3	Independent Hearing Coordinator Office	University Health Services (UHS)
Center for Student Conduct (CSC)	L&S Advising	Visiting Scholars & Postdoctoral Appointees (VSPA)

Table 1: Units represented on the Coordinated Community Review Team (CCRT)

CCRT Working Groups

6.2.1 Much of the impact of CCRT comes from the work carried out by its various working groups, which meet frequently throughout the year. Most members of CCRT are on a working group; some working groups also include campus subject matter experts who are not on CCRT.

Education and Prevention CCRT Working Group

6.2.1.1. The Education and Prevention CCRT Working Group focused, as in past years, on reviewing the content of prevention activities. In 2018-2019 the group had developed a set of 'pillars' to guide its assessment:

- Relevance to: undergraduates; graduate students; non-traditional students; staff; service workers; faculty
- Cultural competence and inclusivity
- Accessibility
- Message consistency
- Believability
- Ease of navigation
- Trauma-informed approach
- Evaluation method
- Perceived learning outcome(s)

In 2019-2020, the group used these pillars to guide their feedback on various educational materials, including:

- A handout about the spectrum of prevention activities designed by PATH to Care
- Dissemination opportunities for an edited version of the CARE Model, UC-Berkeley's bystander intervention model, designed by Bears that CARE (see section 6.5.10.2)
- The SVSH Prevention in Field Work Guide, designed by PATH to Care
- AB1825 supplemental training for faculty and supervisory staff (see section 7.1)
- Campus-wide social norms campaign, designed by PATH to Care (see section 7.2.1.5)

Resource Review and Development Working Group

6.2.1.2 The Resource Review and Development Working Group assessed and created resource guides that illuminate the services available to various campus populations, with the aim of making it easier to navigate resources and increasing access to support. In 2019-2020, the Working Group focused on ensuring that campus documents/resources met accessibility criteria and were effectively and inclusively disseminated. Achievements of the group included the following:

- Created separate survivor support "Quick Guides" for students and employees (Figure 1)
- Reviewed "Communities We Serve" section of PATH to Care website
- Completed a draft responsible employee "Quick Guide," posted on the svsh.berkeley.edu hub site
- Reviewed in-progress "Notice of Rights and Obligations (NORO)" document
- Reviewed bCourses and CalCentral language regarding resources and accommodations
- Reviewed PATH to Care's SVSH Field Placement Guide/Resource
- Reviewed the Interactive Resource Guide for Survivors.

In the future, the Resource Review and Development group will continue to bring together various stakeholders across the community to design, customize, and distribute resource guides. The aim of this working group aligns with the MyVoice Survey action steps of Empowering Friends and Raising Awareness About Resources (section 12).

Figure 1: The front sides of the "Where to Get Support Quick Guide for Students" (left) and the "Where to Get Support Quick Guide for Campus Employees" (right). Both resources, as well as plain text and translated versions are available at https://svsh.berkeley.edu/support/downloadable-resources.

Restorative Justice (RJ) and Transformative Justice (TJ) Working Group

6.2.1.3 The RJ and TJ working group developed two preliminary proposals for addressing sexual and relationship violence, sexual harassment, and related behaviors on campus. The first outlines opportunities for Restorative and Transformative Justice in primary prevention that can unite community-building processes and prevention efforts for interested groups. The second proposal identifies pathways toward offering Restorative and Transformative Practices in responses to incidents. These proposals will guide future actions of the RJ and TJ Working Group in moving towards a pilot program.

SVSH Core Team

6.3. The SVSH Core Team is a small tactical group of key campus partners whose focus is on continuous improvement of strategic communications, information sharing, and best practices. The group meets twice a month throughout the year. In 2019-2020, the SVSH Core Team was chaired by the SVSH Advisor. Most of its members also serve on CCRT.

Units represented on Core Team	
Campus Clery Coordinator	Gender Equity Resource Center
Campus Counsel	HR People and Culture
Center for Student Conduct	Independent Hearing Coordinator
Center for Support and Intervention	PATH to Care Center
Chief Ethics, Risk, and Compliance Officer (CERCO)	People & Culture Labor and Employee Relations
Communications & Public Affairs	Office for the Prevention of Harassment and Discrimination
Deputy Associate Chancellor and Chief Operating Officer	Residential Life and Student Service Programs
Division of Student Affairs and Dean of Students Office	Special Faculty Advisor to the Chancellor on SVSH
Executive Director of Civil Rights and Whistleblower Compliance	University of California Police Department
Family Violence Law Center	University Health Services

Table 2: Units represented on SVSH Core Team

Office on Violence Against Women (OVW) Grant

6.4. 2019-2020 was the third and final year of a $300,000 grant to the campus from the federal Office on Violence Against Women (OVW). The OVW grant has five tracks: law enforcement, investigation and adjudication, prevention, victim services, and the Campus Coordinated Review Team (CCRT). For each track, the OVW Campus Program Coordinator collaborated with various campus units to identify service and programmatic needs, develop and implement a strategic plan, and evaluate effectiveness. The OVW grant bolstered campus efforts by expanding prevention education programs for students and employees, increasing the effectiveness of CCRT (section 6.2) and SVSH Core Team (section 6.3), and ensuring that resources are culturally-relevant, inclusive, and accessible. The campus applied for a continuation of the grant; a decision was expected in Fall 2020.

Campus Units

6.5. The campus and broader community contain a large number of units whose work relates to SVSH prevention and response. Most of these are represented on the Coordinated Community Review Team (CCRT). This section describes these units, including their work related to CCRT and updates from 2019-2020.

Some but not all of these units bear the designation of "Confidential Resource." This term, like the term "Responsible Employee," is defined with respect to the UC SVSH Policy (more in section 9.2.1). A Confidential Resource is exempt from Responsible Employee reporting requirements, meaning that they are not obligated to share information about SVSH incidents with OPHD. The term "confidential" is sometimes used in other contexts, but should not be confused with the more specific term "Confidential Resource." Confidential resources are a good place to start for survivors who want to get support while exploring options, whether or not they ever choose to report.

Section 6.5 begins with the PATH to Care Center and several other Confidential Resources, followed by key offices, such as the Office for Prevention of Harassment and Discrimination (OPHD), to which SVSH incidents can be formally reported. Also covered in this section are the Gender Equity Resource Center (GenEq) and many other centers which support members of the campus community in a variety of important ways.

PATH to Care Center (Confidential Resource)

6.5.1. Every University of California campus has a confidential CARE center. At Berkeley, this is the PATH to Care Center. PATH is an acronym which stands for prevention (section 7.2.1), advocacy (section 8.1), training (section 7.0), and healing (section 8.4). PATH to Care has two essential functions: survivor support, of which healing is a part, and primary prevention, of which training is a part. The PATH to Care Center approaches this work through social justice and public health lenses, with the aim of changing culture and transforming the Berkeley campus into a community free of violence. Through CCRT, SVSH Core Team, and its many collaborations with academic and other units on campus, the PATH to Care Center engages the campus community in efforts to prevent, intervene, and respond to harassment and violence. PATH to Care Center employees are designated as Confidential Resources under the UC

SVSH Policy. In addition, PATH to Care employees complete state certification in sexual assault and domestic violence counseling, making communications with survivors of those forms of harm privileged under the law. PATH to Care has grown considerably since its inception in 2014, when it had one employee. As of the end of the 2019-2020 academic year, PATH to Care had twelve full time professional staff and numerous student employees. The services of the PATH to Care Center are available equally to students, staff and faculty.

<div align="center">**PATH to Care Center Survivor Support Team**</div>

6.5.1.1. The highly trained, confidential advocates on the PATH to Care Survivor Support team provide 24/7 crisis response and coordination and ongoing affirming, confidential support and healing opportunities for those who have experienced sexual violence, sexual harassment, intimate partner violence, and stalking. (See section 8 for more discussion of campus survivor support services; utilization data is presented in section 10.) In 2019-2020, the Survivor Support team provided advocacy for 291 individual clients affected by SVSH.

PATH to Care Center advocates also offered consultations, assistance with protocol development, and 'first-line responder' training to other campus and community partners. Consultations and trainings equip those most likely to receive disclosures with the tools to make survivors feel heard and supported, connect survivors to the appropriate resources, and fulfill their own Responsible Employee reporting obligations.

In 2019-2020, PATH to Care offered various new healing modalities to the survivor community, serving over 140 individuals (see section 8.4 for more).

PATH to Care shifted almost all advocacy services and healing programs to remote delivery in response to the COVID-19 pandemic. Confidential Advocates continued to be available for in-person accompaniments to medical care and reporting to law enforcement during the shelter-in-place mandates.

<div align="center">**PATH to Care Center Prevention Team**</div>

6.5.1.2. On the prevention side, a team of PATH to Care professional staff lead the campus efforts in primary prevention (see section 7) for all students and employees. PATH to Care staff assisted in creating and delivering mandatory prevention education, facilitated prevention workshops for departments and groups, and led initiatives such as the new T.R.A.I.L. Certificate program (section 7.2.1.1.), the Academic Department Prevention Toolkit (section 7.2.1.3.), and the campuswide social norms campaign (section 7.2.1.6).

PATH to Care's "train the trainer" graduate student program promoted prevention and a culture of respect among the graduate and professional student community, offering a local alternative to the SVSH prevention education that incoming graduate students otherwise receive in large groups upon arrival. Students played an important role in PATH to Care's prevention efforts. A robust program of undergraduate peer educators, trained through PATH to Care, delivered numerous prevention workshops, managed the Center's social media presence, and provided prevention consultations to undergraduate student organizations.

PATH to Care Center Advisory Board

6.5.1.3. The PATH to Care Center's Student Advisory Board is responsible for keeping the Center apprised of current trends, opportunities, concerns and ideas among graduate and undergraduate student populations. Board members utilize insights from their student leadership roles, peers and community, and life experience to inform the work of the PATH to Care Center. Board members are appointed from key student groups engaged in the activism and prevention of SVSH.

Be Well at Work/Employee Assistance (Confidential Resource)

6.5.2. Be Well at Work/Employee Assistance is a Confidential Resource within University Health Services that serves faculty and staff. The focus of Employee Assistance includes, but is not limited to, mental illness, chemical dependency, interpersonal problems, employee deaths, threats of violence, work stress, and change management. While Employee Assistance does not specialize in the trauma of sexual violence, they are a Confidential Resource and can offer counseling and guidance, as well as consultation services for managers who are dealing with the effects of an SVSH-related situation in the workplace.

Social Services (Confidential Resource)

6.5.3. Social Services is a Confidential Resource within University Health Services that serves students. Social Services counselors specialize in certain areas relevant to SVSH, including relationship violence and stalking, sexual violence, sexual health, and LGBTQ+ identity. In addition to working with survivors, counselors provide support and psycho-education to respondents and students who are concerned they have caused harm and are interested in working towards positive behavioral change. Counselors may also, with student consent, help facilitate arrangements with academic departments and assist with referrals to campus offices and the community. Social Services hosts support groups on varying topics each semester.

During the COVID-19 pandemic, Social Services trauma counselors transitioned individual and group counseling services to a telehealth virtual format using HIPAA-compliant Zoom.

In 2019-2020, Social Services hired an additional full-time employee focused on trauma healing, with a national certification in trauma-focused cognitive-behavioral therapy (TF CBT). Social Services also purchased two eye movement desensitization and reprocessing (EMDR) light bars to support the work of clinicians who practice this evidenced-based, brief treatment model with survivors.

Ombuds Offices (Confidential Resources)

6.5.4. Through two offices, UC Berkeley provides professional ombuds services to students, postdoctoral appointees, staff, and those faculty who are performing management functions. These offices qualify as Confidential Resources.

Ombuds Office for Students and Postdoctoral Appointees

6.5.4.1. The Ombuds Office for Students and Postdoctoral Appointees is a Confidential Resource that both survivors and respondents can use as a useful first step or place of ongoing assistance. The Ombudsperson will listen to concerns, discuss options, and help empower visitors with information to determine next steps. This office is not dedicated to SVSH in particular, but is a place where visitors can speak freely about incidents without resulting in further action. This office can connect visitors with PATH to Care, Social Services, OPHD, or any other helpful resource as appropriate.

The Staff Ombuds Office

6.5.4.2. The Staff Ombuds Office is a Confidential Resource that provides impartial and informal conflict resolution and problem-solving services for all staff as well as for faculty who perform management functions. The Staff Ombuds Office provides a safe place for individuals to voice and clarify concerns, understand conflict situations, and think through how they want to proceed at their own pace in confidence. Unless there is an imminent risk of serious physical harm, employees can talk freely about incidents without fear that it will be disclosed to others or result in further action. The Staff Ombuds Office often connects survivors to resources dedicated to SVSH, including PATH to Care, Employee Assistance, or OPHD as appropriate and ensures individuals are informed about all available campus resources.

The Staff Ombuds Office may also serve as a resource for employees who have concerns about the University's methods of prevention and response to sexual misconduct to talk confidentially about their experiences and ideas for improvement. With permission of the individual, the Staff Ombudsperson can alert appropriate administrators to issues involving due process, including lack of clarity or fairness in the complaint process. If a problem is systemic, the Staff Ombuds Office may, upon its own initiative, provide upward feedback without disclosing confidential information.

The Gender Equity Resource Center

6.5.5. The Gender Equity Resource Center (GenEq) fosters an inclusive experience for all. At GenEq, students, faculty, staff and alumni connect for resources, services, education and leadership programs related to gender and sexuality. Staff and student interns create programming serving the women's, lesbian, gay, bisexual, transgender, and/or queer, and men's communities; provide a space for respectful dialogue about sexuality and gender; and support survivors of sexual, gendered, dating, and hate-related harassment and/or violence.

Prior to the establishment of PATH to Care, GenEq served a primary role in campus one-on-one SVSH response and SVSH education, through programs and workshops. GenEq continues to contribute to these critical campus efforts for addressing sexual harassment, stalking, dating violence and sexual violence. In 2019-2020, the Gender Equity Resource Center sponsored "Our Monologues," the largest student production that raises awareness of gender-based violence and explores themes such as healing and liberation, while centering people with historically marginalized identities. In addition to these benefit performances raising over $150,000 for campus and community organizations focused on addressing various manifestations of violence, GenEq also sponsored self-defense classes in

collaboration with University Health Services. GenEq staff provided referrals to campus resources such as the PATH to Care Center and OPHD for anyone impacted by sexual violence and sexual harassment, misgendering, and hate crimes.

Office for the Prevention of Harassment and Discrimination (OPHD)

6.5.6. The Office for the Prevention of Harassment and Discrimination (OPHD) is the campus Title IX Office, directed by the campus Title IX Officer. OPHD is charged with overseeing campus compliance with policies that prohibit discrimination and harassment, including those based on sex, gender identity, sexual orientation and pregnancy, for faculty, staff, students, applicants and visitors. OPHD also oversees compliance with institutional obligations under the UC SVSH Policy, Title IX of the Education Amendments of 1972, and certain other applicable federal and state laws. OPHD advises campus leadership and the Athletic Director on compliance with Title IX-related gender equity requirements for athletics activities. OPHD also oversees compliance with conflict of interest policies and other nondiscrimination policies and legal requirements related to other protected categories, e.g., race, national origin, religion, etc., for faculty, staff, and students. OPHD provides consultation and training to campus and community partners on general policy guidance, best practices, and the Responsible Employee reporting obligation.

Given its compliance mandate, OPHD is an office of record. Allegations of sexual violence, sexual harassment, and other conduct prohibited under the UC SVSH Policy may (and in some cases must) be reported to OPHD, where highly trained complaint resolution officers conduct initial assessment, informal resolution, or formal investigation of sexual harassment, sexual violence, or other gender discrimination complaints. The outcomes of these processes can feed into the campus disciplinary (adjudication) process; that process is driven by other policies, and administered by other offices. More detail is provided in section 11.

Case Management Teams

6.5.6.1. OPHD oversees the campus team-based case management approach to cases of alleged conduct prohibited under the UC SVSH Policy, with the aim of providing a coordinated, trauma-informed, and effective response. There are separate case management teams (CMTs) for students, staff, faculty and academic personnel cases. Each CMT includes representatives of key response and support offices on campus to coordinate on specific reports of sexual misconduct and to review trends, identify areas of concern for the campus population, and initiate necessary actions to address those areas of concern.

Center for Student Conduct

6.5.7. The Center for Student Conduct (CSC) contributes to the holistic development of students by administering the Code of Student Conduct through equitable practices that promote education, foster a sense of accountability, and encourage community responsibility and mutual respect. CSC oversees the process which determines if a student or student organization engaged in behavior that violates the Code of Student Conduct. For alleged SVSH misconduct involving student respondents, OPHD and CSC coordinate their activities. More detail about the student conduct process in SVSH cases can be found in section 11.2.1.

6.5.8. The Hearing Coordinator manages the administrative and procedural aspects of all SVSH hearings with student respondents. Additionally, the Hearing Coordinator serves as a resource to parties during the pre-hearing and hearing process to answer questions they may have about hearing logistics, procedures, and measures to protect well-being at the hearing. The Hearing Coordinator can help ensure that students participating in the hearing process are connected to appropriate campus resources (support person and/or advisor). The Hearing Coordinator works to ensure that campus adjudication procedures are equitable and transparent for participants.

The student adjudication framework that was in place in 2019-2020 is described in section 11.2.1. For current information about SVSH Hearings and the Hearing Coordinator role, visit svsh.berkeley.edu/svsh-hearings.

University of California Police Department (UCPD)

6.5.9. The University of California Police Department (UCPD) is the law enforcement agency with jurisdiction over the Berkeley campus. UCPD coordinates with, but is separate from, the City of Berkeley Police Department (BPD). In collaboration with University and community partners, UCPD strives to provide the highest level of service to all those who attend, are employed by, or visit the Berkeley campus. UCPD addresses immediate and ongoing public safety concerns, investigates crime, and assists victims/survivors who choose to pursue criminal justice outcomes.

UCPD works closely with others involved in SVSH prevention and response efforts by participating in campus and community groups (e.g., CMT, CCRT, SVSH Core Team); by coordinating efforts and sharing information within the limits of legal and policy mandates; and by participating in and providing input for the content and delivery of prevention programs. UCPD partners also contribute to the development of trauma-informed training and policies to best serve those who have experienced harm in the community.

Members of the campus community have the option to report incidents of sexual violence to law enforcement (whether UCPD, BPD, or another police department), or to the campus Title IX office (OPHD), or both. UCPD is able to document any reported SVSH incident and investigate crimes that occurred in its jurisdiction, but only OPHD is able to investigate campus SVSH policy violations (including those that might have occurred at the same time as any crimes). UCPD investigators coordinate closely with OPHD in cases where SVSH allegations are concurrently being investigated under criminal and administrative procedures.

Clery Coordinator

6.5.9.1. Universities are required by Federal law (the Clery Act) to produce an Annual Security and Fire Safety Report that contains crime statistics, including crimes of sexual violence, that are reported to Campus Security Authorities, such as athletic coaches or law enforcement officers. Each Annual Security and Fire Safety Report provides data for the three previous calendar years. In 2019, the university hired a campus Clery coordinator, who, in conjunction with campus partners and the Clery liaison, helps to ensure

compliance with all federal obligations under the Clery Act. To find information about the Clery Division of UCPD and the Annual Security and Fire Safety Report, visit ucpd.berkeley.edu/policies/clery-division.

Center for Support and Intervention

6.5.10. The Center for Support and Intervention (CSI) in the Division of Student Affairs addresses prevention and intervention for harm and violence on campus and provides support to students experiencing or causing distress in the campus community. CSI's violence prevention work is directed by a Violence Prevention Coordinator (section 6.5.10.1) and includes the Bears that CARE program (section 6.5.10.2). CSI's support functions include case management; limited risk assessment; consultation; collaboration; and intervention with, and for, students, faculty, staff, and other campus and community colleagues in order to prevent students and the campus community from experiencing harm and violence. CSI also runs the Students of Concern Committee (6.5.10.3) and Student Respondent Services (6.5.10.4).

Violence Prevention Coordinator

6.5.10.1. The Violence Prevention and Education Program Coordinator within CSI organizes campus-wide violence and harm prevention programs, implementing new initiatives in partnership with campus stakeholders to promote a culture of care. The Coordinator oversees the Bears that CARE program, which supports active bystander culture to encourage members of the campus community to "TAKE ACTION" in a situation that could be potentially harmful to another person. The Coordinator also chairs the Violence Prevention Collaborative, a cross-divisional team of professionals and students dedicated to reducing violence and harm in the campus community. The Coordinator works to create a campaign or product on an annual basis that contributes to prevention efforts. Past campaigns include a workshop on racial microaggressions and asset mapping to create a comprehensive list of resources. In November 2019, the Violence Prevention Collaborative was amended to become the Hazing Prevention Collaborative to meet a significant gap in prevention services on campus. This change will remain in effect until hazing prevention initiatives are sufficiently self-sustained. Though the Violence Prevention Coordinator does not work exclusively on sexual violence, these issues are included within the range of violence and harm experienced by students, and thus are significant elements of the work.

Bears that CARE

6.5.10.2. The Bears that CARE program within CSI educates and empowers the campus community to recognize potential harm as it occurs and intervene safely and effectively. Bears that CARE offers two distinct sexual violence prevention workshops focused on bystander intervention, as well as a selection of other workshops related to bystander intervention that can be customized for any specifc needs or issues. Bears that CARE has a trained student staff team and provides workshops for undergraduate students, graduate students, staff and faculty. Workshops will be offered in a virtual format for Fall, 2020, but will otherwise operate at full capacity.

Students of Concern Committee

6.5.10.3. The Students of Concern Committee provides a centralized place for campus departments to communicate relevant information, coordinate institutional response, and consult about complex cases involving students of concern. Students are referred to the Center for Support and Intervention when they exhibit behaviors that are of concern in relation to their personal, physical, and emotional well-being; select cases are then brought to the Students of Concern Committee, which uses the NABITA risk rubric (National Behavioral Intervention Team Association; nabita.org) to assess current risk to self or others. The Students of Concern Committee is not dedicated to SVSH in particular, but SVSH is included in the broad range of situations that it covers.

Respondent Services Coordinator for Students

6.5.10.4. The Respondent Services Coordinator for students assists student respondents — those about whom complaints of SVSH misconduct have been reported to OPHD, or who are involved in a serious non-SVSH adjudication process which might result in suspension or dismissal — in understanding the investigation and adjudication process, and their rights. The Respondent Services Coordinator is not an advocate, nor a Confidential Resource. They can point respondents to resources on or off-campus. In 2019-2020, 36 respondent cases were referred to the Center for Support and Intervention.

People & Culture and Labor Relations

6.5.11. People & Culture (formerly Human Resources) provides work-related resources to all employees, with a focus on non-academic staff. Various units within People & Culture provide general guidance related to employee and labor relations, and offer resources for coaching managers and ensuring a healthy workplace.

When a staff member is a respondent in an SVSH case, People & Culture plays a role in the adjudication process (see section 11.2), and offers respondent services for staff (section 6.5.11.1).

In 2019-2020, People & Culture hired UC Berkeley's first-ever Director for Diversity, Equity, Inclusion and Belonging. Under the direction of both Equity & Inclusion and People & Culture, the Director will lead campus wide efforts to create a more equitable workplace for all community members.

Staff Respondent Services

6.5.11.1. People & Culture provides respondent services for staff about whom complaints of SVSH misconduct have been reported to OPHD. Respondent Services providers help respondents understand the investigation and adjudication process and their rights. Respondent Services providers are not advocates, nor Confidential Resources. They can point staff respondents to resources on or off-campus.

Academic Personnel Office

6.5.12. The Academic Personnel Office (APO) provides work-related resources to faculty and other academic appointees at Berkeley, and ensures that academic appointees are aware of their rights and obligations. APO plays a role in the adjudication of certain disciplinary cases (section 11.2). APO is the future home of Academic Appointee Respondent Services. This function was still under development during the 2019-2020 academic year.

LEAD Center

6.5.13. The Leadership, Engagement, Advising, and Development (LEAD) Center, an office within Student Affairs, is UC Berkeley's hub for student involvement. The LEAD Center provides administrative, advising, and programmatic support to various student communities, including approximately 1,200 registered and sponsored student organizations (RSOs), 60+ recognized fraternities and sororities (the CalGreeks system), undergraduate and graduate student government (the ASUC and Graduate Assembly), Bridges and the Recruitment & Retention Centers, Cal Debate and many other student groups and activities.

The LEAD Center participates in the CCRT as a partner in SVSH prevention and response in order to support the cultivation of a healthy campus community.

The Associated Students of the University of California (ASUC)

6.6. The Associated Students of the University of California (ASUC) is the officially recognized student government of UC Berkeley. Within the ASUC, there are elected executive officers, including the Student Advocate (section 6.6.1), and several appointed commissions such as the Sexual Violence Commission (section 6.6.2) and the Intimate Partner Violence Commision (section 6.6.3).

The Student Advocate's Office (SAO)

6.6.1. The Student Advocate's Office (SAO) is an executive, nonpartisan office of the ASUC. The ASUC is an independent 501(c)3 non-profit organization and therefore, SAO caseworkers are not employed in this capacity by UC Berkeley, and are not considered Responsible Employees in their SAO work (see section 9.2.1). The SAO offers free and confidential assistance and advice to any student or student group with issues related to academics, conduct, financial aid, and other grievances. The Conduct Division — effectively a public defender for students — works with student respondents in SVSH cases, and the Grievance Division works with student complainants/survivors. Last year, 14 different case workers worked on a total of 12 SVSH cases in the Conduct and Grievance Divisions. Prior to working with clients, the caseworkers handling SVSH matters in the SAO are extensively trained by their internal leadership team and senior caseworkers, as well as by experts within PATH to Care, the Ombuds Office for Students and Postdoctoral Appointees, the Office for the Prevention of Harassment and Discrimination, the Center for Student Conduct, and University Health Services.

The SAO is a member of the Coordinated Community Review Team (CCRT) (see section 6.2) and participates in several CCRT working groups. During the 2019-2020 academic year, the SAO submitted comments on the draft UC SVSH Policy Appendix E (see section

11.2.1.) and the proposed Title IX regulations (see section 4.2.4.). Additionally, the SAO partnered with several campus offices to expand resources, including OPHD, Social Services, and the PATH to Care Center. SAO co-sponsored PATH to Care's Wellness Fund proposal, which secured $350,000 to improve the privacy and accessibility of PATH to Care's office space. SAO additionally secured Wellness Fund grants for the continuity of the Survivor's Medical Fund housed in UHS. The SAO also secured $61,373 from the Wellness Fund for a project to implement restorative pathways in the Center for Student Conduct. Such pathways do not yet extend to SVSH processes, but building restorative foundations for other types of misconduct may lead to future implementation of restorative SVSH models, such as the ones being envisioned by the RJ/TJ Working Group (section 6.2.1.2).

ASUC Sexual Violence Commission

6.6.2. The Sexual Violence Commission (SVC) of the ASUC is comprised of individuals who are committed to holding the university accountable for transforming university sexual assault policies and resources; improving, expanding, and publicizing services and resources for survivors; improving educational awareness and consciousness-raising among students; and otherwise fostering a culture of consent on campus and in the community to ensure student safety and to create a more inclusive campus climate. The SVC uses a cross campus approach to ensure all such efforts are intersectional, welcoming, and considerate to all who have been impacted by sexual violence and harassment. In the 2019-2020 academic year, the SVC engaged with approximately 200 students.

In the Fall of 2019, the SVC collaborated with a number of ASUC senators, campus organizations and partners in contributing to a project led by the Special Faculty Advisor to the Chancellor on SVSH, resulting in the creation of the "Accommodations Hub Page" to which bCourses and CalCentral link (see section 12.1.2).

ASUC Intimate Partner Violence Commission

6.6.3. The Intimate Partner Violence (IPV) Commission of the ASUC is dedicated to supporting students who have experienced intimate partner violence. The IPV Commission provides on-campus resources and engages in community outreach and advocacy work, including workshops, educational events, referrals to local agencies and campus resources, peer-to-peer support groups and a high school dating violence prevention program. The commission takes an intersectional approach to IPV and addresses it as a public health issue by focusing their outreach towards those communities disproportionately affected by abuse. Through education and advocacy, the IPV Commission hopes to actively support survivors and change the normalized culture of violence.

In 2019-2020, the IPV Commission educated 2,500 students in the Bay Area community, mostly high school students. The IPV Commission also collaborated with the Alameda County Family Justice Center to provide workshops for community members affected by intimate partner violence.

Engaged Student Groups

6.7. UC Berkeley is known historically and globally for student activists who work tirelessly to better the community. Student groups and activists have been integral to holding the university accountable for making improvements to SVSH policies and resources.

This section features several formalized student-only organizations which are focused on cultivating a safe learning and living environment. These are in addition to the students who work out of offices already mentioned above, including PATH to Care Peer Educators, the Bears that Care program within the Center for Support and Intervention, and others. The list is necessarily incomplete, leaving out many individuals and informal groups who have fought for equality and recognition through their own cases or within their own communities. For more information about finding such groups, visit svsh.berkeley.edu/home/ways-get-involved.

Greeks Against Sexual Assault (GASA)

6.7.1. Greeks Against Sexual Assault (GASA) is a group of representatives from fraternities and sororities whose mission is to spread awareness and provide the four councils of the Greek System with accessible prevention resources related to sexual violence. GASA strives to garner community and coalition-building against sexual violence and destigmatize the reporting of assaults. Presentations by GASA, often coordinated with PATH to Care, are one of the ways in which fraternities and sororities meet their goals of regular prevention education (see section 7.1.7).

In 2019-2020, GASA hosted 25 workshops, educating an estimated 850-1000 students.

Consent Working Group

6.7.2. The Consent Working Group (CWG) is a cohort of Berkeley Student Cooperative (BSC) members established to create and implement consent education for the BSC's 20 residential units. CWG workshops cover the main tenets of consent, employing innovative forms of consent education that discuss underlying causes of consent violations. Some examples of these topics include consent within ongoing relationships; consent in LGBTQIIA+ relationships; and the effects of hypersexualization, gender performance and other power structures on consent and on survivors.

Respect is Part of Research (RPR)

6.7.3. Respect is Part of Research (RPR) is a peer-led sexual violence / sexual harassment (SVSH) prevention workshop for incoming graduate students at UC Berkeley. RPR is based on the idea that peer-led training is the most effective way to communicate social norms. By setting expectations about department culture and community early, RPR hopes to mitigate potential climate problems before they rise to the level of SVSH complaints. RPR also aim to give everyone the tools to communicate about difficult issues and have productive discussions about department climate. RPR's goal is to create a respectful, positive working environment where everyone can do their best science.

RPR trainings, developed in close cooperation with the PATH to Care Center, consist of:

- a 45 minute presentation that covers university policy, goals for department climate, effective bystander intervention, and how to respond to difficult situations.

- small-group discussions of case studies taken from real STEM grad student experiences. The discussions are facilitated by experienced grad students in the department.

RPR expanded to four new departments in 2019-20 and is now active in eight altogether: Physics, Astronomy, Math, Neuroscience, Chemistry, Chemical Engineering, Materials Science & Engineering, and Molecular & Cell Biology. In 2019-2020, RPR trained 57 peer facilitators and 278 incoming graduate students.

In 2019-20 RPR led a two-day workshop to teach physics and astronomy graduate students from other universities how to start their own peer-led SVSH training programs. The program included running the current RPR workshop for attendees; panel discussions; presentations on how to create effective content and case studies; and time for attendees to set their own climate goals, practice facilitating, and share ideas for new content. The workshop was attended by a total of 23 graduate students from 10 universities including Harvard, Princeton, and Caltech.

<div align="center" style="background:#E0A526;color:white;font-weight:bold;padding:8px">Community partners</div>

6.8. UC Berkeley's rich network of campus partners is enriched by its connections with community partners. This section highlights two with whom connections have been particularly strong.

<div align="center" style="background:#E0A526;color:white;font-weight:bold;padding:8px">Bay Area Women Against Rape (BAWAR)</div>

6.8.1. Bay Area Women Against Rape (BAWAR) is a sexual violence crisis center serving Alameda County through a variety of crisis intervention, training, and prevention programs. BAWAR offers 24/7 support and advocacy to survivors of sexual violence of all gender identities and backgrounds, supplementing and providing an alternative to the advocacy and survivor support services offered to UC Berkeley affiliates by PATH to Care. In 2019-2020, BAWAR offered support to UC Berkeley affiliates via their 24/7 crisis hotline at 510-845-7273 as well as via the Sexual Assault Response Team (SART) Program at police stations in Alameda County and at Highland and Washington hospitals. BAWAR also refers UC Berkeley affiliates to PATH to Care for on-campus support.

<div align="center" style="background:#E0A526;color:white;font-weight:bold;padding:8px">Family Violence Law Center</div>

6.8.2. The Family Violence Law Center (FVLC) helps diverse communities in Alameda County heal from domestic violence and sexual assault, advocating for justice and healthy relationships. FVLC provides survivor-centered legal and crisis intervention services, offers prevention education for youth and other community members, and engages in policy work to create systemic change. FVLC frequently works with survivors of domestic violence, dating violence, sexual assault, and stalking who are part of the UC Berkeley community. FVLC's close partnership with the campus is reflected in its membership in CCRT.

In 2019-2020, FVLC provided 7,952 legal service hours to 1,186 survivors of domestic violence and sexual assault. During this period, FVLC provided advocacy for six UC Berkeley students. Throughout all stages of administrative proceedings, FVLC staff attorneys advise and advocate for the rights of students under Title IX.

7.0 *Prevention*

Led by the PATH to Care Center and reliant on the collaborative work of many, the Berkeley campus has adopted a comprehensive SVSH primary prevention strategy based on the social-ecological model, recommended as an evidence-based best practice in the public health domain. This model identifies individual, relational, community, institutional, and structural levels at which work can take place; accordingly, campus prevention efforts range from individual education and peer-to-peer outreach to social norms campaigns, shifts in policy, and widespread culture change. The specific aims of the prevention work are:

- preventing sexual harassment, dating and domestic violence, sexual assault, and stalking;
- increasing awareness of rights, campus and community resources, and reporting processes;
- developing bystander intervention skills and uplifting positive social norms

Prevention work includes training. Some training is mandatory, as discussed in section 7.1. But UC Berkeley goes beyond state and university-mandated training requirements. PATH to Care and many other organizations dedicate time to educating the campus community in bystander intervention, positive social norms, and support for survivors. These efforts are discussed in section 7.2. All in all, over 17,000 people on campus received in-person or virtual prevention training in 2019-2020, and many more were exposed to prevention messaging through banners, flyers, campus communications, and social media.

7.1. MANDATORY TRAININGS

State and federal laws as well as UC policy mandate prevention and education for all students, staff, and faculty. Content, frequency, and delivery modes vary by population, as described below. Delivery of these requirements is a campuswide collaboration and includes expertise from the PATH to Care Center, the Office for the Prevention of Harassment and Discrimination, the Campus Clery Coordinator, the Special Advisor to the Chancellor on SVSH, and numerous other partners.

7.1.1. Incoming undergraduate student education

New student prevention is arranged using a three-stage model to engage incoming members of the Berkeley community.

Letter. Before coming to campus, all students receive a letter from the Vice Chancellor of Student Affairs emphasizing expectations and community standards; campus and community resources; training requirements, and institutional policies.

Online. Students are also expected to complete a 90-minute online education module prior to joining the campus, which addresses several concepts including bystander intervention. In 2019-2020, a total of 9,402 students completed the online training.

In-person. Upon arrival on campus, students attend one of several in person, theater-based education sessions followed by small group discussion guided by orientation leaders. Students satisfy these requirements in order to sign up for Spring classes. In 2019-2020, a total of 9,812 students completed the Bear Pact requirement during Golden Bear Orientation.

Students who fail to complete required SVSH training have a hold placed on their registration, which restricts access to student services, can delay financial aid disbursement, and impact enrolling in classes. The hold stays in place until the requirement is completed.

7.1.2. New graduate and professional student training

Prevention education for new graduate and professional students is also structured on a three-stage model, administered in collaboration between the PATH to Care Center, Graduate Division, and OPHD. All students who begin a graduate or professional degree program are responsible for completing these requirements.

Letter. Before arrival, all incoming graduate students receive a letter from the Vice Provost for Graduate Studies emphasizing expectations and community standards; campus and community resources; and institutional policies.

Online. Pre-arrival, incoming graduate students take an online course, "Sexual Assault Prevention for Graduate Students," developed for the UC system by Everfi. In 2019-2020, approximately 4,152 new graduate and professional students took the online training.

In-person. All new graduate students, excluding students in online programs, also participate in an in-person prevention training program developed by the PATH to Care Center and OPHD. All incoming students had the opportunity to take these sessions during New Graduate Student Orientation, hosted by the Graduate Division.

Certain departments and schools incorporated in-person prevention training into their department orientations through PATH to Care's "train the trainer" program or through the Respect is Part of Research program (section 6.7.3). In 2019-2020, some 3,757 graduate and professional students participated in in-person training.

7.1.3. Continuing Education for Undergraduate and Graduate/Professional Students

In addition to completing educational SVSH requirements when they first enroll, all students must complete an online refresher course every year they are enrolled at UC Berkeley. In 2019-2020, new undergraduate and graduate refresher courses were created by campus partners, including the PATH to Care Center, OPHD, the SVSH Advisor Office, the Dean of Students office, and the Graduate Division.

7.1.4. New graduate student instructor training

New Graduate Student Instructors (GSIs) support faculty in their role as teaching assistants or, under specific conditions, may teach courses on their own. New GSIs receive training in the form of a Teaching Conference sponsored by the GSI Teaching and Resource Center and the online course "Professional Standards and Ethics for GSIs," which has a module on "Creating an Educational Environment Free of Sexual Harassment." (Similar training is in place for undergraduates who serve as teaching assistants to certain faculty-led courses.)

7.1.5. Faculty and staff training

California law (AB1825 and AB2053) and the UC SVSH Policy require that all employees complete annual prevention education training, starting within the first 90 days of employment. For non-represented staff, this requirement is enforced via the withholding of merit increases for those out of compliance. The majority of employees complete their training via an online module. Currently, UC Berkeley utilizes EverFi's "Think About It" modules for both students and non-supervisory staff.

For faculty and supervisory staff, modules alternate by year. A 2-hour course is required every other year, and a shorter supplemental course is offered in the off years. The 2-hour course is provided by UCOP; the supplemental course is designed locally and features Berkeley-specific content. The shorter supplemental course was refreshed in 2019-2020 in a joint effort by the PATH to Care Center, the Office for the Prevention of Harassment and Discrimination (OPHD), and the SVSH Advisor Office, providing updated and tailored prevention and response information in an accessible format.

Multi-pronged efforts, including personal reminders, logistical assistance, and in-person training alternatives are in effect to increase participation in required training. In May 2020, 79.2% of all non-student employees were in compliance with their SVSH training requirements. These compliance rates were a few percentage points lower than the previous year, but similar to the May 2020 compliance statistics for other mandatory trainings (e.g., cybersecurity and ethics). This drop is likely due to the extra demands on employee time caused by the transition to remote work environments due to the COVID-19 pandemic. We expect compliance to return to normal levels in 2020-2021.

7.1.6. Intercollegiate Athletics

All student-athletes, coaches, and Intercollegiate Athletics staff are required by the NCAA and the California State Auditor to receive annual education on sexual violence prevention, intervention and response. Since 2017-2018, Intercollegiate Athletics (IA) has partnered with PATH to Care and OPHD to satisfy the requirements through tailored in-person training. In Fall 2019, all new student-athletes were also trained in the Bears that CARE bystander intervention program (section 6.5.10.2).

The PATH to Care Prevention team also worked with several men's teams to pilot the Coaching Boys into Men (CBIM)-College curriculum, adapted by PATH to Care from the original secondary education program developed by Futures Without Violence. The PATH to Care team also began collaboration with several women's teams to pilot Athletes As Leaders (AAL), an adaptation of a secondary education program developed by Futures Without Violence and the Harborview Center for Sexual Assault and Traumatic Stress at the University of Washington.

7.1.7. Registered Student Organizations and Greek Life training

As the primary resource for registered student organizations (RSOs) at UC Berkeley (see section 6.5.13), the Leadership, Engagement, Advising, & Development Center, or LEAD Center, supports SVSH prevention by requiring signatories of all RSOs to participate in SVSH prevention training. The LEAD Center also connects student organizations to campus partners that support on-going prevention training and education efforts.

The LEAD Center advises the Interfraternity Council (IFC), Multicultural Greek Council (MCGC), the National Pan-Hellenic Council (NPHC), and the Panhellenic Council (PHC). All recognized Greek organizations are affiliated with one of these associations. The LEAD Center requires each chapter president and at least one other executive officer to attend semesterly Social Risk Management training, which includes SVSH prevention training. In addition, IFC and PHC have a self-imposed requirement that at least 80% chapter members attend a workshop about SVSH prevention and response each semester. These workshops are typically led by PATH to Care or GASA (section 6.7.1). IFC implemented a two week social probation response to fraternities when a report of an

unsafe situation at an event (SVSH or other) is reported to IFC. PHC implemented a monthly meeting of PHC chapter presidents in which to determine whether PHC sororities should discontinue social events with specific fraternities due to unsafe practices.

7.2. EDUCATIONAL EFFORTS WITHIN COMMUNITIES
In addition to mandatory training, an important aspect of SVSH prevention is educational presentations within academic departments, student groups, and other units. Formal efforts of this kind are largely carried out by PATH to Care Center and the Division of Equity and Inclusion.

7.2.1. The PATH to Care Center
The PATH to Care Center's prevention team, consisting of a director and separate managers for undergraduate, graduate, and faculty and staff prevention efforts, consults with units across campus and engages in a variety of education and culture change initiatives each year.

In 2019-2020, PATH to Care staff engaged with:

- 12 academic or administrative departments
- 18 fraternities and sororities
- 4 undergraduate student government departments
- 26 Registered Student Organizations
- Student employees of 8 departments

Sessions included in-person and virtual offerings. Some sessions were offered in Spanish, Cantonese, and Mandarin. Certain efforts slated for in May and June were rescheduled due to COVID-19. In comparison to past years, the services offered in 2019-2020 engaged departments and organizations in greater depth and with higher frequency.

7.2.1.1. T.R.A.I.L. Prevention & Response Certificate Training
The T.R.A.I.L. Prevention & Response Certificate Training is a new leadership training opportunity developed in 2019-2020. "T.R.A.IL." stands for "Teach | Respond | Act | Inspire | Lead." Participants earn a TRAILblazer Certificate by completing six hours of training that explores the impact of harm and violence on college campuses and interrogates societal attitudes and beliefs that normalize violence.

T.R.A.I.L. training is open to the entire campus community. As of June 30, 2020, 77 participants had received their TRAILblazer certificate. 90% of participants reported having increased their understanding of the impact of trauma, violence as a social justice issue, and the role of the social environment in preventing violence.

7.2.1.2. Undergraduate Peer to Peer Education
The PATH to Care Center's peer to peer education initiative is grounded in research that shows that students best learn information when it comes from their peers, especially when the subject matter relates to social and wellness issues like sexual violence. In 2019-2020, PATH to Care peer educators led presentations on "Consent and Boundaries", "Sexual Harassment & Bystander Intervention",

"Creating a Violence-Free Workplace in Cal Dining", "Healthy Relationships", "Cultivating a Culture of Respect Through Prevention & Response", and other topics.

Peer educators also promoted prevention on social media and through campus events. In 2019-2020, peer educators spent over 125 hours and reached 2,458 undergraduate students in interactive, educational workshops and consultations. In addition to peer-led workshops, the peer education program piloted a prevention consulting initiative during 2019-2020. Consultations increased the impact of SVSH workshops and enabled student leaders to develop prevention strategies and customized messages for their communities.

7.2.1.3. Academic Department Prevention Toolkit

The PATH to Care Center's "Prevention Toolkit", entitled *Preventing Sexual Harassment in Your Academic Department*, is an adaptable how-to guide for academic departments to create and implement a plan to prevent sexual harassment within their academic community. The toolkit, presented as a workbook, utilizes a socio-ecological approach. It assists leaders of departments in examining how relationships, community norms and standards, institutional policies, and broader societal issues intersect with the problem of sexual harassment. The toolkit guides department leaders through creating a working group, moving through the toolkit, and constructing a plan for the future.

In 2019-20, two Colleges completed the Toolkit process. The College of Environmental Design formed a working group in September 2019 and completed a report of recommendations in Spring of 2020 which was submitted to the Interim Dean, Renee Chow. With her support, a short list of immediate recommendations was approved for implementation by the College's Executive Committee in May 2020. The College of Engineering formed a working group in January 2020 and completed recommendations in May 2020, which were approved for implementation by Dean Tsu-Jae Liu in June 2020.

7.2.1.4. Public Health 107 Course

Public Health 107, "Violence, Social Justice, and Public Health," is a 6-week summer course open to undergraduate students, taught as a collaboration between the PATH to Care Center and the Center for Support and Intervention. In PH 107, students learn an interdisciplinary public health approach to exploring and analyzing violence on the US college campus. Students then develop practical, community-based plans to prevent violence and promote safety in a campus community. Twenty two students enrolled in the 2020 summer course and presented proposals on violence prevention to five expert panelists. The proposals included a range of creative strategies to promote healthy social norms among various communities, including black undergraduate students, Educational Opportunity Program students, professional fraternities, Berkeley Underground Scholars, and undergraduates in the LGBTQ community.

7.2.1.5 Social Norms Campaign

Social norms are the unwritten rules communities have about how to behave in community. Research shows that individual *perceptions* of the prevailing norms are more important than what the true norms (commonly held beliefs) actually are, and that people are less likely to act on their own values and beliefs if they think their peers hold different values/beliefs. This becomes a problem when individuals misperceive norms because a hyper-vocal minority holds unhealthy attitudes. Social norms activities, such

as the #WeCARE Campaign launched in the 2019-2020 academic year, use data from a community to communicate the healthy attitudes of the majority; this boosts confidence in prosocial beliefs and engagement in prosocial behavior.

In the first phase of the campus-wide social norms #WeCARE campaign, the PATH to Care Center posted 36 banners highlighting social norms data from the 2018 MyVoice Survey in 13 central campus locations. The banners were also featured on campus social media accounts. To create the banners, the PATH to Care Center worked with the Office of Communications and Public Affairs and a focus group of Coordinated Community Review Team (CCRT) members. Sample banners are shown in Figure 2.

Evaluation of the banners was conducted by convenience sampling. 51.7% participants were undergraduates, 16.1% were graduate or professional students, 31% were staff, 1.1% were alumni, and none were faculty. Most participants who had seen the banner were undergraduates, likely due to the locations of the banners being strategically placed in parts of the campus frequented by undergraduate students. 83.9% of people surveyed (whether they had previously seen it or were seeing it for the first time) reported that knowing the information in the campaign message had a somewhat or very positive effect on how they think about the values of the Cal community.

Figure 2: Sample banners from the #WeCARE campuswide social norms campaign by the PATH to Care Center.

7.2.1.6. PATH to Care Center Seed Grant Program

Offered by the PATH to Care Center and the Center for Support and Intervention, the Social Norms Seed Grant program provides small grants to campus communities to promote positive social norms and reduce misperceptions related to SVSH in their communities. In 2019-2020, seven campus groups created innovative campaigns:

- Muxeres en Marcha (Latinx undergraduates)
- Intercollegiate Athletics
- Project Safety and Field Equity (graduate students and postdocs in the departments of Integrative Biology and Environmental Science, Policy, & Management)
- UC Berkeley Model United Nations (undergraduate club)
- We Are Changing Kulture (Greek Life first year undergraduates)
- Residential Life (focused on first-year undergraduates)
- College of Environmental Design undergraduates

These social norms campaigns reached 5,059 people, including faculty, staff, undergraduate and graduate students, and postdoctoral appointees.

7.2.2. Health Promotion

Part of University Health Services, Health Promotion advances the health and well-being of UC Berkeley students through individual and environmental initiatives. For many years, Health Promotion was responsible for SVSH prevention programs, in collaboration with Social Services (section 6.5.3), the Gender Equity Resource Center (section 6.5.5), and others. Much of that work later moved to the PATH to Care Center. Currently, Health Promotion programs and services touch more peripherally on SVSH.

Through Health Promotion, students are trained to work in the Sexpert Education Clinic, which provides drop-in individual education sessions on contraception, safer sex, and communication. 16 trained students reached 1,193 individuals through appointments and workshops in 2019-2020. Approximately 1,050 students were reached through other sexual health programming, including "Let's Taco Bout Sex," community-based sexual health discussions with students and other events/topics.

7.2.3. Equity & Inclusion programs for staff and faculty

Through its Faculty Diversity Initiatives (for faculty) and Multicultural Education Program (for staff), the Division of Equity & Inclusion (E&I) offers a number of programs aimed at creating a positive, inclusive, and respectful climate. Many of these cover prevention and bystander techniques that also serve to prevent SVSH. Programs offered include:

- Workplace Diversity
- Unconscious Bias
- Cross Cultural Communication
- Inclusive Classrooms and Teaching
- Microaggressions
- Trust and Community Building
- Respectful Workplaces

E&I also provides diversity consulting to individuals and departments, and supports departmental strategic planning on equity, inclusion and diversity. For academic departments, the E&I planning "toolkit" is a required part of Academic Program Reviews. It may also be undertaken as a stand-alone effort.

7.2.4. Faculty prevention of bullying and other abusive or demeaning behaviors

In August 2019, the Vice Provost for the Faculty issued new Guidelines for Preventing and Responding to Faculty Bullying and Other Demeaning and Disruptive Behavior, developed in consultation with the Academic Senate, Office for Faculty Equity & Welfare, and the Chancellor's Special Faculty Advisor on Sexual Violence/Sexual Harassment.

Preventing and responding to faculty bullying and related behaviors was also the theme of a workshop during the Spring 2020 deans and chairs retreat. Presenters included the Vice Provost and Associate Vice Provost for the Faculty, the SVSH Advisor, the PATH to Care Center, the Staff Ombuds Office, Be well at Work Employee Assistance, the Division of Equity and Inclusion, and People & Culture. The session goals were to raise awareness of bullying and incivility and their impact; empower deans and chairs with practical tools (incentives and disincentives) that can prevent bullying and incivility; and support deans and chairs with processes for addressing bullying/incivility if it occurs.

7.2.5. Bears that CARE workshops

Bears that CARE (section 6.5.10.2) offers workshops on consent, bystander intervention, preventing violence, alcohol education, and social identities and microaggressions. Of the participants in Bears that CARE workshops, 96% reported they are "more likely to intervene when [they] see harm occurring."

7.3. SURVEYS AS PREVENTION TOOLS

Surveys about awareness and attitudes in the campus community are very useful in informing effective prevention efforts. The "Prevention Toolkit" (section 7.2.1.3) and the Equity & Inclusion Toolkit (section 7.2.3) both recommend to academic departments that they conduct their own internal climate surveys on a regular basis. This section describes a few of the more formal campus surveys whose results have been published, as well as the prevention oriented responses that the survey results have engendered. (For the MyVoice survey, the associated action steps are described in section 12.2.)

7.3.1. "MyVoice" Survey

In 2018, the UC Berkeley campus community had the opportunity to share their experiences, beliefs, norms and knowledge regarding sexual and relationship violence, stalking, and sexual harassment through the MyVoice Survey, a major initiative involving the entire campus community (students, faculty, and staff). Previous annual reports presented key findings from the survey. The full MyVoice Survey Report is available on the myvoice.berkeley.edu website.[5]

In 2019-2020 the SVSH Advisor Office, the PATH to Care Center, and two summer associates from the School of Public Health embarked on a second phase of analyzing the results of the MyVoice Survey. The goal of this phase of analysis was to examine college, school, or department-level data and provide tailored SVSH prevention recommendations to those units.

7.3.2. My Experience Survey

Launched in Spring 2019 by the Division of Equity & Inclusion, in partnership with the Graduate Division and the Office of the Chancellor, My Experience surveyed the entire campus regarding the "individual experiences of students, staff, faculty, and administration on the Berkeley campus, with a focus on building community, enhancing the student experience, and increasing support for marginalized communities." The survey featured questions about attitudes and norms on campus, similar to the MyVoice survey. Although the COVID-19 pandemic delayed the publication of the final results, preliminary findings were shared with campus leadership. The survey is expected to be administered again every four years, alternating at two-year intervals with the MyVoice survey.

7.3.3. People & Culture Employee Morale Pulse Surveys

In April 2020, People & Culture began to periodically distribute employee morale pulse surveys to collect information about the well-being and needs of employees during the COVID-19 pandemic. People & Culture published the results of each survey online and implemented a number of actions in response to the results, such as discouraging Friday afternoon meetings to reduce Zoom fatigue and promoting home ergonomics resources. The surveys collected demographic data to better understand and address the disparate impacts of the pandemic on various communities, such as people with dependents.

[5] Bartolone, J. and Gebhardt, Z. (2019). *Final Report University of California, Berkeley MyVoice Survey.* NORC. https://myvoice.berkeley.edu/lib/img/pdf/MyVoice_Final_Report_Publish.pdf

MAKE YOUR VOICE COUNT

Your insights can make our community safer.

**Take the survey:
MyVoice.berkeley.edu**

8.0 *Survivor Support*

The survivor support network at UC Berkeley consists of a variety of trauma-informed and empowerment- and choice-oriented services, including a 24/7 urgent support hotline, advocacy, accompaniments, medical care, counseling, and healing initiatives. The PATH to Care Center provides many of these services. A number of other on-campus and off-campus units also contribute in important ways. This section describes the primary resources and provides some data illuminating their work. Additional data specifically reflecting survivor support utilization is provided in section 10.

8.1. ADVOCACY

Advocacy services provide the various types of support a survivor may need in order to continue working, living or learning on campus. This support can include, but is not limited to, academic, workplace or housing adjustments, assistance finding therapy, assistance in exploring whether or not to report, emotional regulation tools, and much more. PATH to Care provides advocacy services on-campus and remotely via phone or Zoom. BAWAR and the Family Violence Law Center (FVLC; section 6.8.2) are off-campus resources that also provide remote and in-person advocacy services.

PATH to Care can advocate for academic and workplace adjustments, such as schedule changes and extensions on assignments. OPHD, Social Services, Counseling and Psychological Services, the Ombuds Office for Students & Postdoctoral Appointees, the Center for Support and Intervention, Be Well at Work Employee Assistance, and the Staff Ombuds Office can also request supportive measures for those impacted by SVSH. On campus, the term "accommodations" is reserved for measures put in place to ensure that people with disabilities (whether short-term or long-term) have equal access to education and employment. Accommodations, whether for survivors or others, are provided through the Disabled Students' Program for students, or through Disability Management, for employees.

In 2019-2020, PATH to Care worked with 291 individual clients affected by SVSH and provided 1,873 distinct advocacy services.

8.1.1 Care Line

A team of professionally trained Confidential Advocates at the PATH to Care Center (section 6.5.1) provide affirming, empowering, and confidential support for those who have experienced domestic and dating violence, sexual assault, sexual harassment, stalking, and related crimes and incidents. The primary SVSH-specific confidential resource on campus, PATH to Care is often the first call a survivor makes. Many of these first calls are via the Care Line. The Care Line is a 24/7 hotline for those who have been impacted by sexual violence and harassment and those who are supporting impacted individuals. It is designed to assist those in crisis or in need of immediate support.

During a Care Line call, a crisis assessment is conducted to determine if a phone session in the moment or a later, scheduled appointment is more appropriate. Priority is always given to immediate safety planning and accompaniments to emergency medical attention or urgent reporting to police. The Care Line is also frequently used by faculty and staff employees when a student is disclosing to them. The advocate on call will coach the employee on how to support the individual disclosing and provide reminders of reporting obligations. During business hours, the PATH to Care Center's confidential advocates answer the line directly. After hours, the Care Line is answered by ProtoCall Services trained counselors. During Alameda County's shelter-in-place ordinance, the Care Line was answered by ProtoCall Services who then connected the caller to a PATH to Care Confidential Advocate for immediate support or to schedule an appointment.

PATH to Care received 775 calls to the CARE line in 2019-2020, with 334 calls being answered by the ProtoCall Service during nights/weekends.

8.1.2. Accompaniments

Accompaniments are a specific type of service in which a Confidential Advocate accompanies and supports a survivor who is seeking emergency medical care, reporting to the police or university, participating in evidence collection, or testifying in a trial, or in other situations in which an individual wants the support of an advocate at their side. Accompaniments are sometimes scheduled, but often

advocates have little to no warning of when this service will be needed. Accompaniments, particularly to medical care and court, typically take much more time than other advocacy services, such as intakes and follow-up meetings.

PATH to Care Center Advocates provided 95 accompaniments during 2019-2020.

8.2. MEDICAL SERVICES

The University Health Services divisions of Urgent Care and Primary Care offer medical services to students, regardless of insurance status. At UHS, a student who has experienced SVSH can receive treatment for potential injuries and prophylaxis for sexually transmitted infections and pregnancy. Medical costs are covered for student survivors of sexual and relationship violence. When a patient discloses that they have experienced sexual violence at UHS Urgent Care or Primary Care, the medical provider will ask for consent to call a PATH to Care advocate to UHS for accompaniment, consulation, and advocacy. UHS remained open to in-person visits during the COVID-19 pandemic, but offered certain services in a remote format.

UHS is not an approved site to provide forensic evidence collection (commonly known as rape kits). However, UHS staff can coordinate that service with an approved hospital. The closest approved hospital for forensic evidence exams is Highland Hospital in Oakland.

8.3. COUNSELING

Students and employees can access counseling through University Health Services (UHS). Staff and faculty use the Be Well at Work - Employee Assistance program. In 2019-2020, Be Well at Work/Employee Assistance (section 6.5.2.) provided counseling to 17 individual clients in 21 sessions related to SVSH, and provided 6 consultations on 3 SVSH cases.

Students can access general clinical counseling and psychiatry services through Counseling and Psychological Services (CAPS). Students also have access to Social Services, a specialized branch of UHS that provides counseling to those impacted by SVSH (see section 6.5.3).

Social Services provided services to **183 SVSH clients** in **617 hours of support in individual SVSH appointments** and **48 hours of support in group sessions related to SVSH**. Likely due, at least in part, to the COVID-19 pandemic, SVSH clients at Social Services decreased by 32.7% from 2018-2019. Social Services appointments related to SVSH totaled 636 in 2019-2020, a 32.3% decrease from last year.

Table 3 shows the number of SVSH clients and appointments (broken down between survivors and respondents) recorded by Social Services over the last five years.

SVSH survivors represent **82%** of SVSH clients who receive services from Social Services. SVSH survivor appointments account for **74%** of all individual SVSH appointments. SVSH survivor clients averaged 3.1 individual appointments in 2019-2020, up from an average of 2.9 visits in 2018-2019.

Wait times for SVSH intake appointments with Social Services averaged 8 business days in 2019-2020.

	SVSH Survivors		SVSH Respondents		Total	
Fiscal Year	SVSH Survivor Clients (Non-Respondents)	SVSH Survivor Appointments (Non-Respondents)	SVSH Respondent Clients	SVSH Respondent Appointments	Total Clients	Total Appointments
2015-16	120	436	15	35	135	451
2016-17	194	947	10	20	204	967
2017-18	251	1128	16	34	267	1162
2018-19	264	911	8	28	272	939
2019-20	179	610	4	26	183	636

Table 3: The number of Social Services appointments and clients related to SVSH over the last five academic years.

8.4. HEALING

Both PATH to Care and Social Services offer healing programming for survivors. In 2019-2020, PATH to Care offered new Sound Healing workshops serving over 31 survivors; seven Yoga as Healing sessions including a series centering survivors of Color; and one weekend retreat provided during Relationship Violence Awareness month. 140 campus community members participated in PATH to Care's healing workshops over 11 workshops. As services moved to being offered virtually due to COVID-19, PATH to Care offered the Yoga as Healing series, 1:1 Sound Healing, Qi Gong in Times of Crisis workshop, and an Art x Mind collaboration over Zoom video. PATH to Care expanded its intentional programming for communities of color and offered a Sound Healing workshop with the Black Graduate Student Association and a Yoga as Healing series centering People of Color.

In Summer 2020, PATH to Care created a new THRIVE Healing workshop series for UC Berkeley staff and faculty, which resulted in 73 registrations and 44 attendees during the first workshop. These workshops were provided in both Fall and Spring semesters, expanding healing opportunities to the survivor community and their allies.

9.0 *Reporting*

UC Berkeley is committed to a fair, transparent, consistent, and trauma-informed process for investigating reported allegations of SVSH and determining disciplinary responses, as appropriate. Adhering to this process is an important component of accountability. This section describes the campus system for reporting allegations of SVSH misconduct. Section 11 describes the campus process for resolving those allegations.

The main focus of section 9 is on the process of reporting to the Office for Prevention of Harassment and Discrimination (OPHD). As the campus Title IX office, OPHD enforces the UC SVSH Policy and other campus policies against harassment, discrimination, and confict of interest (section 9.1).

Section 9.2 covers the process of reporting to OPHD; section 9.2.1 describes Responsible Employee reporting obligations. Section 9.2.2 provides examples of types of initial response that OPHD can provide, while section 9.2.3 covers the advocacy and accompaniment options available to survivors who have reported to OPHD. Section 9.3 describes the process for reporting to UCPD and other law enforcement agencies.

9.1. UNIVERSITY OF CALIFORNIA POLICY ON SEXUAL VIOLENCE AND SEXUAL HARASSMENT
The formal campus response to SVSH misconduct is guided by the systemwide UC Policy on Sexual Violence and Sexual Harassment ("UC SVSH Policy"), which is consistent with Title IX. The UC SVSH Policy underwent revisions during 2019-2020 (section 4.2.4). (Additional revisions took effect on 8/14/20, but are not covered in this report). The most recent version of the UC SVSH Policy is always available at policy.ucop.edu/doc/4000385/SVSH. Past UC SVSH policies are archived at https://ophd.berkeley.edu/archive.

The UC SVSH Policy defines types of conduct that are prohibited ("Prohibited Conduct"), including sexual assault, sexual harassment, relationship violence, stalking, and retaliation. The UC SVSH Policy requires the University to respond promptly to reports of Prohibited Conduct and take appropriate action to prevent, to correct, and, when appropriate, to impose disciplinary sanctions for behavior that violates the UC SVSH Policy.

On the Berkeley campus, institutional compliance with the UC SVSH Policy and other related policies and procedures addressing sexual misconduct is overseen by the campus Title IX Officer, who is also the Director of the Office for Prevention of Harassment and Discrimination (OPHD).

Some sexual misconduct could be considered a crime under state and federal laws, and can therefore also, or in addition, be reported to UCPD or to the local law enforcement agency where the incident took place. Section 9.3 briefly covers this process.

9.2. REPORTING: OPHD
OPHD is the office that investigates reports of conduct that is prohibited under the UC SVSH Policy. OPHD follows the same investigative process regardless of whether the party impacted by the conduct — often called "survivor," but termed the "complainant" in the UC SVSH Policy — is a student, staff, faculty member, or member of the community; and regardless of whether the accused party, or "respondent," is a student, staff or faculty. See ophd.berkeley.edu for links to current policies and procedures.

OPHD investigators, termed "Complaint Resolution Officers," are highly trained and have technical expertise in Title IX compliance. Their procedures are governed by federal (Title IX)[6], state and UC systemwide regulations.

A survivor may contact OPHD directly to make a report. It is every survivor's choice whether or not to make a report to OPHD (or, alternatively or in addition, to contact law enforcement agencies). Some survivors choose to report experiences of harm right away; others may wait a significant amount of time, or may never report.

9.2.1. Responsible Employee obligations

Often, it is a third party — for example, a witness, or someone in whom the survivor has confided — who brings to the attention of OPHD allegations of conduct prohibited under the UC SVSH Policy. Many such reports are made by "Responsible Employees". All UC Berkeley employees, other than those designated as Confidential Resources, are considered Responsible Employees in the UC SVSH Policy.

As the UC SVSH Policy states, "if a Responsible Employee learns, in the course of employment, that a student may have experienced Prohibited Conduct, they must promptly notify the Title IX Officer or designee." Instructors, supervisory staff, Human Resources, Academic Personnel, and campus police have an additional Responsible Employee requirement to "inform the Title IX officer if they receive a report of prohibited conduct from anyone affiliated with the university, which includes faculty, staff and others affiliated with the university."[7]

The Responsible Employee role emanates from Title IX guidance. The broad application of this designation in the UC SVSH Policy is designed to facilitate prompt, comprehensive coordination of the campus response by the Title IX Officer.

Responsible Employees' obligations differ from those of Campus Security Authorities (CSA) and mandated reporters. Campus Security Authorities are designated by the Clery Act to report certain crimes, which include domestic violence, dating violence, sexual assault, and stalking. CSA reports are aggregated and anonymized and included in the crime statistics published in the Annual Security and Fire Safety Report. The Responsible Employee requirement differs from mandated reporting laws such as the California Child Abuse and Neglect Reporting Act (CANRA), a state law that requires certain University employees to report known or suspected child abuse or neglect. UC Berkeley faculty members are not generally considered Mandated Reporters under CANRA, even when students under the age of 18 enroll in their classes. Exceptions include faculty who are health professionals, faculty whose university duties require direct contact with and supervision of children, etc.

9.2.2. Initial assessment, and supportive measures

Upon receiving a report of a potential SVSH Policy violation, OPHD's Complaint Resolution Coordinator will reach out to the complainant to inquire about safety and welfare needs, notify them of their rights and options on campus; refer the complainant to on and off-campus resources, including PATH to Care (see sections 6.5.1 and 8); and invite the complainant to schedule an intake

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[6]U.S Department of Education Office for Civil Rights. (2015, April). Title IX and Sex Discrimination. Retrieved from
www2.ed.gov/about/offices/list/ocr/docs/tix_dis.html

[7]FAQ: Important facts about professors, supervisors and other "responsible employees" who are required to report. (n.d.).
Retrieved October 02, 2020, from https://sexualviolence.universityofcalifornia.edu/faq/responsible-employee.html

meeting with a Complaint Resolution Officer. OPHD may propose and implement supportive measures, including interim and mitigating measures such as no-contact directives, academic supportive measures, emergency housing, interim suspension, or other measures suited to the situation. Such measures are intended to address safety concerns and ensure that both the complainant and respondent have the ability to continue with their work or study during the course of any resolution process.

Interim measures are services, accommodations, or other measures put in place temporarily after the Title IX Officer receives a report to assist or protect the Complainant, the Respondent, or the University community and/or to restore or preserve a party's access to a University program or activity or deter Prohibited Conduct. Mitigating measures are services, accommodations, and other measures intended for survivors who are *not* in a resolution process or for prior complainants who were involved in processes that did not lead to a policy violation.

9.2.3. Advocacy and accompaniments during reporting

Survivors have the right to be accompanied by an advocate and/or an emotional support person during all stages of police reporting and investigation, including during forensic evidence collection. Complainants and respondents have the right to an advisor and an emotional support person with them during all phases of the reporting and complaint resolution process to the university. For more information about survivor support, see section 8; for more information about respondent services, see sections 6.5.10.4 and 6.5.11.1.

9.3. REPORTING: UCPD

In addition to, or instead of, reporting to OPHD, a survivor may also choose to report to local law enforcement, including UCPD. Confidential resources, such as PATH to Care, can help a survivor in understanding how these reporting options differ, and how they relate to one another. (For example, OPHD responds to allegations of Prohibited Conduct; UCPD responds to allegations that a law has been violated.) OPHD and UCPD can also help direct a survivor to the appropriate office.

Police departments document and investigate reports of felony and misdemeanor crimes involving sexual assault, relationship violence, and stalking that occurred within their jurisdiction. In some cases, reports to law enforcement may be made for documentation purposes only, confidentially, or even anonymously. With sufficient evidence UCPD is able to present the case to the District Attorney to consider for prosecution. The decision to prosecute is made by the District Attorney, although the cooperation of the victim is usually considered necessary. If an incident occurred in the jurisdiction of another police department, UCPD can help engage the appropriate law enforcement agency and assist in investigatory and support efforts.

If a survivor wishes to preserve forensic evidence for law enforcement reporting, UCPD can coordinate that process. Whether or not a survivor chooses to pursue a criminal investigation, they may be eligible for additional protections by applying to the Superior Court of California for a civil restraining order.

10.0 *Multiple lenses on the experience of SVSH on campus**

*Data in sections 10 and 11 are snapshots reported at the end of the time period covered in this report (July 1, 2019 - June 30, 2020). These data reflect what was known about SVSH cases, including those still in progress, on June 30, 2020. Sometimes, as a case progresses, additional information changes the way a case is categorized. This report will not reflect any such changes that took place after June 30, 2020.

Reports to OPHD and UCPD (section 9) are one lens for assessing who is impacted by SVSH incidents, what types of harm different affiliate groups are experiencing, and where incidents tend to take place. This section provides detail about the types of incidents reported to these campus administrative units.

National studies generally agree that only a minority of survivors report sexual assault to authorities - on our campus, to OPHD or UCPD. It is thus important to supplement formal reporting information with other kinds of data about SVSH impact. One inferential lens into SVSH incidence on campus is provided by the use of survivor support such as PATH to Care, Social Services, or off-campus partners. An additional lens is self-report, through the anonymous MyVoice Survey and other smaller surveys conducted on campus. In this section, data from all of these sources are brought together to reveal patterns in the campus affiliations of parties involved in SVSH cases (section 10.1), the types of harm survivors are experiencing (section 10.2), how SVSH harm intersects with demographic factors (section 10.3), the locations (on- or off-campus) in which harm is reported to have taken place (section 10.4), the sources of reports (section 10.5), and trends throughout the year (section 10.6).

10.1. CAMPUS AFFILIATIONS
One way of understanding the impact of SVSH on campus is through the lens of who is affected, and who was reported to have caused harm. This section reports information gleaned from OPHD (10.1.1), PATH to Care (10.1.2), and the MyVoice Survey (10.1.3).
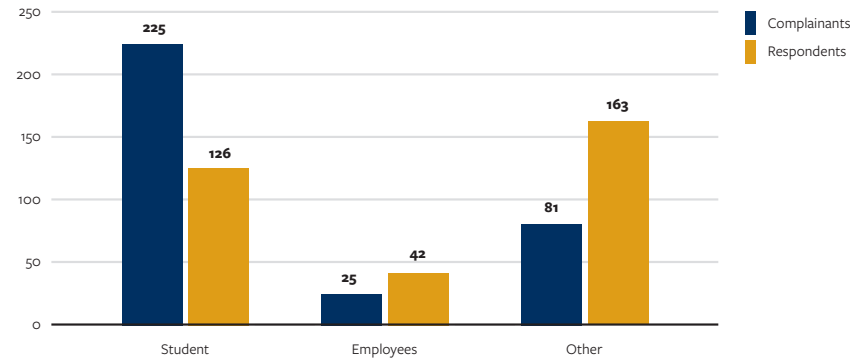
10.1.1. OPHD
OPHD takes complaints from, and about, current and former students, staff, faculty, and visitors to campus.

Between July 1, 2019 and June 30, 2020, OPHD received a total of 331 reports involving allegations of one or more forms of conduct prohibited under the UC SVSH Policy.[8] Those 331 reports to OPHD contained 368 SVSH-related allegations. The following sections provide information about SVSH reports during the time period covered by this report.

[8]Incidents reported to OPHD during 2018-2019 fall into the following categories, of which the ones marked with an asterisk correspond to potential violations of the UC SVSH Policy (as opposed to other policies): *Dating/domestic violence; Discrimination/harassment on the basis of gender, gender identity, sex, or sexual orientation; *other prohibited behavior; *retaliation; *sexual assault; *sexual harassment; *stalking; *SVSH (unspecified).

Figure 3 shows the number of incoming SVSH-related reports OPHD received in 2019-2020 by the affiliations of the complainants and respondents. (Recall that the UC SVSH Policy uses the term "complainant" for a person alleged to have experienced Prohibited Conduct, and the term "respondent" for a person alleged to have engaged in Prohibited Conduct.) Former campus affiliates are categorized, in Figure 3, by their relationship to the university at the time of the alleged incident (for example, former students are counted in the students category.) The "Other" category in Figure 3 includes complainants and respondents who were not affiliated with campus, or their affiliation to the campus was unknown to OPHD. The campus affiliations of complainants and respondents may be unknown if the complaint OPHD receives does not contain that information and OPHD was unable to obtain the affiliations in subsequent outreach.

Students make up the majority of people on campus with 42,107 undergraduates and graduate students enrolled in the 2019-2020 academic year. It is therefore unsurprising to see in Figure 3 that the majority of identifiable complainants (i.e. excluding the "Other" category) in incoming reports are students.[9]

However, as seen in Figure 4, students make up a disproportionately high number of complainants in OPHD reports. Of those reports in which the complainant has a known campus affiliation, i.e., excluding the "Other" category in Figure 3, 90% of the complainants are students; yet students make up only 76% of the campus population.[10]

The proportion of employee (faculty and staff) respondents in OPHD cases where the respondent has a known campus affiliation (25%) matches the proportions of faculty and staff on campus (24%).

Figure 3: Incoming OPHD SVSH cases by affiliation, 2019–2020
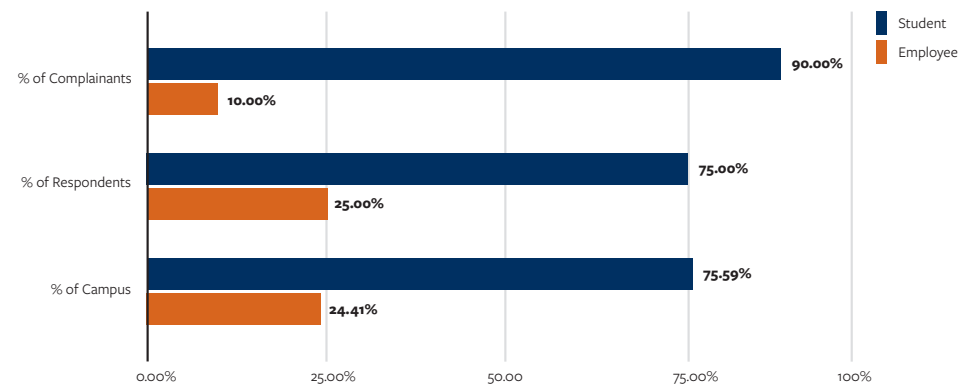
Figure 4: Proportions of campus affiliations of complainants and respondents compared to the overall campus population

[9]CalAnswers. (2020). C*ampus Enrollment at a Glance*. [Data set]. Office of the Vice Chancellor of Finance.
https://calanswers.berkeley.edu/topics/enrollment-counts

[10]UC information center. (2020). *UC employees headcount*. [Data set]. University of California.
https://www.universityofcalifornia.edu/infocenter/uc-employee-headcount

This asymmetry may reflect the power dynamic that is inherent in, and potentially magnifies the impact of, many instances of alleged SVSH. Another factor behind the higher proportions of students in the complainant category is the fact that Responsible Employees have a special obligation to report possible harm experienced by students (section 9.2.1).

10.1.2. The PATH to Care Center

National studies have shown, and the MyVoice data are consistent with this, that only a fraction of alleged incidents are reported to authorities.[11] Data from survivor support utilization provides a useful additional perspective into the kinds of harm survivors experience, by affiliation and location. PATH to Care provides survivor support to students, staff, and faculty, thus providing one lens into the differential impact of SVSH across the campus community. Figure 5 shows the breakdown of PATH to Care clients' affiliations to campus in 2019-2020. The majority (83%) of PATH to Care's clients were students.
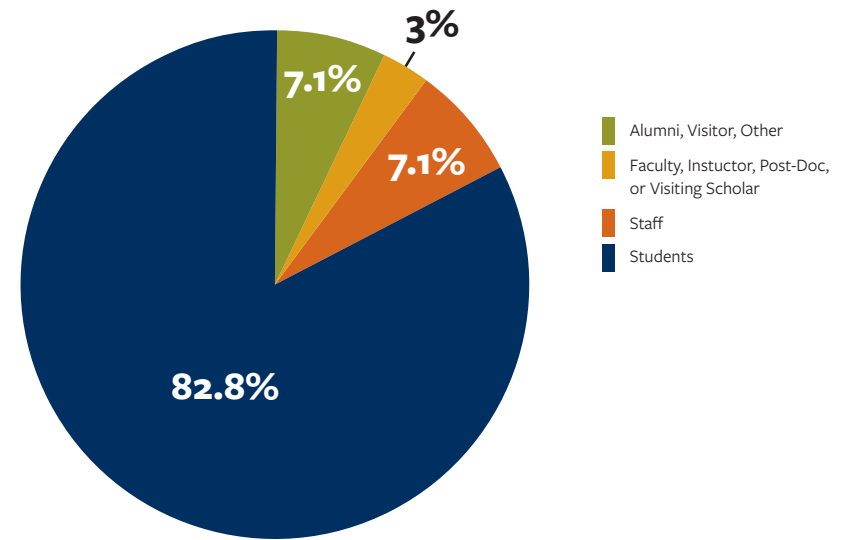

Figure 5: Campus affiliations of PATH to Care clients in 2019-2020

10.1.3. MyVoice Survey

In terms of the type of SVSH harm that MyVoice survey participants reported having experienced within the last five years, the proportions are similar to what is seen in OPHD reports and PATH to Care utilization: undergraduate students experience SVSH at the highest rates, with staff and faculty experiencing SVSH at the lowest rates overall (Figure 6).
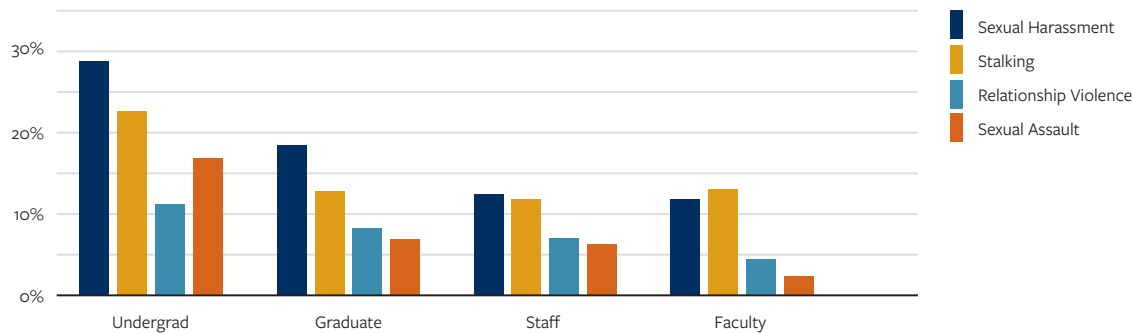

Figure 6: Experiences of SVSH harm reported in 2018 MyVoice Survey, by affiliate group

[11]Bartolone, J. and Gebhardt, Z. (2019). *Final Report University of California, Berkeley MyVoice Survey.* NORC. https://myvoice.berkeley.edu/lib/img/pdf/MyVoice_Final_Report_Publish.pdf

10.2. TYPES OF SVSH HARM RECORDED BY DIFFERENT CAMPUS OFFICES

This subsection tracks the type of harm that is reported or for which survivor support services are sought by campus offices. Reports can be made to UCPD and/or to OPHD, depending on the nature of the incident and the jurisdiction of UCPD and OPHD. OPHD's jurisdiction to investigate cases is based on the complainant and/or respondent's affiliation with campus. By contrast, UCPD's jurisdiction to investigate cases is based on the geographical location of the reported crime. Both OPHD and UCPD track the type of SVSH harm experienced by those who report to their offices. This section reports information gleaned from UCPD (10.2.1), OPHD (10.2.2), Social Services (10.2.3), and the PATH to Care Center (10.2.4).

10.2.1 UCPD

UCPD publishes the Annual Security and Fire Safety Report, which provides statistics about crimes that occurred within the geographical area defined by the Clery Act during each calendar year. These statistics include crimes reported in the calendar year 2019 that meet the federal definitions of dating/domestic violence, rape, fondling, incest, statutory rape, and stalking. The Annual Security and Fire Safety Report covering the 2019 calendar year will be released after the time period covered in this SVSH Annual Report. Table 4 contains the number of dating/domestic violence, sexual assault, and stalking reports UCPD received in the time period covered in this report (July 1, 2019 - June 30, 2020).

Type of Crime	Number of Crimes Reported
Dating/Domestic Violence	7
Sexual Assault	17
Stalking	0

**Table 4: SVSH-related crimes reported to UCPD, July 1, 2019 - June 30, 2020**

10.2.2. OPHD

The Office for Prevention of Harassment and Discrimination (OPHD) receives reports alleging discrimination and harassment on the basis of categories including race, color, national origin, gender, age, sexual orientation/identity, including allegations of sexual violence and sexual harassment (SVSH).

In the 2019-2020 academic year, OPHD used the Advocate GME database platform as a case management tool and prepared to transition to a new platform called i-Sight. Such tools make it possible to track some patterns over time and determine whether a newly reported incident is part of a broader pattern.

Figure 7 shows the types of SVSH allegations reported to OPHD between July 1, 2019 - June 30, 2020. The allegations are classified according to the UC SVSH Policy definitions of prohibited conduct. (Exact definitions of these categories can be found in the UC SVSH Policy.)
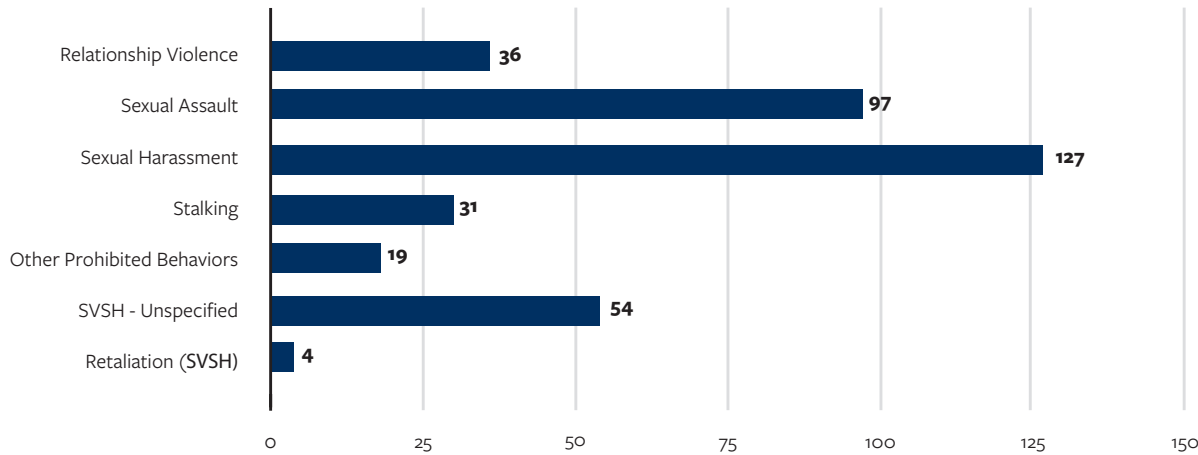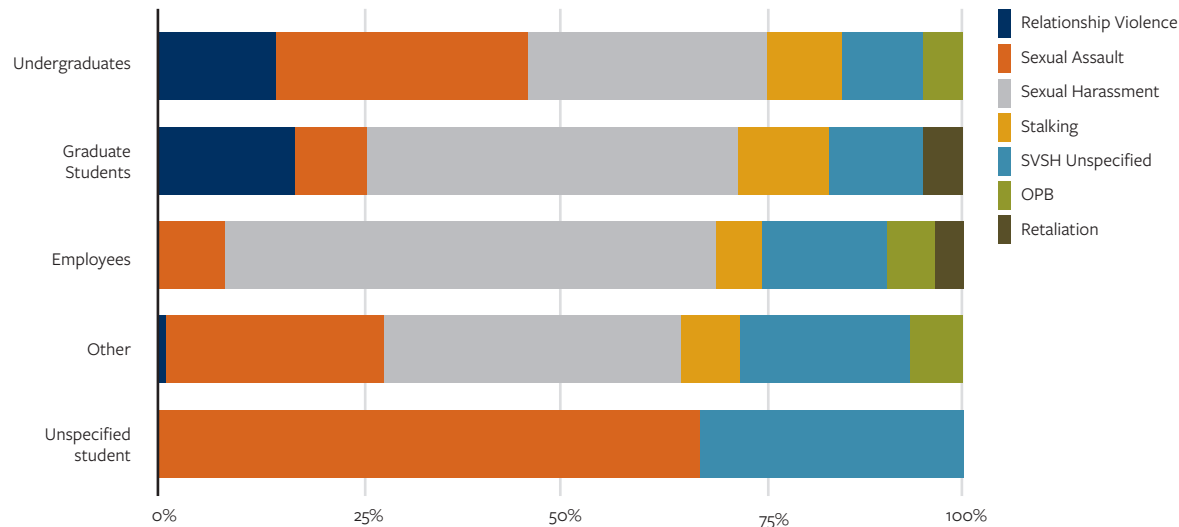

Figure 7: SVSH allegations reported to OPHD, July 1, 2019 - June 30, 2020

Note that a single report to OPHD can contain more than one SVSH allegation; as a result, the total number of SVSH-related allegations (368) is more than the total number of SVSH-related reports (331).

OPHD receives many more SVSH-related reports than UCPD does. For example, sexual harassment is not a reportable offense to UCPD. Both units received more reports of sexual assault than of dating/domestic violence or stalking in 2019-2020.

The types of harm reported to OPHD by different affiliate groups are depicted in Figure 8. As shown, reports with student complainants are much likelier than reports with employee complainants to allege sexual assault. The majority of reports with employee complainants allege sexual harassment.

Figure 8: Types of SVSH allegations reported to OPHD by different affiliate groups, July 1, 2019 - June 30, 2020
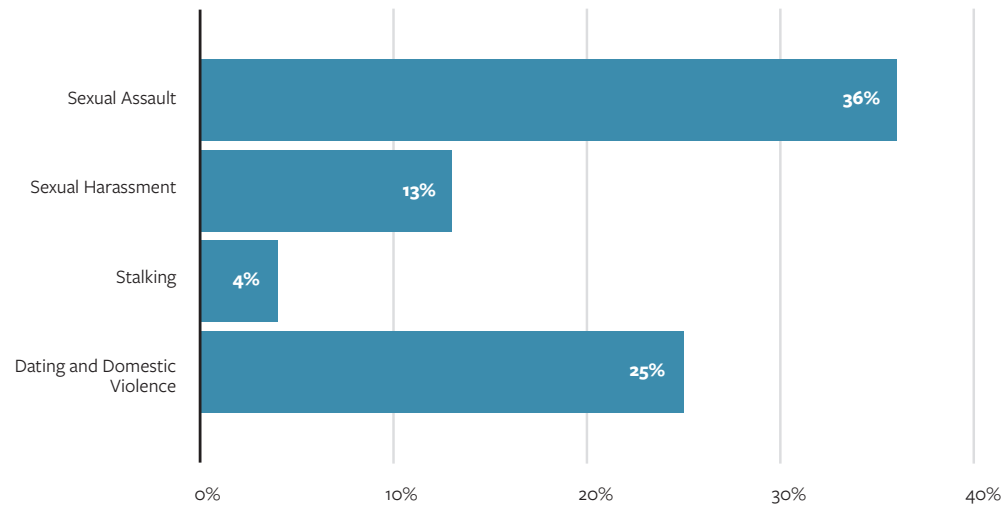
10.2.3. Social Services

The two primary campus confidential providers of survivor support, Social Services (serving students) and the PATH to Care Center (serving the whole campus community), reported that the majority of survivors who utilized their services experienced harm related to sexual assault.

Unlike the PATH to Care Center, which serves survivors of all campus affiliations and visitors, Social Services provides counseling services to both survivors and respondents who are students.

At Social Services, 55% of all SVSH-related appointments (including appointments with survivors and respondents) were for sexual assault. Interpersonal violence (harm related to intimate partner or domestic violence) was the second most common reason for Social Services appointments (21%), followed by sexual harassment and stalking.

10.2.4. The PATH to Care Center

As shown in Figure 9, sexual assault was also the most common reason for visits to PATH to Care, making up 36% of cases. Dating and domestic violence made up 25% of cases; such cases often take a high amount of service hours, for the reasons discussed in section 8.1.2. Of the total number of cases handled by PATH to Care, 13% were sexual harassment; 4% were stalking.

Figure 9: Reasons for seeking PATH to Care services, July 1, 2019 - June 30, 2020

For Social Services and the PATH to Care Center, sexual assault was the most common reason clients sought support. UCPD also received more sexual assault reports than reports of stalking or dating and domestic violence. (In contrast, the most common type of harm reported to OPHD was sexual harassment.)

10.3. EXPERIENCES OF SVSH HARM AND INTERSECTIONAL DEMOGRAPHIC FACTORS

National surveys have found that SVSH incidence is higher among individuals holding marginalized identities. This section provides evidence that this pattern holds at UC Berkeley as well. Section 10.3.1 introduces relevant data from the MyVoice and MyExperience surveys; section 10.3.2 examines demographic trends among individuals served by the PATH to Care Center.

10.3.1 MyVoice and MyExperience Surveys

The 2018 MyVoice survey examined SVSH incidence rates across several demographic factors. As shown in Table 5, the survey found that women, transgender individuals, and those with LGBQA+ identities were more likely than others to have experienced SVSH harm, as were underrepresented minority participants (URMs) "compared to participants who were not underrepresented minorities (the UC Berkeley definition of underrepresented minority includes participants identifying as African-American or Black, American Indian/Alaskan Native, and/or Hispanic or Latino.)"[12]

[12]Bartolone, J. and Gebhardt, Z. (2019). *Final Report University of California, Berkeley MyVoice Survey*. NORC. https://myvoice.berkeley.edu/lib/img/pdf/MyVoice_Final_Report_Publish.pdf

Individuals with more than one marginalized identity are even more likely to experience SVSH harm, as shown in Figure 5. (Note that in its aggregated results, the MyVoice survey used an expansive definition of "transgender" for survey respondents who chose any or all of the following categories: trans man, trans woman, genderqueer, nonbinary, agender.)

Most experiences reported

URM Non-binary
LGBQ+ Woman, LGBQ+ Non-binary, Heterosexual
Non-binary, LGBQ+ URM
Non-URM Non-binary, URM Woman, Non-URM LGBQ+
Heterosexual Woman
LGBQ+ Man, URM Heterosexual, Non-URM Woman
Non-URM Heterosexual
Heterosexual Man, URM Man, Non-URM Man

Fewest experiences reported

Table 5: Illustration of 2018 MyVoice finding that people holding more marginalized identities experienced higher rates of relationship violence and sexual assault"

The knowledge that individuals in the UC Berkeley community who hold marginalized identities are more likely to have experienced SVSH harm informed a key MyVoice survey action step (section 12.1), and affirmed the campus's focus on ensuring that survivor support resources and services are inclusive.

More recently, the 2019 MyExperience campus wide climate survey collected student, staff, and faculty data on experiences such as interpersonal interactions, basic needs, and professional development support (section 7.3.4). The survey resulted in similar findings to the MyVoice Survey, with URMs, LGBTQ+, and people with disabilities reporting higher rates of experiencing exclusionary behavior, lower rates of feeling people of their affinity group are respected, and higher rates of basic needs insecurity than others.

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[13]MyExperience Survey, 2019 (myexperience.berkeley.edu). Gender and race/ethnicity categories are not distinct, Respondents are reported in all categories in which they identified, therefore percentages may add up to more than 100%.

The MyExperience Survey gathered information about individuals' identities. 3% of all MyExperience survey respondents self-identified as transgender, gender non-conforming, and/or genderqueer; 19% self-identified as LGBQ+. Underrepresented minorities made up 19% of the MyExperience survey respondents[13].

10.3.2 PATH to Care Center data

Information volunteered by PATH to Care clients provides some demographic data that can be compared to what surveys have revealed. All PATH to Care Center clients are asked to fill out an intake form in which every field is optional, including demographic questions. In 2019-2020, 38% of clients shared their racial/ethnic identity in the form. Table 6 shows the demographics of clients who opted to disclose that information. As in the MyExperience survey, clients could select more than one of the identities listed.

While the demographic categories in the MyExperience Survey and the PATH to Care Center's data do not perfectly match, it seems clear that people of color and LGBQ+ people were represented at a higher rate among those PATH to Care clients who shared demographic information than among MyExperience Survey respondents.

67% identified as People of Color

29% identified as LGBTQ+

4% identified as Gender Non-Conforming, Transgender, and/or Gender Queer

4% identified as Men

Table 6: Demographics of PATH to Care clients served in 2019-2020

The representation of gender non-conforming, trans and/or genderqueer people among PATH to Care's clients who disclosed demographic data was comparable to what the MyExperience survey indicated. By contrast, men were underrepresented among PATH to Care's clients who shared their gender identity, at 4%, compared to 39% of MyExperience Survey respondents. While this may reflect lower incidence rates, the discrepancy likely also reflects lower rates of reporting, disclosure, and help-seeking among men, who are often stigmatized or erased as survivors of violence[14].

10.4. REPORTED INCIDENT LOCATIONS

A point of interest for many, and an indicator of impact within the community, is where incidents of SVSH take place. This section reports on the location of alleged SVSH incidents reported to OPHD (10.4.1) and UCPD (10.4.2).

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[14]The 1 in 6 Statistic - Sexual Abuse and Assault of Boys and Men. (2018, July 19). Retrieved October 02, 2020, from https://1in6.org/get-information/the-1-in-6-statistic

10.4.1. OPHD

The jurisdiction of the UC SVSH Policy includes campus, campus activities, and the behavior of campus affiliates. Accordingly, reports which come in to OPHD reflect incidents in both on- and off-campus locations. Figure 10 shows that of those incoming reports in which the location of the incident was available, the majority occurred on campus. The "online" category refers to incidents occurring primarily online; these include harassment and stalking. The "other" category represents locations that were unknown or unavailable to OPHD.

Student housing that is owned by the university (e.g. University Village or Unit 1) is included as on-campus in these figures. However, housing that is not owned by the university, even if occupied by a high number of students, is considered off-campus in these figures. This includes fraternities, sororities, and cooperative (co-op) housing.

While the numbers of incidents with known location for employees (15) and graduate students (13) are too small to be able to say much about, the picture is clearer for undergraduate students. Of those 105 incidents for which location information was available, Figure 11 shows that a significant proportion (66%) occured on campus. This supports the need for continued efforts to reduce SVSH on campus, including in campus housing.

For employees, the likelihood that SVSH-related harm was experienced on campus and in an unknown or unspecified location were about the same. This may reflect the fact that employees are more likely to report sexual harassment, while students (especially undergraduates) are more likely to report sexual assault, to OPHD (see Figure 8). As in Figure 10, the "other" location category in Figure 11 represents locations that were unknown or unavailable to OPHD.
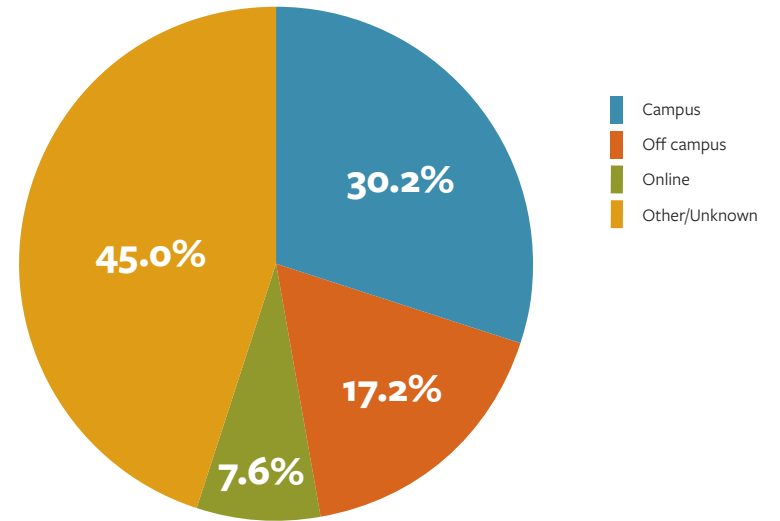
Figure 10: Locations of SVSH incidents reported to OPHD
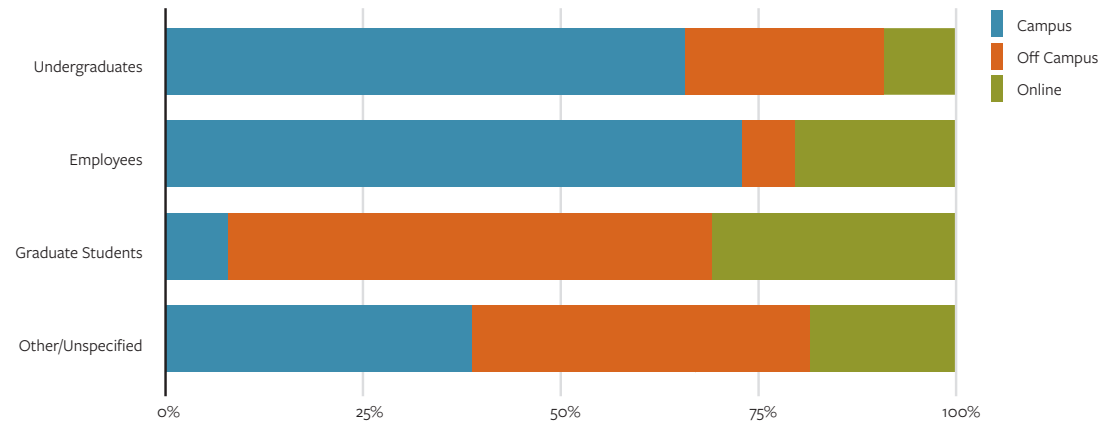
Figure 11: Locations of SVSH incidents reported to OPHD, by affiliate group

70

10.4.2. UCPD

The jurisdiction of UCPD is UC property. All of the seven dating and domestic violence reports made to UCPD in 2019-2020 occured on UC property. Of the 17 sexual assault reports made to UCPD, 13 occured on UC property. The other four did not occur on UC property and were not within UCPD's jurisdiction, but in each of those cases, the survivor was a UC Berkeley student.

10.5. SOURCES OF REPORTS

Data about who is making reports to OPHD sheds light on the extent to which members of the campus community are aware of their responsibility to one another, and to whom survivors tell about their experience of SVSH.

As Figure 12 illustrates, the majority of SVSH reports made to OPHD came from Responsible Employees (273, or 82.5%), rather than from complainants directly (42, or 12.7%). Of the 273 Responsible Employee reports, 37 came from Housing employees, 14 came from the Center for Student Conduct, and four came from UCPD. The 16 reports in the "other" category came from third parties (i.e., not complainants) who were not identified as Responsible Employees, e.g., students without reporting obligations; non-affiliates; or anonymous reporters.

The number and proportion of Responsible Employee reports has increased in recent years. In 2018-2019, 79% of SVSH reports to OPHD came from Responsible Employees, while Responsible Employees were the source of 72% of SVSH reports OPHD received in 2017-2018. This is likely attributable to efforts to educate the campus community about the Responsible Employee requirement outlined in the UC SVSH Policy. According to the 2018 MyVoice Survey, employees overall had a very high awareness that they are Responsible Employees (84% of staff and 86% of faculty said they were Responsible Employees.)
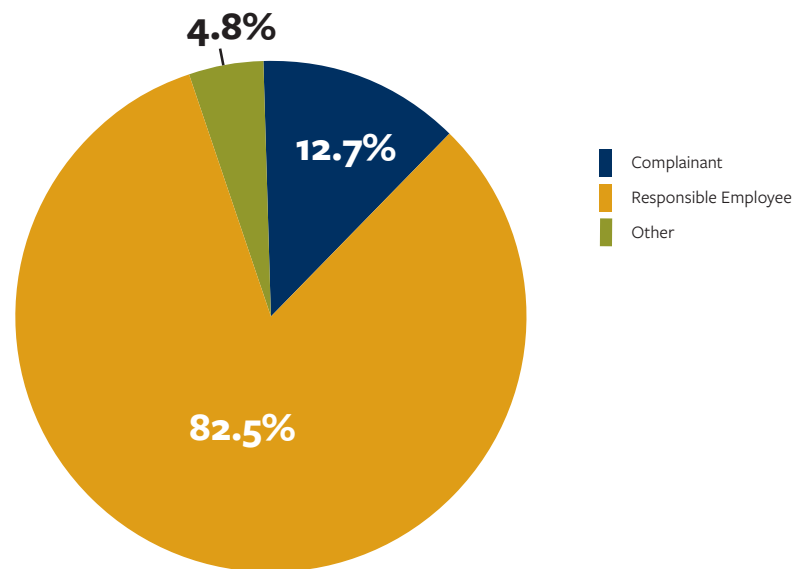
4.8%

12.7%

82.5%

- ■ Complainant
- ■ Responsible Employee
- ■ Other

Figure 12: Who reported SVSH incidents to OPHD

10.6. TRENDS OF INCOMING CASES

Another lens into the impact of SVSH on the campus community is temporal.

10.6.1. Overall trends

In 2018-2019, units across campus experienced an unprecedented increase in service provision. By contrast, in 2019-2020, OPHD, PATH to Care, and Social Services all experienced an overall decrease in the number of individuals to whom they provided SVSH-related services (Figure 13). OPHD saw a 20% decrease in incoming SVSH cases during the 2019-2020 year. Similarly, the PATH to Care Center experienced a 20% decrease and Social Services saw a 33% decrease.

A plausible explanation for the decrease is the disruption caused by the shelter-in-place orders due to COVID-19. The pandemic caused a sharp decline in the number of people on campus, which may have driven down service utilization, impeded service access for people now confined to unsafe homes, and limited the ability of Responsible Employees and others to provide referrals. That said, this trend started before the outbreak of COVID-19 in March 2020; but it became more pronounced after that point, as seen in the next section.
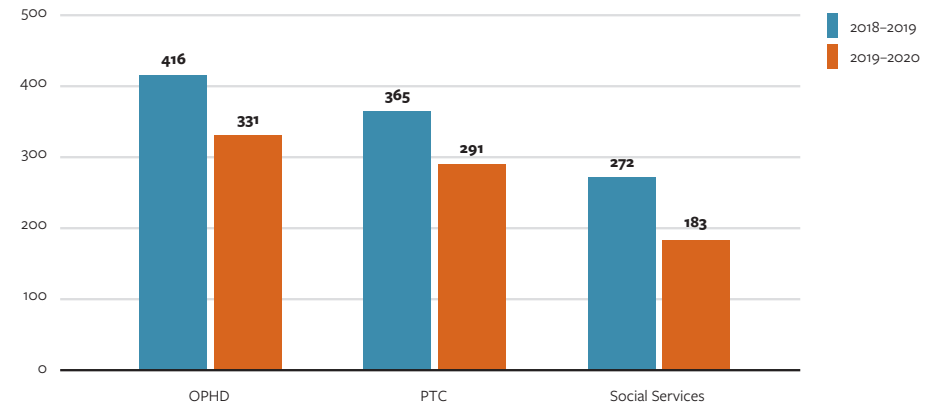
Figure 13: Change in SVSH-related service provision from 2018-2019 to 2019-2020 academic years

10.6.2. Month by Month Trends

Utilization of campus services varies by time of year. Figure 14 shows reporting to OPHD by month. As seen in previous years as well, OPHD experienced a peak of incoming reports in the middle of each semester. The fall figures are similar to past years; the spring figures show the same mid-semester peak but reflect the overall decline in reporting, compared to previous years, mentioned above.
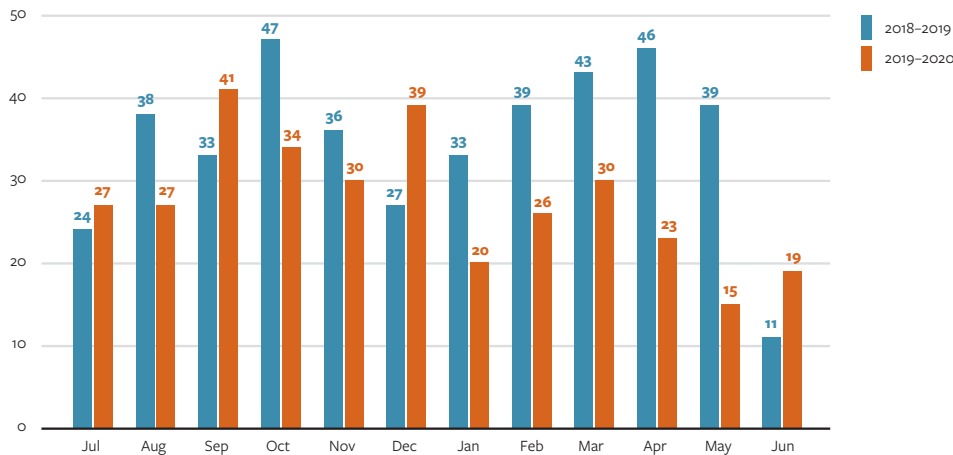
Figure 14: Trends of incoming SVSH-related reports to OPHD in 2018-2019 and 2019-2020

It should also be pointed out that reports of racial discrimination/harassment to OPHD increased in 2019-2020.

Social Services reported a similar pattern, as shown in Figure 15. Like OPHD, visits peaked in the middle of each semester, especially in the fall semester; like OPHD, Social Services saw a decline in appointments compared to the previous year. The drop off was particularly noticeable in the Spring semester after the outbreak of COVID-19. However, Social Services reported that this decrease was not as drastic as they had expected, which the unit believes may be due to their quick shift to remote service provision. (Figure 15 displays the number of unique clients per month; a client with whom Social Services over a period of months would be included in each month's total. The total unique client count for the year is 291.)
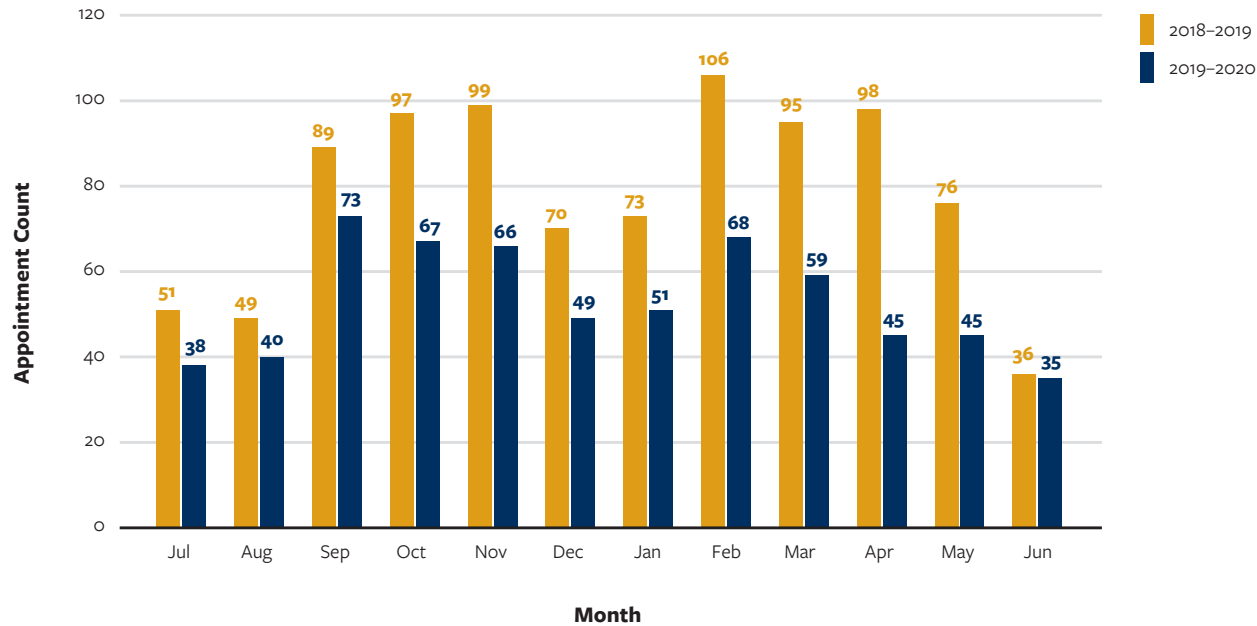
Figure 15: Social Services distribution of appointments by month, comparison between 2018-2019 and 2019-2020 academic years

Figure 16 shows a similar pattern for the PATH to Care Center (PTC). The number of clients seeking survivor support services from PTC in 2019-2020 peaked from the middle to the end of the Fall semester, tailed off between semesters, and then rose again before decreasing after the COVID-19 pandemic outbreak in March.
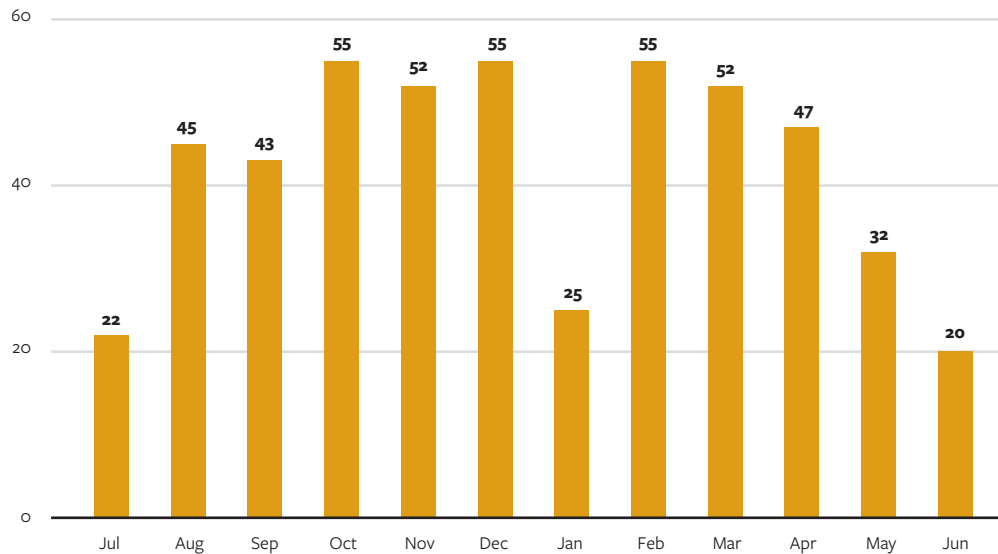
Figure 16: Total clients served by the PATH to Care Center by month in 2019-2020

10.7. A SOBERING REFLECTION

According to agencies around the world, the COVID-19 pandemic and shelter-in-place orders caused or exacerbated stressors and isolation, two conditions known to enable intimate partner and domestic violence[15]. Despite all campus units continuing to offer services remotely, the fact that fewer students and employees were on campus in the Spring of 2020 meant fewer opportunities to detect and intervene in violence.

In response to this concern, the campus sent out CalMessages with information reminding the community how to access services remotely. The PATH to Care Center created a Resources During COVID-19 webpage with confidential, local, national, international, and reporting resources, as well as information on reducing risk and preventing harm while shelter-in-place measures were in place. The PATH to Care Center also began work on a resource to help managers and supervisors implement SVSH prevention measures remotely and detect and respond to incidents. The PATH to Care resources were posted on the campus COVID-19 resource website, and distributed through several newsletters and listservs.

[15]Campbell, Andrew. 2020. An increasing risk of family violence during the Covid-19 pandemic: Strengthening community collaborations to save lives. Forensic Science International: Reports. 2020 Dec; 2.

11.0 *Resolution, Investigation, and Adjudication**

*Data in sections 10 and 11 are snapshots reported at the end of the time period covered in this report (July 1, 2019 - June 30, 2020). They may differ from subsequently reported data in official reports due to changes in case outcomes.

*Please note also that the policies and procedures described in this section changed, effective August 14, 2020, due to new federal Title IX regulations. These policies and procedures were immediately published on campus websites and will be described in the 2021 Annual Report. The information about policies and procedures in this section pertains to the period covered in this report. The current SVSH policy is always available at https://policy.ucop.edu/doc/4000385/SVSH. Past SVSH policies are archived at https://ophd.berkeley.edu/archive.

This section discusses the formal process that ensues after an allegation of prohibited conduct has been reported to OPHD. Not all survivors choose to report, at the time of an incident or later. For survivors to make the reporting choice that is right for them, it is important to understand the formal process and what is possible within it.

Section 11.1 covers the types of resolution that are possible at OPHD, including but not limited to Formal Investigation. Section 11.2 covers the disciplinary (adjudication) process that can ensue once OPHD has completed a Formal Investigation. Section 11.3 discusses measures that have been taken to ensure consistency over time and across the different adjudication processes. Section 11.4 provides data regarding investigation and adjudication outcomes. Section 11.5 discusses timelines and provides data regarding the duration of investigation and adjudication processes. Section 11.6 discusses the complex relationship between transparency, confidentiality and privacy.
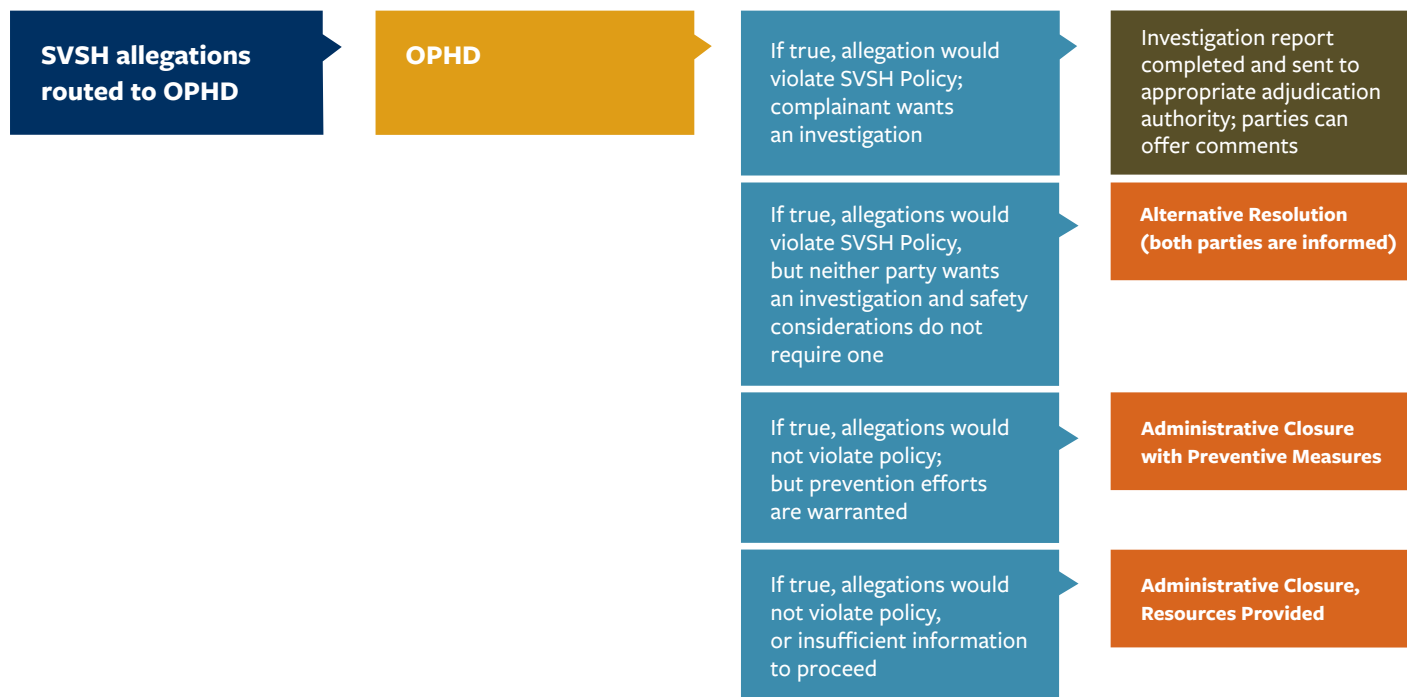
11.1. RESOLUTION TYPES[16]

OPHD (ophd.berkeley.edu) determines whether specific policies have been violated; OPHD does not determine or impose discipline. The latter is the responsibility of other campus authorities and administrative units (section 11.2). The Title IX Officer is tasked with ensuring that the overall process is carried out according to applicable policies and procedures and documented accurately at all stages.

There are several possible outcomes after a report has been made to OPHD (Figure 17). A number of factors, including, in some cases, the wishes of the parties, determine whether a case is formally investigated (section 11.1.1), resolved "informally" through alternative resolution (section 11.1.2), administratively closed after taking preventative measures (section 11.1.3), or administratively closed with resources provided (section 11.1.4). Figure 17 provides a simplified flowchart of the OPHD complaint resolution process and resolution types.

[16]Reminder to the reader: the policies and procedures described in this section were in effect in 2019-20; for current and archived policies and procedures, see ophd.berkeley.edu.

SVSH allegations routed to OPHD	OPHD	If true, allegation would violate SVSH Policy; complainant wants an investigation	Investigation report completed and sent to appropriate adjudication authority; parties can offer comments
		If true, allegations would violate SVSH Policy, but neither party wants an investigation and safety considerations do not require one	Alternative Resolution (both parties are informed)
		If true, allegations would not violate policy; but prevention efforts are warranted	Administrative Closure with Preventive Measures
		If true, allegations would not violate policy, or insufficient information to proceed	Administrative Closure, Resources Provided

Figure 17: Simplified flowchart of the OPHD process

11.1.1. Formal investigation

OPHD can launch a Formal Investigation in situations where the allegations, if true, would amount to an SVSH Policy violation, and where there is enough evidence to proceed.

Formal Investigation involves interviewing the complainant and respondent and witnesses, collecting documentary evidence, making findings of fact, and analyzing those facts against policy standards in a written report. Both the complainant and respondent have the opportunity to review evidence that will be relied upon before the written report is finalized. If the OPHD investigation results in a determination (or preliminary determination, in student cases) that misconduct has occurred, the case passes to campus adjudicators, who decide whether disciplinary sanctions are called for (section 11.2). Per the UC SVSH Policy, OPHD applies a preponderance of the evidence standard in reaching its determinations. Preponderance of the evidence means that it is more likely than not that an event occurred.

11.1.2. Alternative Resolution

"Alternative Resolution" is an alternative to Formal Investigation in some situations in which the allegations, if true, would amount to an SVSH Policy violation. In an Alternative Resolution, measures are taken to address the situation that led to a report and prevent that situation from continuing or worsening. Alternative Resolution does not result in a determination by OPHD as to whether or not the UC SVSH Policy was violated, nor can it lead to a formal disciplinary sanction.

Alternative Resolutions could involve space-sharing agreements, no-contact directives, work reassignments, counseling for one or both parties, or other solutions tailored to the particular situation. Alternative Resolutions are documented outcomes, often with provisions that are enforced over a period of time.

If the Alternative Resolution process is not successful, i.e., if parties opt not to participate in it or don't agree to its terms, the case can proceed to Formal Investigation. Situations which pose a threat to the campus community may not be suitable for Alternative Resolution; the campus Title IX Officer makes this decision. If the Alternative Resolution process is not successful, or if either party changes their mind during the process and wishes for a Formal Investigation instead, the case can proceed to that resolution strategy. Once concluded, however, an Alternative Resolution agreement is binding, and the case cannot be reopened (unless new allegations emerge).

11.1.3. Administrative closure with preventive measures

Sometimes conduct is reported to OPHD which, while concerning, would not violate the UC SVSH Policy. In such instances, OPHD cannot take the matter to Formal Investigation or conclude it via an Alternative Resolution, but can still recommend and implement preventive measures to address the situation. Such measures can include departmental trainings and other, non-disciplinary administrative actions. This outcome is described as "Administrative closure with preventive measures."

In situations where the allegations would, if true, violate a policy enforced by a different campus office, *e.g.*, People & Culture, Academic Personnel, the Vice Provost for the Faculty, the Vice Chancellor for Research, Disability Access and Compliance, or the Center for Student Conduct, OPHD will refer the complaint to the administrative head of that campus office.

11.1.4. Administrative closure with resources provided

Sometimes a complaint comes to OPHD without sufficient information to enable OPHD to address the issue. For example, a third party might report prohibited conduct to OPHD but doesn't know the names of the parties involved; or a complainant doesn't wish to talk with OPHD or to pursue any kind of resolution process at the time. Under circumstances like these, OPHD typically has limited ability to address the issue under the UC SVSH Policy. OPHD will do its best, if the survivor's name is known, to reach out, provide resources, and offer options to go forward with the process. This process and outcome is described as "Administrative closure, resources provided."

When OPHD administratively closes a matter by taking preventive measures (section 11.1.3) or simply by providing resources (section 11.1.4), records are still retained. The matter can be reopened in the future if additional information that enables further review under the UC SVSH Policy emerges.

Outside observers who are aware that something happened may wonder why OPHD is not taking action, but due to complainant and respondent privacy rights, OPHD is very limited in its ability to discuss the matter, including the actions it has taken.

11.2. ADJUDICATION AND DISCIPLINE PHASES[17]

The adjudication (disciplinary) processes for students and employees are independent. They are carried out by different bodies and follow different procedures. If a student is the respondent, the disciplinary process is handled by the Center for Student Conduct. For employees, the process followed depends on the type of employment. If a faculty member or other academic appointee is the respondent, the disciplinary case is overseen by the Vice Provost for the Faculty. If a (non-academic) staff member is the respondent, the disciplinary case is overseen by People & Culture. For a represented employee, the campus follows the disciplinary process specified in the contract between the employee's labor union and the University.

It may seem complicated to have so many different processes. With the goal of ensuring consistency and adding oversight, the UC Policy on SVSH added a requirement, effective July 2019, that the Title IX Officer be consulted on all disciplinary decisions (see section 11.3).

The campus aspires to take consistent disciplinary steps regardless of who has committed and who has reported the misconduct (see, e.g., section 11.4 for data regarding student, faculty, and staff disciplinary outcomes). Differences in appointment status, coupled with a high level of confidentiality regarding student and employee records, make this challenging to demonstrate. One goal of this report is to make the processes, and the range of outcomes, as transparent as possible.

11.2.1. Student respondents

In cases where OPHD has conducted a formal investigation of allegations against a student respondent, the determination made by OPHD in its written report is considered preliminary. The procedure that follows this preliminary determination changed in July 2019, when the UC Office of the President issued a revised Sexual Violence and Sexual Harassment Student Investigation and Adjudication Framework. Under the new procedures, upon completion of the Title IX Investigation, OPHD provides both the complainant and the respondent written notice of the factual findings and preliminary determinations, and the investigation report.

In those cases where the investigator preliminarily determines a policy violation did not occur, both parties have an equal opportunity to contest the preliminary determination (see below).

> **"The University's student disciplinary procedures emphasize education, personal growth, accountability, and ethical behavior — upholding standards of responsible conduct to balance the interests of the University community and the student. When formal fact-finding procedures are used, the procedures are designed to provide a prompt, fair, and impartial resolution of the matter."**
>
> **—Procedures for Implementation of the Student Adjudication Model**

[17]Reminder to the reader: the policies and procedures described in this section were in effect in 2019-20; for current policies and procedures, see ophd.berkeley.edu.

In those cases where the investigator preliminarily determines a policy violation did occur, the Center for Student Conduct (CSC) reviews the report and determines an appropriate proposed sanction. The complainant and respondent may provide CSC with input on sanctions. CSC then notifies both parties of the proposed sanction and supporting rationale. At this stage, both parties have an equal opportunity to contest the preliminary determination of policy violation. If neither party contests the preliminary determination, it becomes final. (However, a sanctioning decision can still be appealed; see section 11.2.1.2.)

11.2.1.1. Fact-finding hearings.

If either party contests the OPHD investigator's preliminary determinations as to whether or not the policy was violated, a fact-finding hearing is held to determine whether the SVSH Policy or other student conduct policies have been violated. In cases with a preliminary determination of policy violation in which the Center for Student Conduct has proposed a sanction of suspension or dismissal, the Respondent is automatically presumed to contest the preliminary determination, unless they provide a written acknowledgment and waive their right to a fact-finding hearing. Both parties are notified about whether or not there will be a fact-finding hearing.

Once it is clear that a case will go to a fact-finding hearing, the Hearing Coordinator begins the pre-hearing process, and a Hearing Officer is assigned. The Hearing Officer conducts the hearing, reviews the evidence and investigative report, and determines whether a policy violation has occurred.

Before a hearing occurs, the Hearing Officer holds a Pre-Hearing Meeting with the parties. At the Pre-Hearing Meeting, the hearing officer and party will discuss the evidence the party has provided in order to help identify the issues to be decided at the hearing. This informs the hearing officer's determination of the scope of the hearing. The hearing officer and/or coordinator will also discuss measures available to protect the well-being of parties and witnesses at the hearing. Any party contesting (or presumed to contest) the investigator's preliminary determination regarding policy violation(s) is required to participate in the pre-hearing meeting. The party who is not contesting is encouraged, but not required, to participate in the pre-hearing meeting.

Upon completion of the fact-finding hearing, the Hearing Officer decides whether a violation of the SVSH Policy (or related non-SVSH Policy violation) occurred, based on a preponderance of the evidence standard. If the Hearing Officer decides that a policy violation has occurred, their final determination and findings are sent to the Center for Student Conduct to determine an appropriate sanction, if applicable. The Hearing Coordinator then distributes the Hearing Officer's Hearing Report and the Sanctioning Memo (if any) to the parties.

### 11.2.1.2. Appealing a final determination and/or sanctions

The complainant and respondent have an equal opportunity to appeal the final determination(s) and/or any associated sanction(s), but only on limited grounds. The University administers the appeal process. It is not a party in the appeal and does not advocate for or against either party's position.

In cases where there was a fact-finding hearing, an appeal must be submitted to the Hearing Coordinator. In cases where there was no fact-finding hearing, an appeal must be submitted to the Center for Student Conduct. In either case, the other party will be

notified regarding the appeal. If the appeal includes the ground that the sanction is disproportionate, all parties have an opportunity to meet with the appeal officer to discuss the proportionality of the sanction.

The Appeal Officer will decide whether the appealing party has proven the asserted ground(s) for appeal. The Appeal Officer will consider only the evidence presented at the hearing, the investigation file, and the appeal statements of the parties. The Appeal Officer may uphold the findings and sanctions; overturn the findings or sanctions; modify the findings or sanctions; or, in appeals alleging material procedural error, send the case back to the Hearing Officer for further fact-finding if needed.

The Appeal Officer will summarize their decision in a written report, which is sent to both parties. Unless the case is sent back to the Hearing Officer for further fact-finding, the Appeal Officer's decision is final, and there is no further right to appeal. A simplified flowchart of this process can be found in Figure 18.
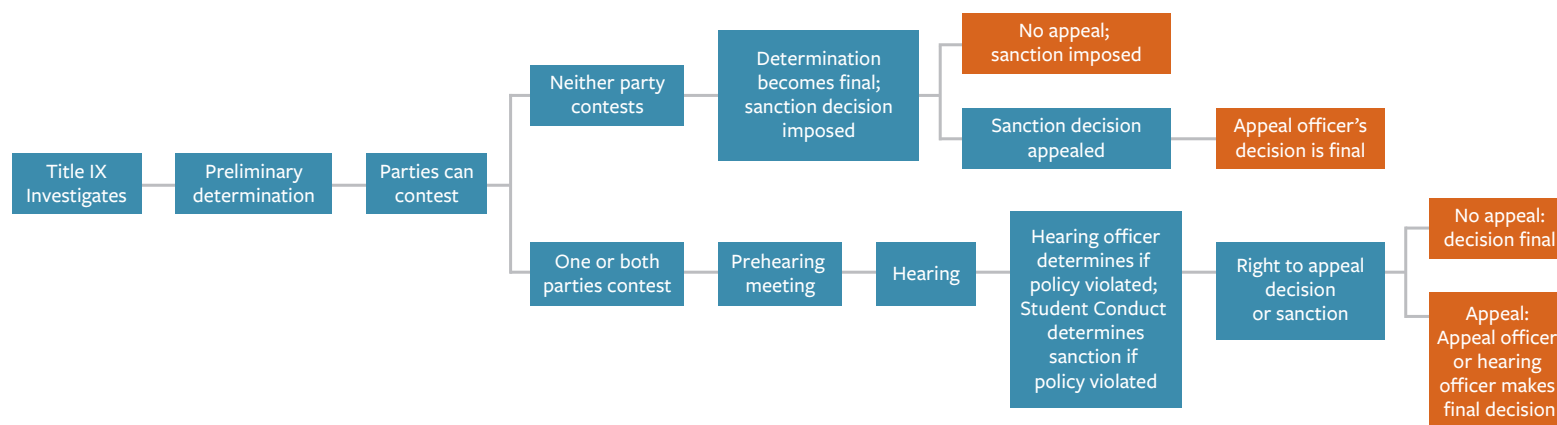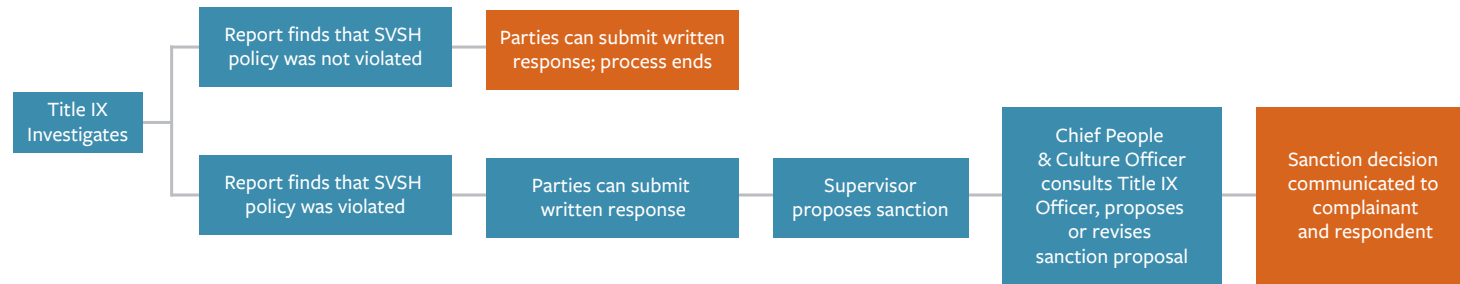

Figure 18: Simplified flowchart of the adjudication process involving student respondents in 2019-2020

For a detailed description of the student adjudication process currently in effect, which may differ in certain ways from the procedures followed in 2019-2020, see policy.ucop.edu/doc/2710641/PACAOS-Appendix-E. (Recall that older policies are archived at ophd.berkeley.edu/archive.)

11.2.2. Staff respondents
Upon completion of its investigation of a case involving a (non-academic) staff respondent, OPHD produces a written report concluding with a determination regarding whether there has been a violation of the UC SVSH Policy. Both parties — the complainant and the respondent — have the right to respond in writing to this report. Their response, and the report, are provided to the respondent's supervisor (or other appropriate administrative authority), who has the responsibility to propose and implement disciplinary action (if any). The material is then referred to the Chief People & Culture Officer, who consults with the campus Title

IX Officer.[18] The Chief People & Culture Officer must approve (or request revisions to) any proposed disciplinary action(s) prior to implementation. In accordance with PPSM-62, PPSM-64 and PPSM-70, which can be found at hr.berkeley.edu/policies/policies-procedures/ppsm, response options available to the supervisor and the Chief People & Culture Officer include formal corrective action, up to and including termination, as well as remedial actions that do not amount to formal correction. A simplified flowchart of this process can be found in Figure 19.

Figure 19: Simplified flowchart of the adjudication process involving non academic staff respondents in 2019-2020

For a detailed description of the staff adjudication process currently in effect, which differs in certain ways from the procedures followed in 2019-2020, see https://ophd.berkeley.edu/policies-and-procedures/policies-and-procedures-staff. (Older policies and procedures may be found at https://ophd.berkeley.edu/archive.)

11.2.3. Non-faculty academic personnel
Adjudication procedures for non-faculty academic personnel vary according to whether or not the employee is represented by a union.

11.2.3.1. Non-represented, non-faculty academic appointees
Upon completion of its investigation of a case involving a respondent who is a (non-faculty, non-represented) academic appointee, OPHD produces a written report concluding with a determination regarding whether there has been a violation of the UC SVSH Policy. Both parties — the complainant and the respondent — have the right to respond in writing to this report. Their responses, and the report, are provided to the respondent's supervisor (or other appropriate administrative authority), who has the responsibility to propose and implement disciplinary action, and to the Vice Provost for the Faculty (VPF), who must, in consultation

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[18]In Fall 2019, Central Human Resources changed its name to People & Culture. In the 2019 Annual Report, the Chief People & Culture Officer was referred to as the Chief Human Resources Officer (CHRO).

with the Assistant Vice Provost for Academic Personnel and the campus Title IX Officer, approve (or request revisions to) the supervisor's proposal before it can be implemented. In accordance with APM-150, the response options available to the supervisor and VPF include informal resolution or formal corrective action, up to and including termination. The employee has the right to grieve the action under APM-140. A simplified flowchart of this process can be found in Figure 20.
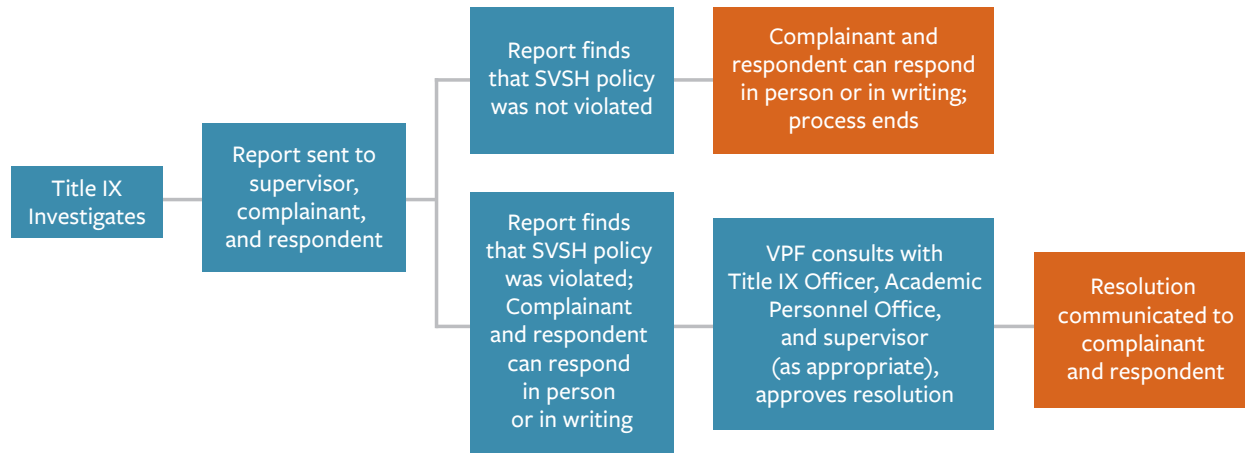
Figure 20: Simplified flowchart of the adjudication process involving non-represented, non-faculty academic appointees respondents in 2019–2020

For a detailed description of the adjudication process for non-represented, non-faculty academic appointees that is currently in effect, see https://ophd.berkeley.edu/policies-and-procedures/policies-and-procedures-staff. (Older policies and procedures may be found at https://ophd.berkeley.edu/archive.)

11.2.3.2. Represented non–faculty academic appointees
Upon completion of its investigation of a case involving a respondent who is a represented non-faculty academic appointee, OPHD produces a written report concluding with a determination regarding whether there has been a violation of the UC SVSH Policy.

Employees who are represented by a union follow a disciplinary process which is governed by the contract in place with the union. The employee may grieve any corrective (disciplinary) actions according to the terms of their union contract.

11.2.4. Faculty respondents
The term "faculty" at Berkeley is ambiguous. It can be used narrowly to refer only to Senate faculty, i.e., ladder-rank faculty (those on the tenure track, whether or not they yet have tenure), Teaching Professors, Professors in Residence, and Professors of Clinical Optometry. The term "faculty" can also be used broadly to refer to instructors generally: Senate faculty as well as non-Senate faculty, including adjunct faculty and lecturers.

OPHD investigations are carried out in the same way for all, but disciplinary procedures differ according to whether the individual is a Senate faculty member (section 11.2.4.1); a non-Senate, non-represented faculty member (section 11.2.4.2); or a represented lecturer (section 11.2.4.3).

11.2.4.1. Senate faculty

Upon completion of its investigation of a case involving a respondent who is a Senate faculty member, OPHD produces a written report concluding with a determination regarding whether there has been a violation of the UC SVSH Policy. An OPHD determination that the UC SVSH Policy has been violated constitutes probable cause of a violation of the Faculty Code of Conduct (APM-015).

Both parties — the complainant and the respondent — have the right to respond in writing to this report. Their responses (if any), and the report, are provided to the Vice Provost for the Faculty (VPF), who is responsible for the adjudication and discipline of Senate faculty misconduct in accordance with APM-016, Senate Bylaw 336 and the University of California Investigation and Adjudication Framework for Senate and Non-Senate Faculty.

The VPF consults with the campus Title IX Officer and a campus Peer Review Committee before deciding what sanctions (if any) to pursue. The Peer Review Committee is composed of six faculty; its members provide input and perspective on disciplinary decisions. Peer Review Committee members receive training and serve two-year terms.

The VPF has two main options: file formal disciplinary charges with the faculty Privilege and Tenure Committee (P&T) of the Academic Senate, as outlined in APM-016 and Senate Bylaw 336; or reach a negotiated settlement with the faculty member (termed "Early Resolution"), described in Senate Bylaw 336. Typically, Early Resolution is attempted first, but if negotiations do not conclude within a specified time frame, the VPF must initiate the P&T process. Early resolution negotiations can still resume while the P&T process is ongoing; completing either process preempts the other.

The P&T process involves a formal hearing, after which P&T recommends a sanction up to (but not exceeding) the sanctions requested by the VPF. APM-016 permits only six possible sanctions: in order of severity, these are: written censure, reduction in salary, demotion, suspension, denial or curtailment of emeritus status, and dismissal from the employ of the University. After P&T has made its recommendation, the Chancellor makes the final decision. (Certain sanctions require approval by the Regents or the University President.) The P&T process is highly confidential.

Early resolution settlements are potentially faster to achieve and allow a wider range of options than are available through the P&T process; along with such outcomes as suspension, curtailment of emeritus privileges, and separation from the university, an early resolution settlement could include an agreement to retire, restrictions on the use of campus space, or other possibilities not available through P&T. Settlement agreements also typically include mutually agreed upon public statements that can be used to inform the community about the outcome of an otherwise confidential disciplinary case.

A simplified flowchart of the Senate faculty disciplinary process is provided in Figure 21.
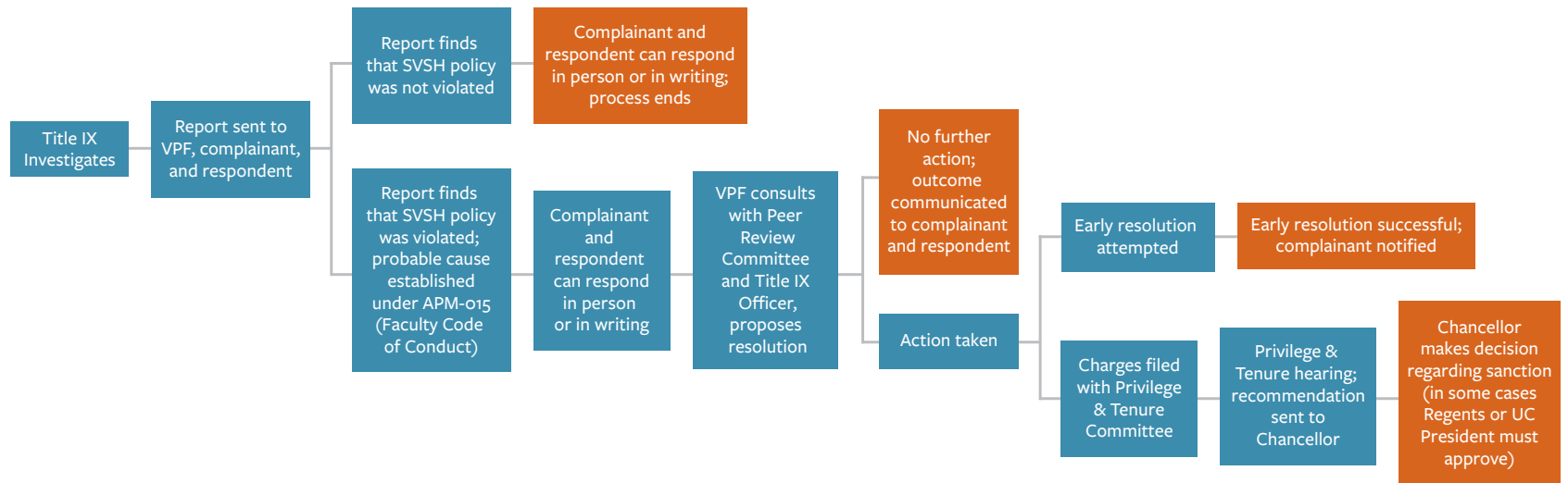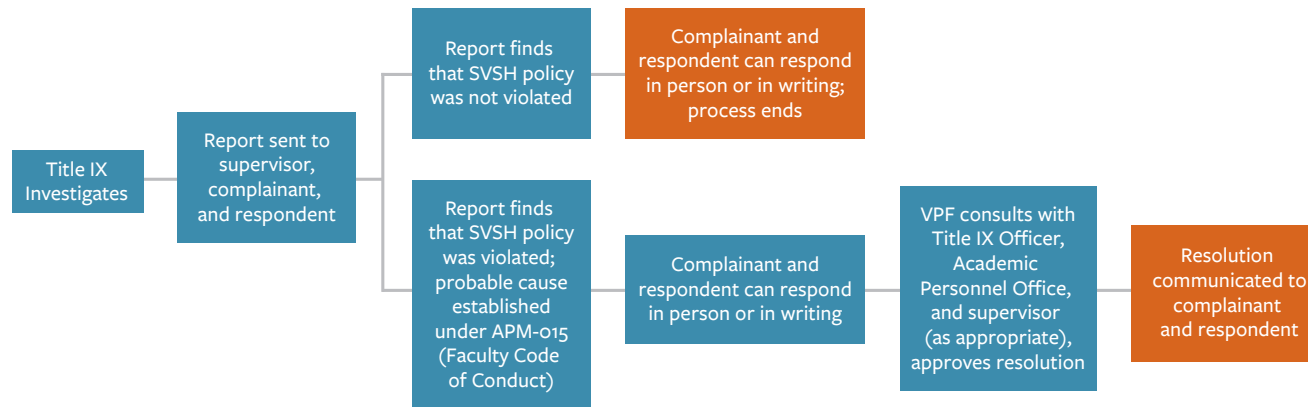
Figure 21: Simplified flowchart of the adjudication process involving Senate faculty respondents in 2019-2020

For a detailed description of the adjudication process for Senate faculty members that is currently in effect, see http://sexualviolence.universityofcalifornia.edu/files/documents/faculty-svsh-investigation-and-adjudication-framework.pdf. (Older policies and procedures may be found at https://ophd.berkeley.edu/archive.)

11.2.4.2. Non-Senate, non-represented faculty

Upon completion of its investigation of a case involving a respondent who is a non-Senate, non-represented faculty member (for example, adjunct faculty, or clinical faculty in the health sciences), OPHD produces a written report concluding with a determination regarding whether there has been a violation of the UC SVSH Policy. Both parties — the complainant and the respondent — have the right to respond in writing to this report. Their responses (if any), and the report, are provided to the Vice Provost for the Faculty (VPF), who, in consultation with the Assistant Vice Provost for Academic Personnel, is responsible for proposing and implementing discipline (if any). In accordance with APM-150, the response options available to the VPF include informal resolution or formal corrective action, up to and including termination. The employee has the right to grieve the action either under APM-140 or through the Academic Senate under Senate Bylaw 337.

A simplified flowchart of the disciplinary process for non-Senate, non-represented faculty is provided in Figure 22.

Figure 22: Simplified flowchart of the adjudication process involving non-Senate, non-represented faculty respondents in 2019-2020

For a detailed description of the non-Senate, non-represented faculty adjudication process, see https://sexualviolence.universityofcalifornia.edu/files/documents/faculty-svsh-investigation-and-adjudication-framework.pdf.
(Older policies and procedures may be found at https://ophd.berkeley.edu/archive.)

11.2.4.3. Lecturers
Upon completion of its investigation of a case involving a respondent who is a (union-represented) lecturer, OPHD produces a written report concluding with a determination regarding whether there has been a violation of the UC SVSH Policy.
Lecturers, like other employees who are represented by a union, follow a disciplinary process which is governed by the contract in place with the union. In the case of lecturers, the OPHD report is provided to the Vice Provost for the Faculty (VPF), who, in consultation with the Assistant Vice Provost for Academic Personnel, is responsible for proposing and implementing discipline (if any). Lecturers have the right to request an Academic Senate review of a proposed dismissal per the terms of their union contract. For more information, see ucnet.universityofcalifornia.edu/labor/bargaining-units/ex/docs/ex_2008-2012_07_discipline-dismissal.pdf.

11.2.5. Senior leaders
Senior leaders follow the adjudication procedure corresponding to the type of appointment they hold. However, a special level of consultation at the systemwide is required when the sanctioning decision is made. Created in 2016 by President Napolitano, the Systemwide Peer Review Committee is charged with approving proposed disciplinary sanctions in SVSH misconduct cases involving faculty or staff who occupy positions of senior leadership. Senior leaders include, but are not limited to, Chancellors, Associate and Assistant Chancellors, Provosts and Vice Provosts, Deans, Coaches, and Athletic Directors. The purpose of the Systemwide Peer Review Committee, like the campus Peer Review Committees which consult on faculty disciplinary cases, is to promote equity and consistency in adjudications of those in positions of particular power on campuses.

11.3. STRIVING FOR CONSISTENCY IN A DISTRIBUTED SYSTEM

In 2017, the report of the Chancellor's Joint Administration/Senate Committee on SVSH identified 'horizontal equity' as a goal for the campus adjudication response to student, staff and faculty SVSH cases. This refers to the ambition of providing a consistent sanction for conduct regardless of the status of the respondent.

It can be challenging to achieve consistency, given the independence of the various adjudication systems for students, staff, faculty, and senior leaders, for whom there are different disciplinary codes, options, and terms of employment. One method is to build in additional levels of review. For example, since 2019, the campus Title IX Officer consults on sanctioning decisions in all cases. The Chief People & Culture Officer reviews all staff disciplinary decisions (section 11.2.2); the Peer Review Committee consults on all Senate faculty disciplinary decisions (section 11.2.4.1), and the Assistant Vice Provost for Academic Personnel reviews disciplinary decisions for all other academic appointees (11.2.3) . These extra layers of consultation help to ensure consistent and equitable outcomes.

It can, however, be challenging to demonstrate consistency in outcomes, given the confidentiality inherent in any disciplinary process. For example, student records are protected by the Family Educational Rights and Privacy Act (FERPA); certain aspects of employee records are protected by employment laws.

Aggregate statistics presented in section 11.4 provide some evidence of consistency in adjudication outcomes, showing that students and employees (including faculty) have been investigated and, as appropriate, sanctioned after reports of misconduct.

11.4. OUTCOMES OF CAMPUS INVESTIGATION AND ADJUDICATION PROCESSES

In the interest of illuminating the degree to which the campus is able to hold community members accountable, this section illustrates, broken out by affiliation groups, the final outcomes of SVSH cases that came through OPHD.

11.4.1. SVSH cases closed by OPHD, by affiliation group

In 2019-2020 OPHD closed 333 cases involving SVSH allegations, i.e., allegations of conduct that would violate the UC SVSH Policy. Figure 23 shows the affiliations of respondents and complainants in these closed SVSH cases. (Employees are presented as a single category, rather than split out into faculty and staff as was done in the 2019 report, due to small faculty numbers.) Paralleling the distribution of incoming allegations (see section 10), students outnumbered employees by a large margin.
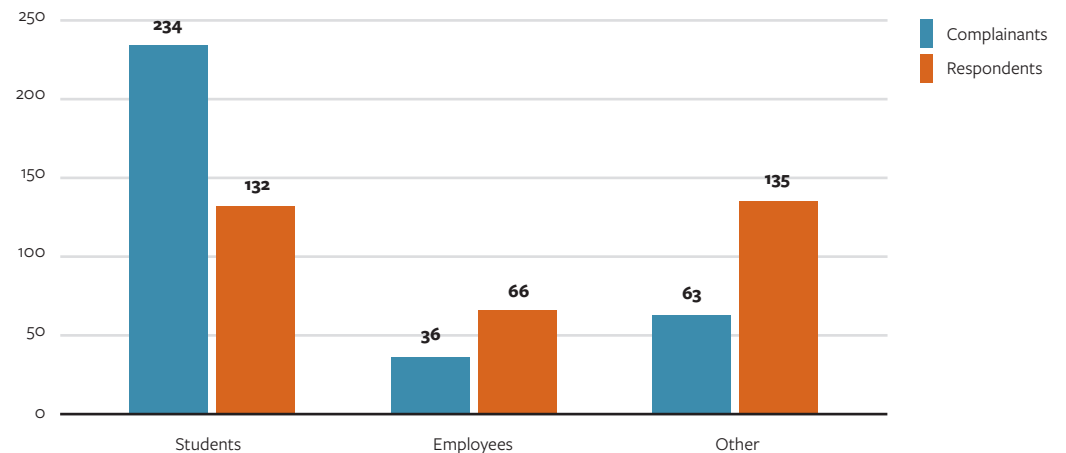
Figure 23: SVSH cases closed by OPHD in 2019-2020, by complainant and respondent affiliation

Figure 24 characterizes the way SVSH cases were closed. 15.6% of SVSH cases closed by OPHD went through Formal Investigation (section 11.1.1); only 2.4% of SVSH cases were resolved through Alternative Resolution (section 11.1.2); and 9% were administratively closed with preventive measures (section 11.1.3). The majority of SVSH cases closed by OPHD (65.5%) were administratively closed with resources provided (section 11.1.4).

The "Other" category in Figure 24 represents cases in which not enough information was provided to enable OPHD to move forward, as well as cases that initially appeared to include allegations of SVSH but were subsequently determined not to include SVSH, or to not to be OPHD matters.

11.4.2. OPHD investigation outcomes

Upon completion of an OPHD investigation, the OPHD report is provided to the relevant adjudicator (section 11.2). As shown in Figure 25, OPHD completed 24 investigations in student respondent cases involving allegations of SVSH, and made preliminary determinations of an SVSH policy violation in 12 (50%) of them. OPHD completed 28 investigations in staff and faculty respondent cases involving allegations of SVSH in the same time period, and made a finding in 13 (46%) of those investigations.

11.4.3. Adjudication outcomes

Once an investigation is complete, the adjudication phase begins. This section reports on the outcomes of adjudication phases of SVSH cases that reached a conclusion in 2019-2020. Note that some of the relevant investigations were completed prior to July 1, 2019, and thus are not represented in Figure 24, above; similarly, some investigations that completed in 2019-2020 were still in adjudication
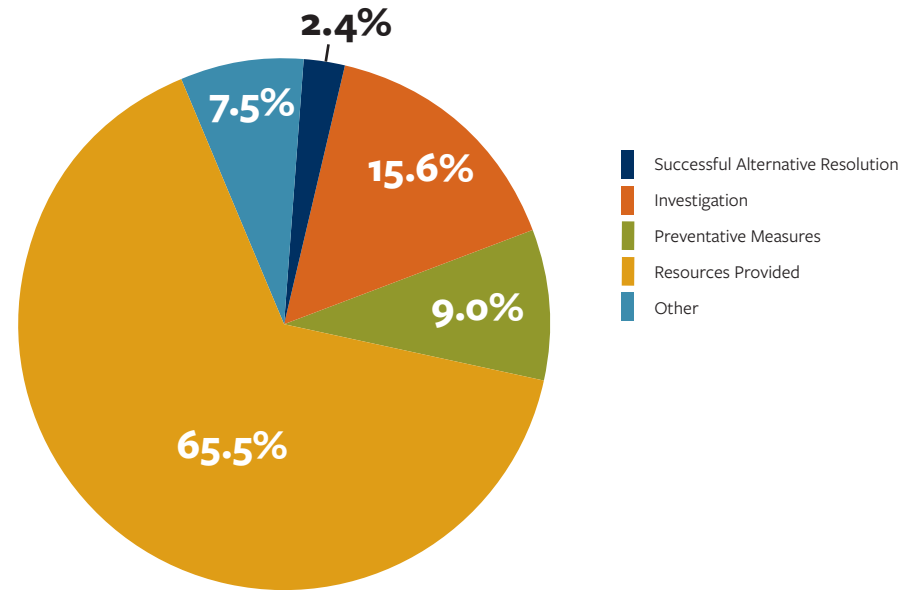

Figure 24: How OPHD closed SVSH cases in 2019-2020

Figure 25: Outcomes of OPHD investigations involving student and staff & faculty respondents in SVSH cases in 2019-2020

as of July 1, 2020, and will be included in the adjudication outcome figures in the 2020-2021 annual report. (Annual reports do not track individual cases over time, and are not intended to be used for that purpose. Rather, they provide snapshots of the number of cases that entered or exited various phases of the SVSH process during a 12-month period.)

In 2019-2020, 32 SVSH cases with student respondents completed the adjudication stage. 13 of these cases concluded with a determination of no SVSH Policy violation, and no sanction. 16 cases concluded with a determination that the SVSH Policy was violated, and resulted in a sanction being imposed (Figure 26).

(The "other" category in Figure 26 includes cases in which the sanction/determination was overturned by the hearing officer or the sanction was overturned/settled by a judge.)

Figure 27 depicts adjudication outcomes in SVSH cases with employee respondents in 2019-2020. 26 such cases, involving staff and faculty respondents, completed the adjudication phase. In seven (27%), OPHD found a violation and a sanction was imposed. In 11 (42%), there was no finding of policy violation, and no sanction was imposed. Eight cases fell into the "Other" category; this could be for a variety of reasons, including early separation from the university.

11.5. STRIVING FOR TIMELY CASE COMPLETION

One of the concerns shared by both parties and the community is the length of time it takes overall to investigate and adjudicate an SVSH case.
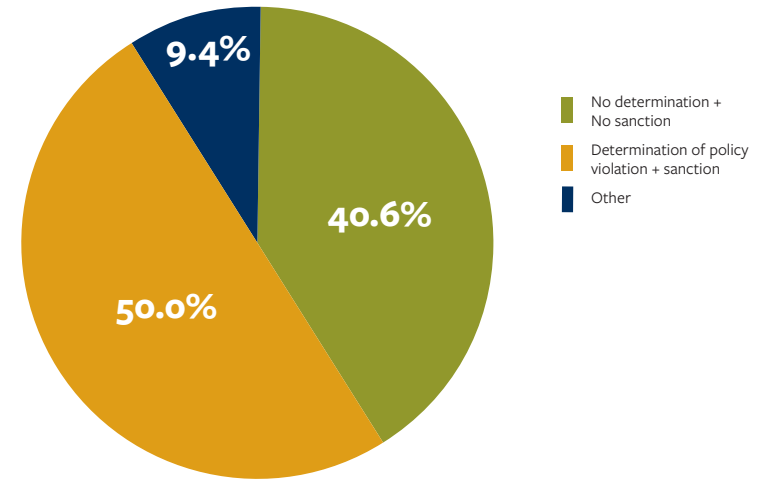
Figure 26: Student investigation and adjudication outcomes and sanctions for cases which completed adjudication in 2019-2020
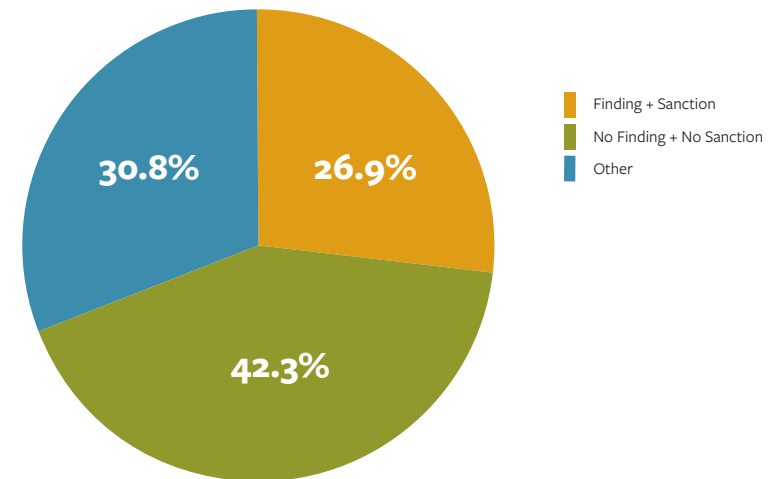

Figure 27: Staff and faculty investigation and adjudication outcomes and sanctions for cases which completed adjudication in 2019-2020

Figure 28 presents median durations for Formal Investigations of SVSH cases closed in 2019-2020. Investigation durations are the number of days from the Notice of Investigation by OPHD to the issuance of a completed investigation report. Investigation duration varies according to a number of factors, including the complexity of the case. For example, investigations in which new information continues to emerge after the initial notice of allegations take longer than those in which the facts are all available at the outset.

The median adjudication durations of SVSH cases in 2019-2020 are provided in Figure 29. (For most investigations and adjudications across all respondent affiliations, the median is the statistic that best represents the typical duration of cases.) Generally, the duration of adjudication correlates with the number of steps in the process. Student adjudications which go through an appeals process take longer than those that do not, as seen in Figure 29. Staff adjudication processes are generally simpler and take less time. The faculty adjudication process varies considerably in length. Cases that conclude via early resolution can resolve in a few months or less; those that go all the way through the P&T process can take well over a year. Too few cases concluded the adjudication process in 2019-2020 for it to be possible to provide duration statistics.

11.5.1. Efforts to constrain timeframes

UC policies and procedures for investigating and adjudicating SVSH cases include explicit timeframes within which various steps are supposed to occur. New timeframes were added to systemwide policy and procedures during 2018-2019, as discussed in the 2019 Annual Report. More restrictive timeframes were imposed in 2019-2020 in an effort to shorten the duration of the overall process. These timeframes can generally be extended for good cause.
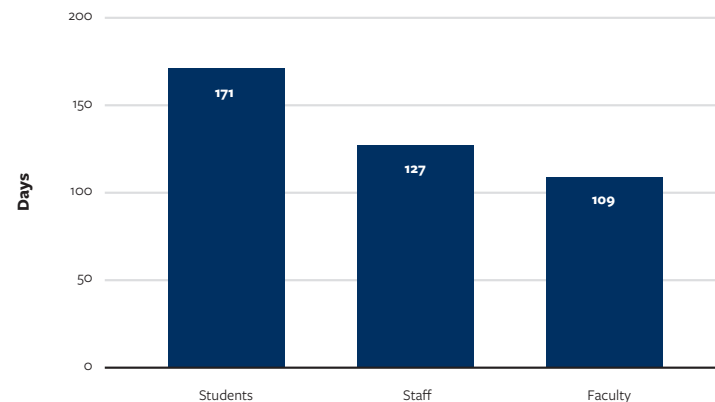
Figure 28: Median durations of OPHD investigations in 2019-2020 (in days)
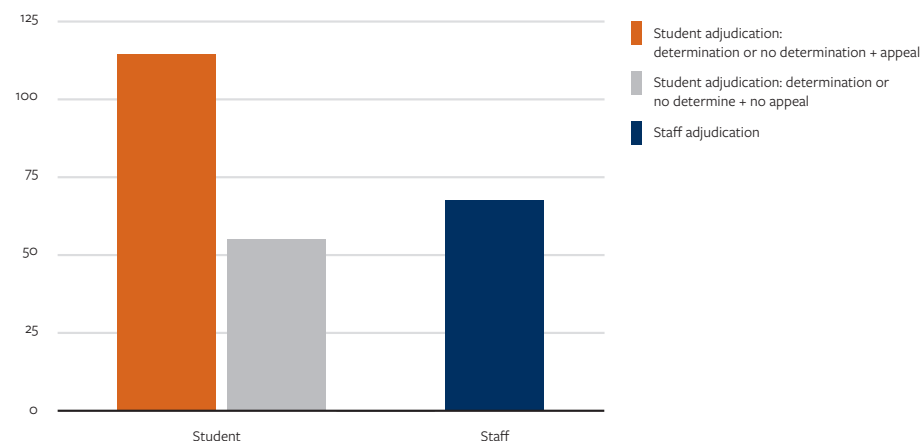
Figure 29: Median Time to Completion (in days) of SVSH adjudications in 2019-2020 for cases involving student and staff respondents

For example, the version of the UC SVSH Policy in force between July 31, 2019, provides OPHD with 90 business days in which to complete an investigation. "As seen in Figure 28, the median duration of faculty, staff, and student respondent investigations exceeds this timeframe.

For the adjudication of faculty cases, the systemwide investigation and adjudication framework and Senate Bylaw 336 impose timeframes for the various stages of the P&T process, some of which were tightened in 2019-2020. After receiving the OPHD report, the VPF has 40 business days within which to consult the Peer Review Committee and attempt early resolution; after 40 days, the VPF must file charges with P&T if early resolution has not been achieved. The P&T hearing must take place within 60 calendar days of the date that charges were filed (unless preempted by an early resolution agreement). After the hearing, transcripts and post hearing briefs are prepared. Once it has received these documents, P&T has 30 calendar days within which to make a recommendation and complete a written report. The Chancellor is then allowed 14 calendar days within which to read the P&T report and supporting documentation and reach a decision. Extensions are possible, upon request, at most of these stages.

11.5.2. The 'three-year rule'
There is no statute of limitations for reporting SVSH cases to campus authorities. Anyone can make a report to OPHD at any time. Provided that evidence is still available and the allegations fall within the scope of the UC SVSH Policy, OPHD follows the same investigative proceedings regardless of when the incident occurred, applying the policies that were in force at the time the incident is alleged to have occurred; currently applicable adjudication procedures then follow, as appropriate.

The 'three-year' rule for faculty respondent cases is a clause in the Academic Personnel Manual (section 016) which stipulates a three-year window for filing disciplinary charges after the report of an allegation to campus authorities. The data in Figure 23 show that the typical investigation phase for faculty cases is far shorter than three years, enabling the adjudication phase to begin well within the specified window.

11.6. PRIVACY, CONFIDENTIALITY AND TRANSPARENCY
One of the complicated aspects of any discussion of SVSH on a university campus is that privacy considerations and confidentiality requirements, from state employment law to federal privacy rights regarding student records, generally make it impossible for the university to discuss individual cases, even when the community wants to understand how and why a decision was reached. When the campus cites privacy considerations in response to inquiries, this can be perceived as a lack of transparency.

But it is critically important for parties in past and current cases — and to parties in potential future cases — to trust that the university will keep their protected personal details confidential. Sometimes parties choose to share some or all of what has happened; sometimes they do not. This choice must remain their own to make. The best the campus can do in such situations is to explain the general process that it follows.

Under certain circumstances, such as dismissal of an employee, the campus does make a public statement when a case is resolved, though does not typically reveal details of the investigation. As the campus is a public institution, some records are accessible to the public via the Public Records Act process.

12.0 *Actionable Priorities*

Each Annual Report is an opportunity to reflect on progress made toward goals set in the previous year and identify new goals for the future. The priorities fall broadly into five categories: inclusivity; comprehensive prevention; sustainability; maintaining trust and transparency while adapting to rapid change; and continuing to innovate. This section will survey the progress made within each of these areas and identify areas for focus in 2020-2021. Some of the specific goals mentioned in this section were identified in 2018 as MyVoice Action Steps.

12.1. INCLUSIVITY AND ACCESSIBILITY OF SVSH RESOURCES

The 2018 MyVoice Survey found that people belonging to marginalized groups experience SVSH at disproportionately high rates, that many in the UC Berkeley community were unaware of campus resources, and that survivors most often tell friends or family of their experiences. These important findings supported efforts already underway to ensure resources are inclusive and accessible, as sketched below.

12.1.1. Centering marginalized communities (MyVoice Action Step)

The 2018 MyVoice Survey found that people belonging to a marginalized group, especially queer and transgender people, people of color, and those living with a disability, experience disproportionately high impacts of sexual violence and sexual harassment. The proposed action was to ensure providers work collaboratively with existing campus communities to deliver direct services, campus messaging, and education that resonates with women of color, queer and transgender people of color, LGBTQ+, and people living with disabilities.

Progress made during 2019-2020:

- The PATH to Care Center and the CCRT Resource Review Working Group (section 6.2.1.2) developed a new identity-based resource about SVSH that centers marginalized communities: Identity Specific Resources and Information, currently on the PATH to Care website. The text highlights specific experiences and challenges for survivors that hold particular identities and offers identity-based campus and community resources to connect with. The website currently has text for Survivors Living with Disabilities, LGBTQ+ Survivors, Survivors who are BIPOC (Black, Indigenous, People of Color), Survivors who are International Students or Scholars, Survivors who Identify as Men, and Survivors who are Undocumented.

- In 2019-2020, the Disability Access and Compliance Office presented a cross-training on the Americans with Disabilities Act and accommodations for survivors with disabilities to CCRT (section 6.2).

- Concerted effort was made to ensure that SVSH-related printed materials, presentations, websites, and services are accessible for people with disabilities.

- The off-year supplemental training for faculty and supervisory staff was updated in Spring 2020. The PATH to Care Center, OPHD, and the SVSH Advisor Office worked with the People and Organization Development office, UCOP, and the campus Web Access Team to make the online module more accessible and to offer an alternative format for people with disabilities.

- Campus partners created a well-attended special topics training on SVSH and mental health for those involved in SVSH prevention and response efforts (section 12.3).

Goals for 2020-2021:
- Deliver LGBTQ+ special topics campus partner training in Spring 2021.
- Continue to develop special topics trainings on intersectional topics.
- Continue auditing campus websites and print resources for accessibility and inclusivity
- Under the auspices of the OVW grant, hire and train student peer educators for outreach and community building with marginalized communities
- Augment PATH to Care's Identity-Specific Resource Guide

12.1.2. Raising awareness about resources (MyVoice Action Step)

The MyVoice Survey found that while the majority of graduate students, staff, and faculty who experienced SVSH reported connecting with a Berkeley resource, not everyone on campus was able to find the resources they needed. In response, the campus committed to creating and widely distributing information about SVSH resources at UC Berkeley, with a particular focus on the 24/7 Care Line.

Progress made during 2019-2020:
- The new centralized "hub" website, svsh.berkeley.edu, was updated and expanded. The websites of the PATH to Care Center and OPHD were also revamped. Completion of these sites made it possible to retire the dated survivorsupport.berkeley.edu website which had previously been the campus portal to SVSH information.

- The CCRT Resource Review and Development working group published a new "Where to Get Support: Quick Guide for Employees" resource to complement the "Where to Get Support: Quick Guide for Students" resource created in 2018-2019. These guides highlight relevant services for survivors in a crisis. Both are available online and in print. The resources are available in Spanish and Simplified Chinese, and in plain text formats that are more accessible to people with disabilities.

Goal for 2020-2021:
- Complete a refresh of the Notice of Rights and Obligations resource provided to those who report SVSH to campus authorities.

- Create a succinct resource to educate students about the university's COVID-19 Temporary Provisions and inform students of resources still available to them should they experience harm during the remote period.

12.1.3. Empowering family and friends (MyVoice Action Step)

The MyVoice survey found that survivors tend to tell friends about harmful experiences, even when they do not choose to formally report or seek support from confidential resources. In recognition of the important role friends and family can play, the campus committed to developing and distributing trauma-informed materials and workshops for friends, colleagues, and family.

Progress made during 2019-2020:
- The PATH to Care Center launched the 'How to Give Support Series' of trauma-informed materials on their website for use in empowering friends, family, and colleagues to build skills for supporting a survivor.
- The PATH to Care Center piloted and launched the T.R.A.I.L. Prevention and Response Certificate Training (section 7.2.1.1.).

Goals for 2020-2021:
- Through a CCRT working group, develop recommendations for better supporting student families with a focus on reducing relationship violence and domestic violence.
- Widely distribute Responsible Employee resources which provide tips and examples for responding to disclosures of SVSH with care and concern.

12.2. COMPREHENSIVE PREVENTION
Led by the PATH to Care Center, the campus continues to implement a strategy of comprehensive primary prevention. Comprehensive prevention addresses every level of the social ecology, works to transform culture, and uses a variety of methods to reach the diverse communities making up UC Berkeley (see section 7.0). Comprehensive prevention also means integrating SVSH prevention into the broader campus strategy of preventing exclusionary behavior and oppression of all kinds.

12.2.1. Uplifting Positive Social Norms (MyVoice Action Step)
The MyVoice Survey found that most people report holding healthy attitudes themselves, but are not confident that others do. In response to this finding, the campus committed to creating a campaign, tailored to specific campus communities, around healthy social norms.

Progress made during 2019-2020:
- The PATH to Care Center implemented the first phase of #WeCARE, a campus-wide social norms campaign (section 7.2.1.5)
- Social norms were integrated into the in-person SVSH training for all incoming graduate students and the off-year supplemental training required for faculty and supervisors.
- PATH to Care Social Norms Seed grantees completed projects (section 7.2.1.6).

Goals for 2020-2021:
- Continue Phase 2 of the social norms campaign, customizing the bystander intervention social norms messaging to undergraduate students, graduate students, staff, and faculty.
- Integrate social norms into orientation programs for new employees
- Continue the PATH to Care Center's social norms seed grant program

12.2.2. Develop tools for leaders to prevent SVSH

The campus continued its efforts to provide supervisors and department chairs with skills and tools to prevent SVSH and other climate issues in their units.

Progress made during 2019-2020:
- The PATH to Care Center staff facilitated the completion of the "Preventing SVSH in Academic Departments" with the School of Public Health and the College of Engineering (section 12.2.4.).

Goals for 2020-2021:
- The PATH to Care Center will continue promoting the "Preventing SVSH" toolkit to departments and schools, and will explore integrating it into Academic Program Review, which each academic department undergoes every 10 years
- The PATH to Care Center will complete and broadly distribute a tailored resource for managers and supervisors to assist them in recognizing the signs of unhealthy or abusive behaviors in a remote setting responding to support impacted people.

12.2.3. Infusing respect into academic assessment

The SVSH Advisor office embarked in 2019 on a project termed "Infusing Respect into Academic Assessment." Its starting point is the proposition that fostering a healthy climate in the classroom and workplace is an essential part of academic excellence and preventing SVSH, bullying, and other exclusionary behaviors.[19]

Progress made during 2019-2020:
- The SVSH Advisor Office, ASUC Sexual Violence Commission, ASUC Mental Health Commission, several ASUC senators' offices, and the Academic Senate co-created a new academic accommodations hub website (section 6.1).
- The SVSH Advisor office worked with the Office for Faculty Equity and Welfare to update guidance to faculty candidates and faculty search committees on the importance of contributions to diversity, equity, and inclusion.
- The SVSH Advisor office worked with the Office of the Vice Provost for Academic Planning and the Division of Equity and Inclusion to update discussion of department climate in the Academic Program Review guide.
- The SVSH Advisor office collaborated with the Division of Equity and Inclusion on a toolkit to assist instructors in creating a healthy and respectful virtual environment for instructional activities carried out remotely.

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[19]Blustein, A. & Inkelas, I. (2019, July 11). Community must elevate respect in order to avoid misconduct. *The Daily Californian*. Retrieved from https://www.dailycal.org/2019/07/11/community-respect-misconduct/

Goals for 2020-2021:
- The SVSH Advisor office will work with the Vice Provost for the Faculty on guidance regarding the assessment of contributions to diversity, equity, and inclusion in the merit and promotion process.
- The SVSH Advisor office will work with the Graduate Assembly, the Office of the Vice Provost for Academic Planning, the Division of Equity & Inclusion, and the PATH to Care Center to develop departmental pulse climate surveys to support departments in improving departmental climate.

12.2.4. Encouraging undergraduate social change (MyVoice Action Step)

The MyVoice Survey found that higher percentages of undergraduates report experiences of harm than do graduate students, staff, and faculty. The campus committed to developing ongoing educational outreach to undergraduates that allows for deeper engagement and understanding of concepts like bystander intervention and how to seek consent.

Progress made during 2019-2020:
- A new required annual refresher course on SVSH prevention and response for undergraduate students was introduced.
- The PATH to Care Center's peer education program increased the number of prevention sessions led by and offered to undergraduate students and introduced consultations for undergraduate student leaders wishing to develop prevention strategies and customized messages for their community.
- The PATH to Care Center's Facebook and Instagram pages underwent a visual enhancement and developed guidelines to effectively convey PTC's goal of SVSH prevention and survivor support.

Goals for 2020-2021:
- PATH to Care and Intercollegiate Athletics will work towards the goal that all teams in IA participate in Coaching Boys Into Men, for men's teams, and Athletes as Leaders, for women's teams.

12.3. SUSTAINING AND IMPROVING SVSH INFRASTRUCTURE

Previous Annual Reports have identified as a priority the sustainability of current prevention and response efforts and the continued improvement and coordination of the many pieces of this process. This priority is particularly acute in times of significant change. 2019-2020 was a year of significant change (section 4.2).

Progress made during 2019-2020:
- Campus partners improved training for employees who play a role in the investigation and adjudication of SVSH matters. In addition to the annual SVSH "Fundamentals" training and the new special topics training on SVSH and mental health, mentioned above, OPHD, the Center for Support and Intervention, the PATH to Care Center, and the Hearing Coordinator collaborated to produce a new training session for alternate appeals officers.
- The campus advertised and filled a new position of Executive Director for Civil Rights and Whistleblower Compliance. In the future, OPHD, Whistleblower, and Clery compliance will report to this new position.

- SVSH Core Team and CCRT expanded rosters and increased collaboration across various departments. CCRT working groups created numerous resource materials, issued two white papers on restorative approaches to SVSH prevention and response, and reviewed numerous prevention resources.

Goals for 2020-2021:
- Due to COVID-19, the campus experienced significant budget shortfalls. A goal for 2020-2021 is to retain essential SVSH prevention and response services.
- Previous Annual Reports identified a goal of designating the Gender Equity Resource Center as a confidential resource. This goal is still in progress.
- In 2020-2021, the CCRT will add new working groups to continue assessing the needs of the campus community and collaborating on solutions.
- The campus will continue offering regular training for investigators, adjudicators, and other campus partners on trauma-informed best practices, policies and procedures, and special topics.

12.4 MAINTAINING TRUST AND TRANSPARENCY DURING CHANGE

2019-2020 brought two significant changes that caused the campus to reevaluate some of its processes: the COVID-19 pandemic and the issuance of new Title IX regulations which required updates to the university's SVSH Policy. Changes of this magnitude can create uncertainty in the community. The campus is committed to maintaining trust and transparency even during disruptive moments in history.

Progress made during 2019-2020:
- Campus-wide messaging and information on websites assured the campus community that services would still continue, albeit remotely delivered in most cases, under the shelter-in-place restrictions that began in early March.
- Changes to Title IX regulations were communicated to the campus via a series of messages, opinion pieces, social media, and website updates.
- As part of its website upgrade, OPHD added information about participating in the interview process.
- A new section of the svsh.berkeley.edu hub website was created, specific to the new Title IX adjudication process.
- Two resources (Virtual Hearing Guidelines & Virtual Hearing Preparation Guide) were created specifically for supporting students as they prepare for unique aspects of virtual Title IX hearings.

Goals for 2020-2021:
- Working with the systemwide Title IX office, the campus will create new processes to comply with the new Title IX regulations. OPHD, the Center for Student Conduct, the Hearing Coordinator, PATH to Care, and Respondent Services will partner to identify, recruit, and train individuals to serve as "Readers" within the new DOE-covered conduct adjudication process.
- OPHD, the Center for Student Conduct, and the Hearing Coordinator will continue efforts to help the campus community understand the new SVSH policies and procedures. For example, the Hearing Coordinator will create a resource and worksheet specifically for parties to use to prepare and organize their thoughts, questions, and availability for the Pre-Hearing Meeting.

12.5. CONTINUING TO INNOVATE

As a member of the National Academy of Science, Engineering, and Medicine (NASEM) Action Collaborative and an OVW grantee, the campus has opportunities to share with other higher education institutions new approaches to preventing or responding to SVSH, and to learn from others about burgeoning efforts in this field.

12.5.1. Thinking about restorative approaches

A longstanding goal of campus partners has been to explore ways in which restorative justice and restorative practices can be used in the prevention of SVSH and response.

Progress in 2019-2020:
- The CCRT Restorative Justice (RJ) and Transformative Justice (TJ) working group completed white papers on SVSH prevention and response efforts.

Goals for 2020-2021:
- The Center for Student Conduct will begin consultations with restorative justice practitioners to explore implementing RJ in certain non-SVSH cases.
- Via a CCRT working group, campus partners will explore options for educational responses to certain types of SVSH incidents, with the goal of studying and proposing options for respondent education and reintegration.

13.0 *Final Reflections*

As the third annual report, this document is intended to provide a transparent, multi-dimensional view of SVSH prevention, incidence, and response on the UC Berkeley campus. Future reports will be able to track change, with past reports as baselines. Each report will outline steps that are planned and track the status of previously established ambitions.

Efforts to address sexual violence and harassment at UC Berkeley do not exist in a vacuum. In 2019-2020, the campus and the country were deeply affected by incidents that brought the Black Lives Matter movement into sharp focus. Calls to defund the police prompted serious thinking on the Berkeley campus about how to imagine community safety and policing in the future. The challenge in responding to incidents of hate suggested the need for building on the well-developed prevention and response resources for SVSH to develop similarly well-supported resources for other kinds of exclusionary and oppressive behavior. These are huge, but inspiring, challenges for the future.

14.0 *Appendix*

List of abbreviations

Abbreviation	Name
APM	Academic Personnel Manual
APO	Academic Personnel Office
ASUC	Associated Students of the University of California
BAWAR	Bay Area Women Against Rape (off campus)
BIPOC	Black, Indigenous, People of Color
BPD	Berkeley Police Department
BSC	Berkeley Student Cooperative
BTC	Bears That CARE
CANRA	California Child Abuse and Neglect Reporting Act
CCRT	Coordinated Community Review Team
CHRO	Chief Human Resources Officer
CLERY	The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics (Clery Act)
CMT	Case Management Team
COVID-19	2019 novel coronavirus (SARS-CoV-2)
CSA	Campus Security Authority (Clery Act)
CSC	Center for Student Conduct

List of abbreviations (con't)

Abbreviation	Name
CSI	Center for Support and Intervention
CWG	Consent Working Group
DOE	Department of Education (federal)
EVCP	Executive Vice Chancellor and Provost
FVLC	Family Violence Law Center (off campus)
GenEq	Gender Equity Resource Center
GME	Grievance Management Edition (of Advocate database)
IA	Intercollegiate Athletics
IFC	Interfraternity Council
IPVC	Intimate Partner Violence Commission of the ASUC
LGBTQ+	Lesbian, Gay, Bisexual, Transgender, Queer
LEAD	Leadership, Engagement, Advising, & Development (Center)
MCGC	Multi-Cultural Greek Council
NABITA	National Behavioral Intervention Team Association
NASEM	National Academy of Sciences, Engineering and Medicine
NPHC	National Pan-Hellenic Council

List of abbreviations (con't)

Abbreviation	Name
OMB	Senate Faculty Ombudspersons
OPHD	Office for the Prevention of Harassment and Discrimination (Campus Title IX)
OVW	Office on Violence Against Women (within federal Department of Justice)
P&T	Privilege and Tenure Committee
PACAOS	Policies Applying to Campus Activities, Organizations and Students
PHC	Panhellenic Council
PPSM	Personnel Policies for Staff Members (PPSM)
PTC	PATH to Care Center
RJ/TJ	Restorative Justice and Transformative Justice
RSO	Registered Student Organization
SAO	Student Advocate's Office
SVC	Sexual Violence Commission
SVSH	Sexual Violence and Sexual Harassment
UC	University of California
URM	Underrepresented Minority
VPF	Vice Provost for the Faculty

Acknowledgments