

2024 Civil Rights Report: Discrimination and Harassment, Sexual Violence and Sexual Harassment, and Whistleblower

About this report

In 2018, at the directive of then-Chancellor Carol Christ, UC Berkeley began issuing Annual Reports on Sexual Violence and Sexual Harassment (SVSH). The reports were carefully designed to help readers comprehend the whole landscape on campus from multiple lenses, as part of a broader effort to build a culture at UC Berkeley that is based on respect, inclusivity, and equity of experience.

The SVSH reports are grounded in the campus Principles of Community and the following guiding values:

- Addressing harassment and discrimination is a community responsibility
- A prevention focus
- Centering survivors
- Illuminating a complex system
- Honoring those who do the work
- Seeking to improve

In the 2022-2023 academic year, the scope of the Annual SVSH Report was expanded beyond SVSH to include other protected category discrimination and harassment and whistleblower complaints, corresponding closely to internal changes to campus civil rights administrative structure (see the Social and Structural Changes section below). While not an exhaustive compendium of civil rights concerns on campus, the areas covered in this Civil Rights report provide perspective on the kinds of concerns that are brought to the attention of the campus, the broad affiliations who are reporting those concerns, and in aggregate, how the concerns are responded to.

As a reminder, this 2024 Civil Rights Report covers the 2024 academic/fiscal year (July 1, 2023 - June 30, 2024).

Social and Structural Changes

Each Annual Report reflects external and internal developments and the evolving needs of the community.

In 2023, the campus reorganized some of its compliance functions, creating a new civil rights portfolio under the Assistant Vice Chancellor for Civil Rights,

Whistleblower, and Clery Compliance that includes the Office for the Prevention of Harassment and Discrimination (OPHD), the Clery Compliance Office (previously under the UC Police Department), and the Whistleblower office. The responsibility for resolving protected category discrimination complaints about employees, which had previously been under HR People & Culture, was consolidated into OPHD at the same time.

Internally, the campus added some new supportive functions. A new navigational hub to assist campus community members in locating support and information, "Supportal" ([Support Portal](#)), was launched in the fall of 2023 and publicized by administrative offices and student groups. University Health Services also introduced a new Mobile Crisis Support service. OPHD engaged in a major website refresh, updating information and providing new one-page resources.

In early 2024, the revised systemwide [Anti-Discrimination Policy](#) went into effect, explicitly addressing the University's responsibilities related to discrimination and harassment based on protected categories (identities protected by state and federal law). Under the policy, certain University employees, including faculty, supervisors, and managers, must notify OPHD when they learn, in the course of their employment, that anyone has experienced Prohibited Conduct as defined by the policy. Increased awareness of the policy and these "responsible employee" reporting obligations may have been an internal factor in the rise of reports alleging Protected Category discrimination and harassment other than SVSH.

One external factor, the conflict in the Middle East and related protest activity on campus, fueled a spike in reports of discrimination and harassment on the basis of ancestry, national origin, race, and religion, to OPHD.

The Office for the Prevention of Harassment and Discrimination (OPHD)

[The Office for the Prevention of Harassment and Discrimination](#) (OPHD) oversees campus compliance with policies that prohibit discrimination and harassment for students, faculty, and staff, including those based on sex, gender, sexual orientation, race, disability, religion, and other protected categories. OPHD is sometimes referred to as the campus Title IX office, but its scope is much broader.

OPHD responds to alleged discrimination and harassment under the [UC Anti-Discrimination Policy](#) and the [UC SVSH Policy](#) by assessing reports, providing appropriate [supportive measures](#), conducting [formal and informal resolution processes](#), and educating the community.

All incoming reports to OPHD (FY24)

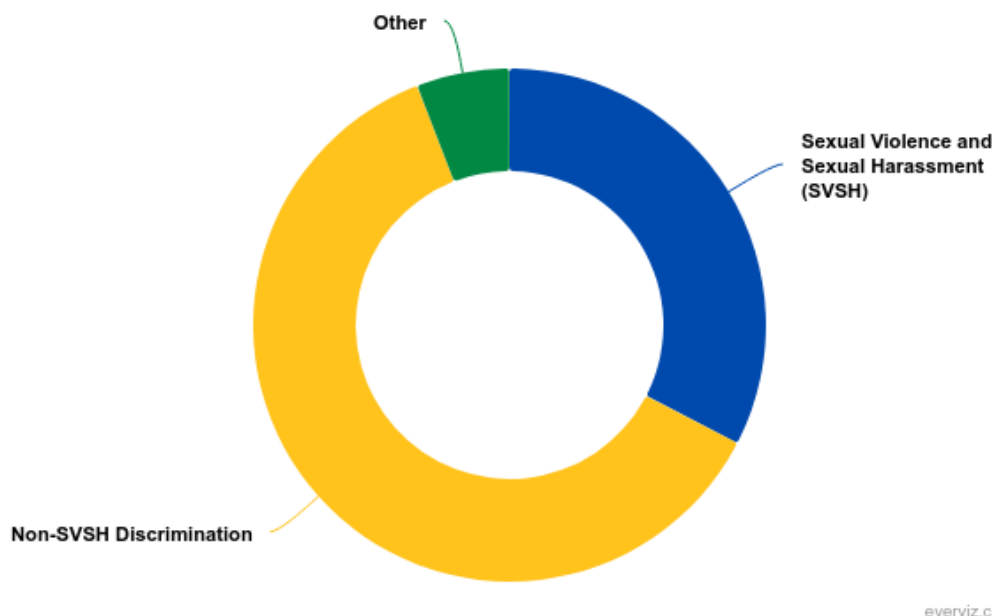
Once OPHD receives a report of protected category harassment or discrimination, a staff member will assess its contents and categorize (or recategorize) allegations according to definitions in the UC Policy on SVSH and the UC Anti-Discrimination Policy.

Between July 1, 2023 - June 30, 2024, the Office for the Prevention of Harassment and Discrimination (OPHD) received 573 reports that alleged at least one type of sexual violence and sexual harassment (SVSH) and 1,081 reports that alleged at least one type of other Protected Category discrimination and harassment (Figure 1). Figure 1 shows the proportions of these two categories of report.

A single report may allege more than one type of discrimination or harassment. For example, one report may allege discrimination or harassment on the basis of race and on the basis of disability. Reports with multiple allegations are reflected only once in Figure 1 if all the allegations were in the SVSH category, or if all were in the non-SVSH category.

20 reports contained allegations of both SVSH and another form of discrimination/harassment; these reports are represented in both the SVSH and non-SVSH proportions in Figure 1.

Figure 1: Types of reports made to OPHD (FY24)



As seen in Figure 1, OPHD received 103 “Other” reports that did not contain enough information for OPHD to act on or for which the alleged conduct did not fall under the

purview of OPHD. Reports that do not fall under the purview of OPHD are still assessed by the OPHD intake team and redirected, if appropriate.

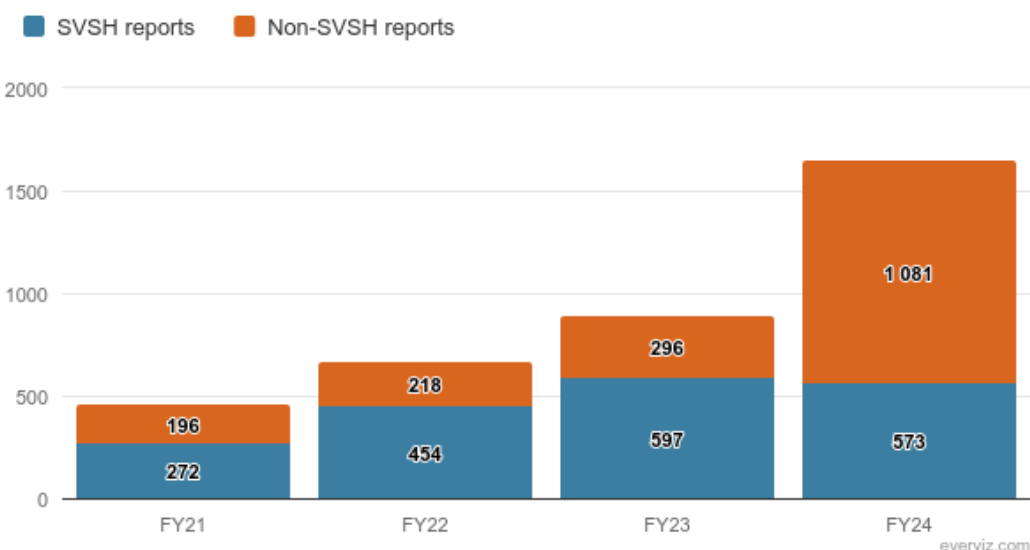
OPHD may receive numerous reports, from multiple individuals, about a single incident. When there is sufficient information for OPHD staff to identify duplicate reports, the reports are combined. This de-duplication is reflected in the numbers depicted in Figure 1.

Trends in incoming reports to OPHD (FY21-FY24)

In FY24, OPHD saw an 85% increase in reports received over the previous academic/fiscal year (Figure 2), continuing a trend of growth since at least FY21.

Figure 2: Total discrimination and harassment reports made to OPHD

FY21-FY24



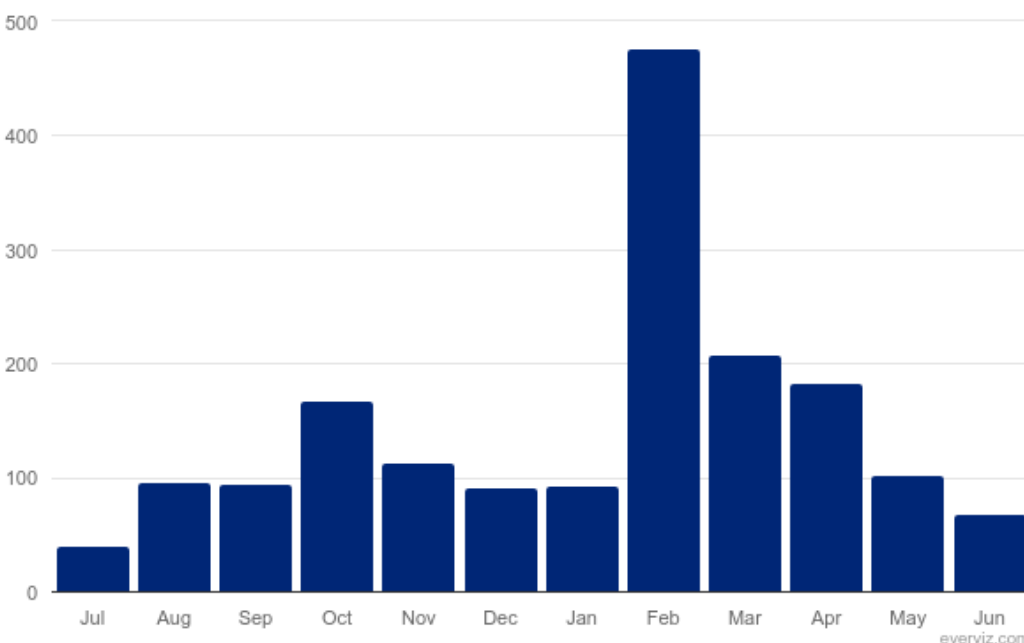
For the first time in recent years, the majority of reports made to OPHD in FY24 alleged a form of Protected Category discrimination or harassment other than SVSH. Awareness of the new (2023) Anti-Discrimination policy, and events related to the conflict in the Middle East, were likely the driving factors behind this shift. Reports of discrimination or harassment that allegedly occurred in a context related to the Middle East conflict, including at protests or speaker events on campus, made up about 69% of non-SVSH discrimination and harassment reports in FY24.

Number of incoming reports to OPHD by month (FY24)

Over the past six years, the number of incoming reports made to OPHD each month has generally followed the same pattern: reports peak around the middle of each

semester. This trend continued in FY24 (Figure 3). The extreme spike of reports in February 2024 can be attributed largely to a single speaker event that prompted many reports to OPHD.

Figure 3: Number of OPHD incoming reports by month (FY24)



In order to accurately depict the total number of reports OPHD processes each month, Figure 3 also includes “other” reports that were ultimately found not in scope for OPHD, as in [Figure 1](#).

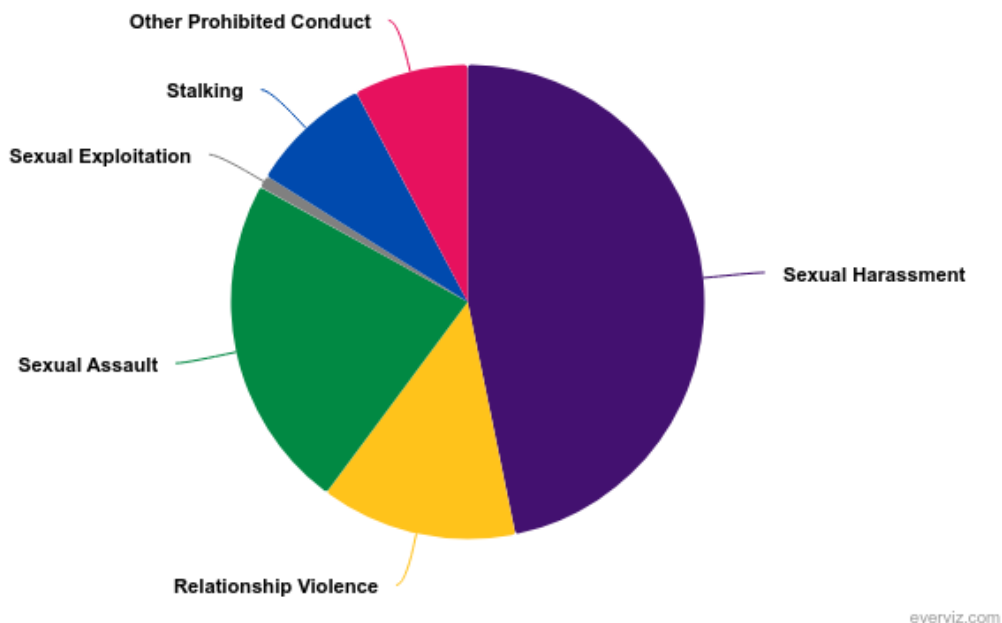
Focus: Incoming sexual violence and sexual harassment reports to OPHD, FY24

As mentioned earlier, SVSH is an umbrella term used by the University of California to encompass a range of conduct prohibited by the [UC SVSH Policy](#), including sexual assault, relationship violence, sexual harassment, stalking, sexual exploitation, and other prohibited behaviors. Sexual violence and sexual harassment are forms of sex and gender discrimination under Title IX of the Educational Amendments Act of 1972.

Between July 1, 2023 - June 30, 2024, the Office for the Prevention of Harassment and Discrimination (OPHD) received 573 reports alleging at least one form of SVSH. A single report may contain more than one type of SVSH allegation; for example, one report might include allegations of both sexual assault and of relationship violence. In FY24, the 573 reports contained 590 allegations of SVSH. Sexual harassment was the most frequently reported form of SVSH harm, followed by sexual assault (Figure 4). This has largely been the case since the campus first published an annual report on

SVSH in 2018, with the exception of the years the campus was closed due to the pandemic lockdown ([Figure 7](#)).

Figure 4: Types of SVSH allegations reported to OPHD (FY24)

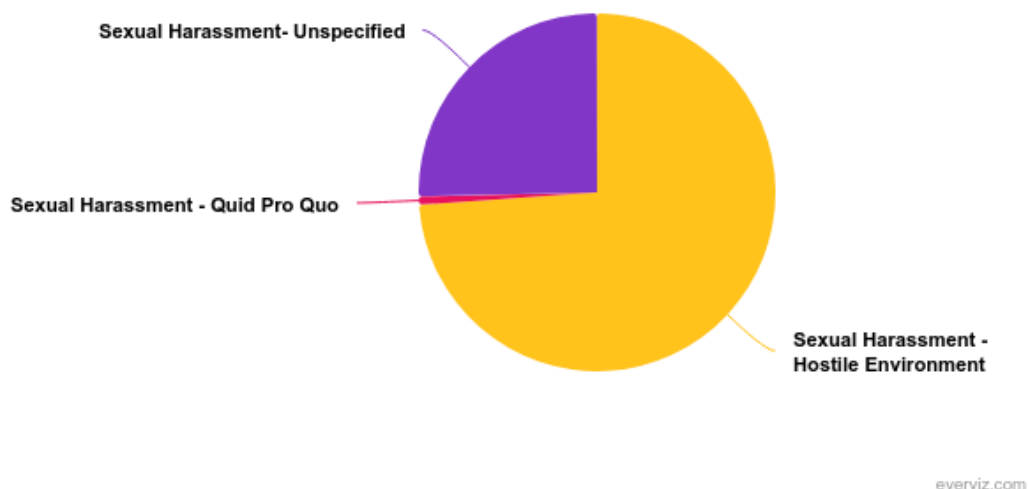


The "Other Prohibited Conduct" category in Figure 4 includes allegations of invasions of sexual privacy (23); indecent exposure (13); retaliation (7); violating a No-Contact Order or other directive issued by OPHD (<5); and failing to make a Responsible Employee notification to OPHD (<5).

Breakdown of sexual harassment allegations in OPHD reports (FY24)

Figure 5 provides a breakdown of the complex category of "Sexual Harassment" reports made to OPHD, referred to earlier as part of [Figure 4](#). This category includes allegations of "Sexual Harassment - Hostile Environment", "Sexual Harassment - Quid Pro Quo", and "Sexual Harassment - Unspecified". The proportions of these subcategories of sexual harassment in reports made to OPHD in FY24 are depicted in Figure 5.

Figure 5: Breakdown of sexual harassment allegations (FY24)



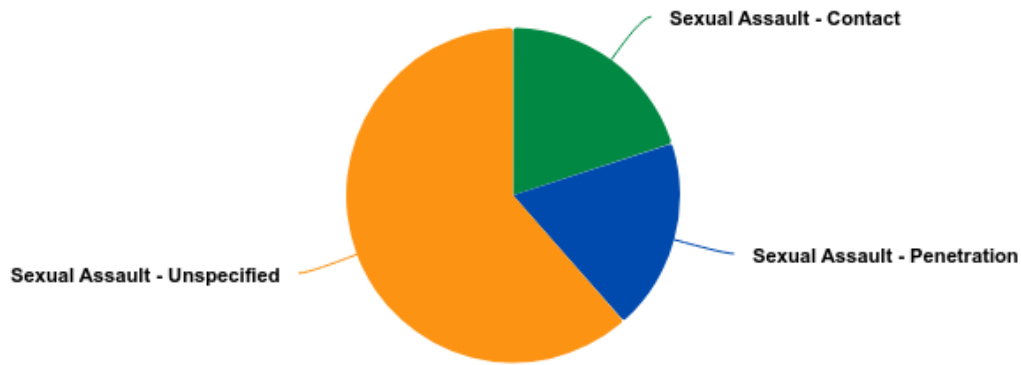
The majority of sexual harassment allegations involved the creation of a hostile environment.

About a quarter of the reports alleging sexual harassment were classified as "Unspecified". A sexual harassment report is generally categorized as "unspecified" when a report alleging sexual harassment is made to OPHD, but attempts by OPHD to reach out to the impacted parties are not answered. After a number of outreach attempts are made, OPHD closes the case without receiving the additional information necessary to subcategorize the allegation with more specificity.

Breakdown of sexual assault allegations in OPHD reports (FY24)

The "Sexual Assault" category referred to earlier in [Figure 4](#), is, like sexual harassment, also complex. It includes the subcategories of "Sexual Assault - Contact", "Sexual Assault-Penetration", and "Sexual Assault -Unspecified". The proportions of these subcategories of sexual assault are portrayed in Figure 6.

Figure 6: Breakdown of sexual assault allegations (FY24)



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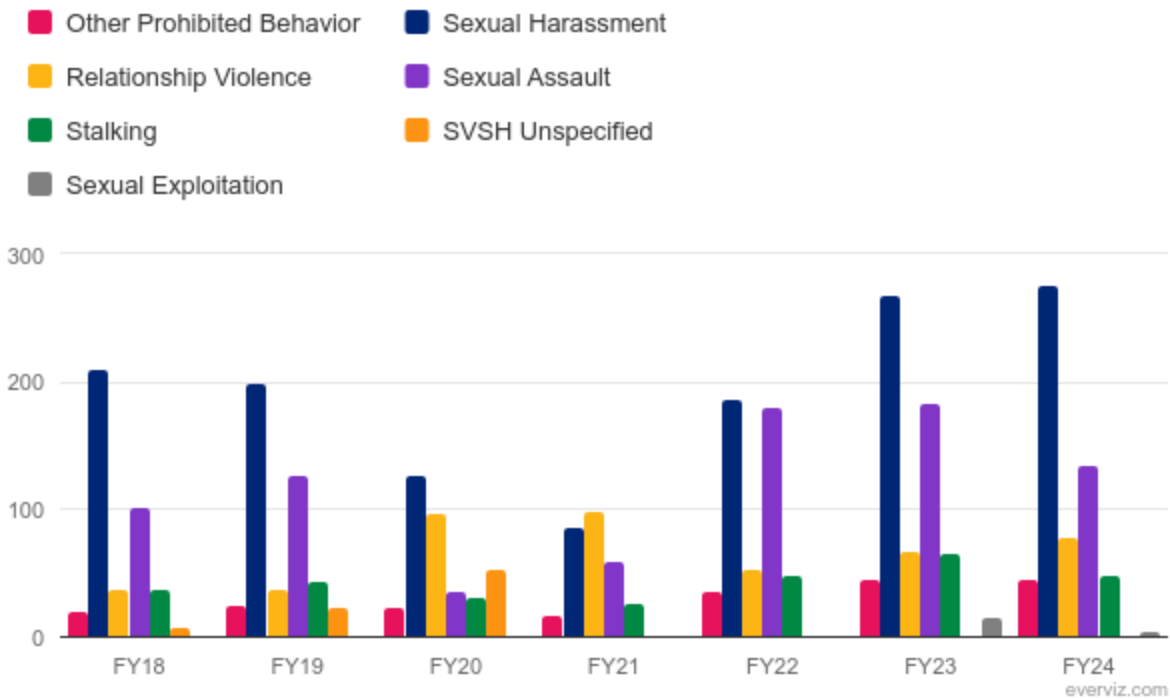
Figure 6 shows that sexual assault–contact and sexual assault–penetration were reported in relatively equal amounts.

Figure 6 also shows that the majority of the 135 sexual assault reports (62%) fell into the “unspecified” subcategory. As with “sexual harassment–unspecified”, a sexual assault report is generally categorized as “unspecified” when a report is made to OPHD, but multiple attempts by OPHD to reach out to the impacted parties receive no response. In such instances, OPHD must close the case without receiving the additional information necessary to subcategorize the allegation with more specificity.

Trends in types of SVSH reports made to OPHD (FY18-FY24)

As shown in Figure 7, the number of sexual assault and stalking allegations reported to OPHD was lower in 2023-24 than in the previous academic/fiscal year. By contrast, the number of sexual harassment allegations and relationship violence allegations increased.

Figure 7: Trends in number of reported types of SVSH (FY18-FY24)



This shift in reporting patterns was reflected both among student and among staff complainants. It is difficult to know the reason for this shift. As always, a shift in reporting may reflect either a shift in incidence and/or a shift in awareness about, or ease of, reporting. The utilization of confidential resources is a helpful additional lens on incidence. As seen in [Figure 26](#), later in this report, the PATH to Care Center did not report a similar shift, compared to the previous year, in the proportion of client visits relating to sexual harassment vs. sexual assault. Data from the next campus-wide climate survey, scheduled for 2025, will contribute additional insights.

Note about Figure 7:

The "SVSH Unspecified" category appearing in Figure 7 was used between 2017-2020 to encompass reports in which OPHD did not have sufficient information about the harm alleged. Beginning with 2020-21, when all campuses systemwide switched tracking software, that broader category was eliminated and replaced by the more specific subcategories of "Sexual Harassment - Unspecified" and "Sexual Assault - Unspecified," included under the respective umbrella categories of "Sexual Harassment" (see [Figure 5](#)) and "Sexual Assault" (see [Figure 6](#)).

In 2021-22, sexual exploitation was added as a separate form of Prohibited Conduct in the revised UC SVSH Policy. Data about allegations of sexual exploitation were first included in the 2022 SVSH Annual Report.

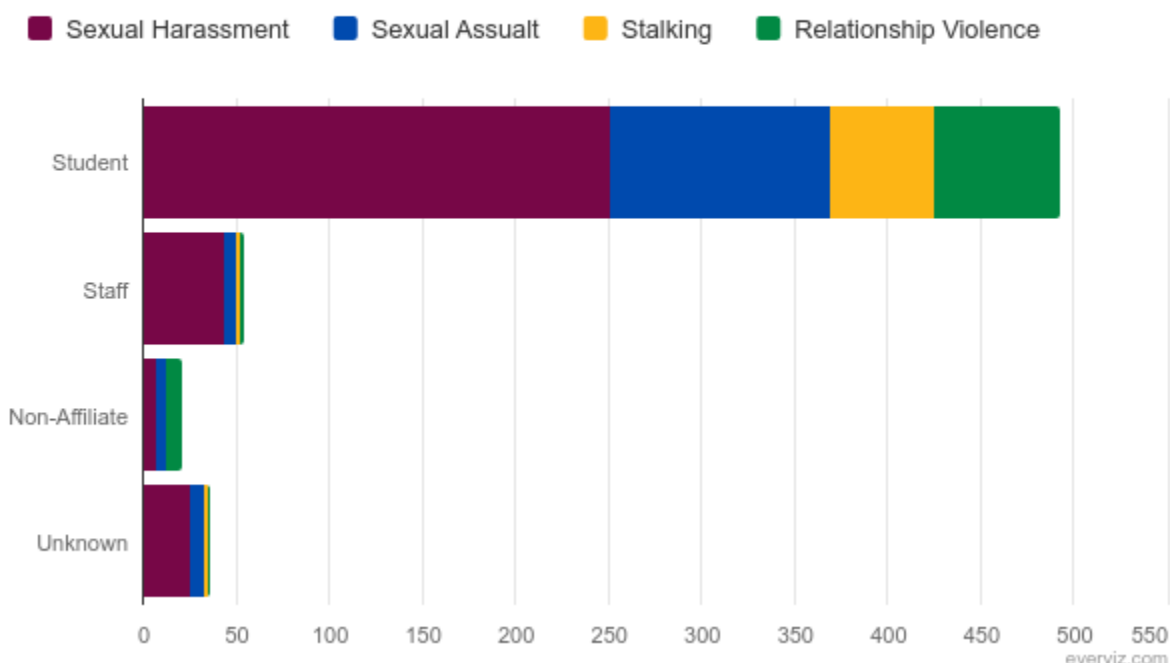
Affiliations of Complainants in SVSH reports to OPHD, by type of harm alleged (FY24)

The term "complainant" refers to an individual alleged to have been harmed in a report of SVSH. Understanding the affiliations of complainants in SVSH reports made to OPHD provides important insight into the range of SVSH harms experienced across the diverse campus community.

In many instances, OPHD does not receive enough information, in a given report, to determine whether a complainant is affiliated with UC Berkeley and further, if they are a student, staff, or faculty member. However, in many instances the information is available, and is presented in Figure 8.

Type of SVSH harm reported varies considerably by complainant affiliation. As Figure 8 shows, sexual harassment was by far the most common alleged form of harm for staff complainants. Sexual harassment was also, but by a much smaller margin the most common form of harm reported for student complainants; sexual assault also constituted a sizable proportion of reports.

Figure 8 - Affiliations of Complainants in SVSH reports by the type of harm alleged (FY24)



Note on Figure 8:

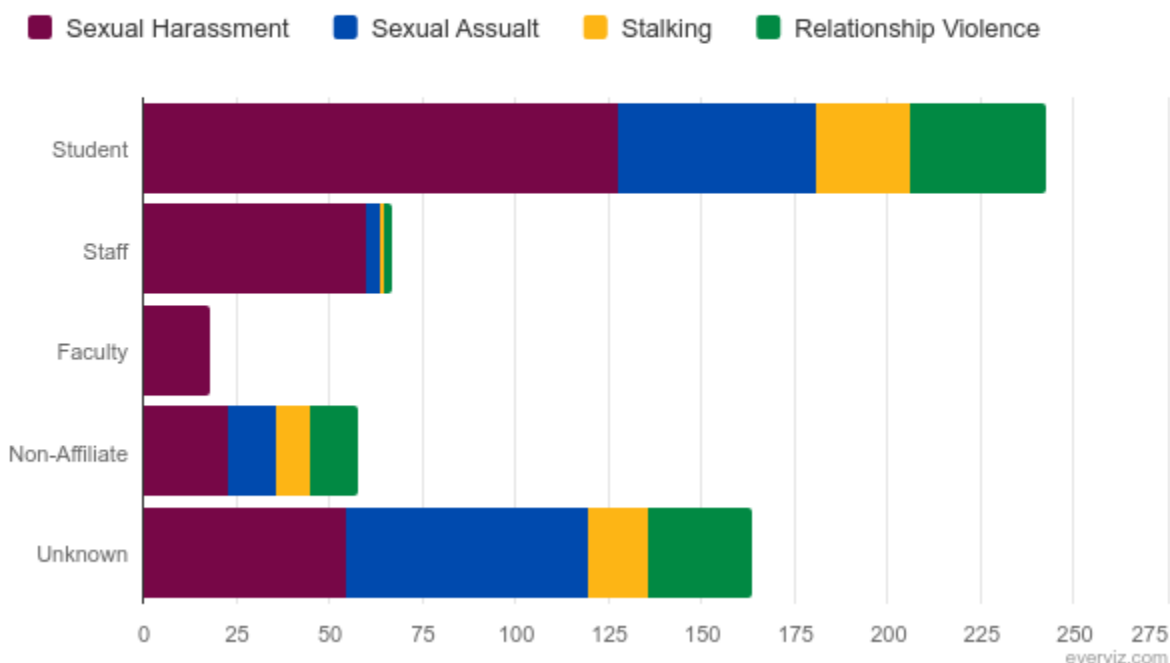
Faculty were complainants in fewer than five SVSH cases and were excluded from Figure 8.

Affiliations of Respondents in SVSH reports to OPHD, by type of harm alleged

The term "respondent" refers to an individual alleged to have caused harm in a report of SVSH. Figure 9 illustrates the information known to OPHD about the affiliations of respondents, and the type of harm they are alleged to have caused. (As is true of complainants, OPHD does not always receive enough information, in a given report, to determine whether a respondent is affiliated with UC Berkeley and, if so, whether the respondent is a student, staff, or faculty member.)

Figure 9 (respondents), below, reflects the same important asymmetry seen previously in [Figure 8](#) (complainants). For staff respondents, Figure 9 shows that by far the majority of allegations against staff and faculty respondents involve sexual harassment, while for students, sexual harassment, sexual assault, relationship violence, and stalking all appear in sizable proportions. The fact that sexual violence is a much more common experience for students (respondents and complainants alike), as compared to employees, points to a dynamic of peer-on-peer violence which the campus must continue to address through education and support.

Figure 9 - Affiliations of Respondents in SVSH reports by the type of harm alleged (FY24)



In comparing [Figure 8](#) (type of harm reported, by complainant affiliation) and Figure 9 (type of harm reported, by respondent affiliation), it is important to note that students made up 81% of complainants but only 44% of respondents. By contrast, employees

made up less than 10% of complainants and roughly 15% of respondents. (Note that a single allegation may have multiple complainants or respondents.) This asymmetry may well reflect the power dynamic that is inherent in, and potentially magnifies the impact of, many instances of alleged SVSH.

Non-affiliated third parties and unknown respondents made up about 40% of respondents in reports of SVSH made to OPHD.

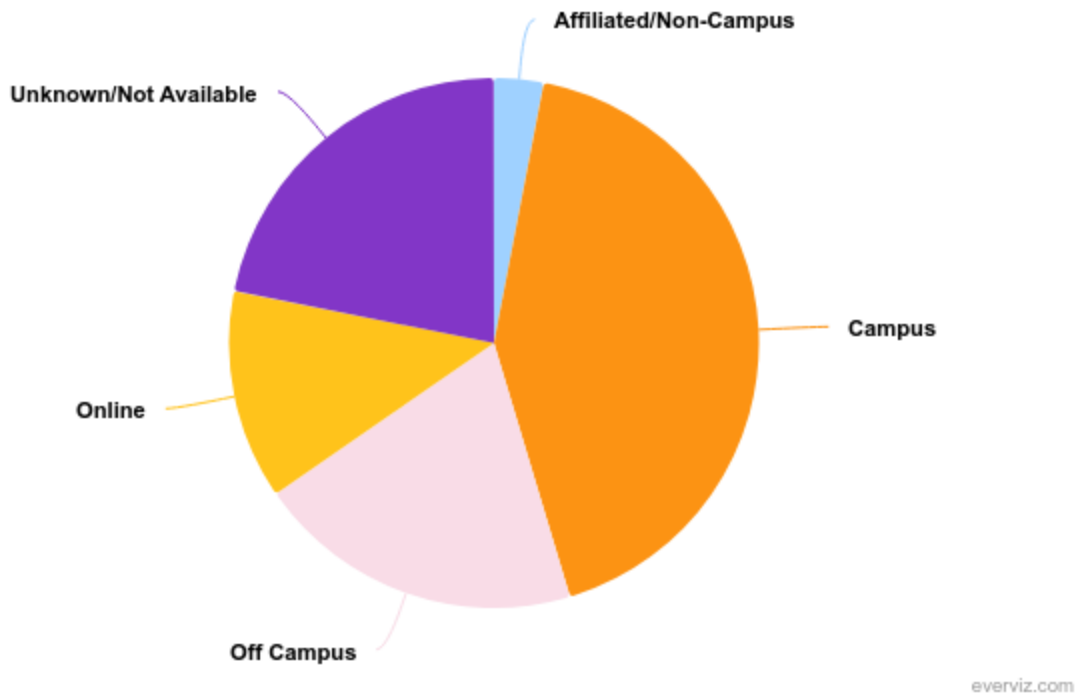
Even if a respondent in a report is unknown or unaffiliated with the University, however, OPHD is still able to offer any identified complainants supportive measures and resources as appropriate.

Locations of SVSH reports made to OPHD (FY24)

OPHD collects information about the locations of reported incidents. Even conduct occurring off University property may be in scope for the policies OPHD oversees if the incidents alleged were committed by or against University affiliates or have continuing adverse effects on affiliates.

As illustrated in Figure 10, SVSH reports that came into OPHD in FY24 were associated with a variety of locations. 42% of alleged incidents occurred on campus. (The category of "campus" includes property owned and controlled by the university, including on-campus buildings, residence halls, and University Village in Albany.) 21% of reports alleged incidents occurring off campus, and 13% of reports alleged incidents occurring online.

Figure 10: Locations of SVSH reports (FY24)



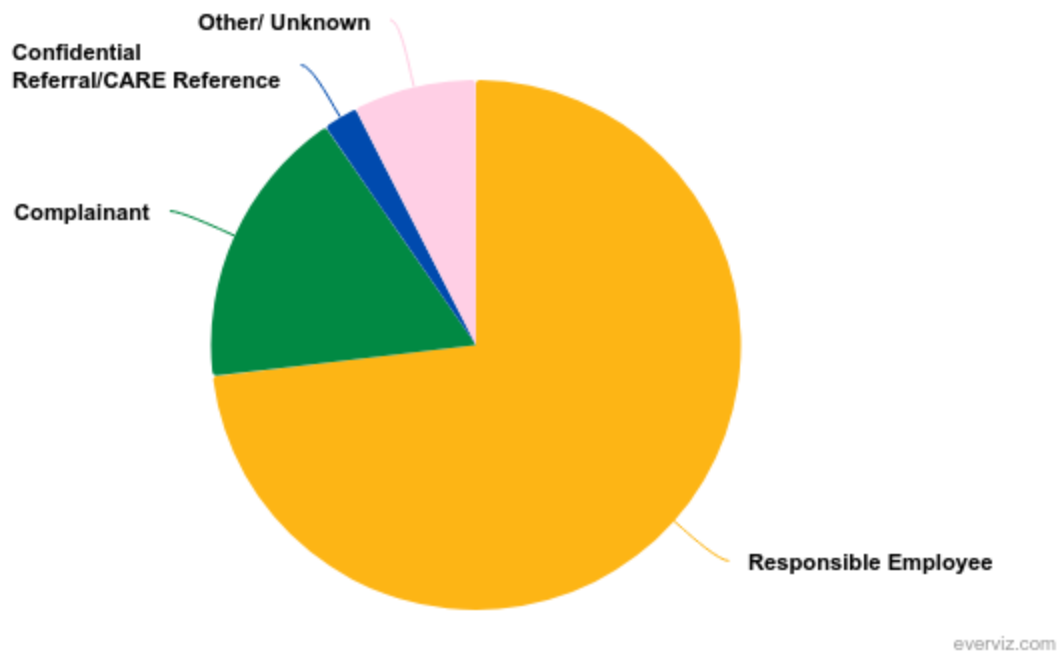
Many reports, about 22%, did not have a specified location ("Other/Unknown" location). The "Affiliated/Non-Campus" category (3%) includes housing that is not owned by the university, even if occupied by a high number of students. This includes fraternities, sororities, and cooperative (co-op) housing.

Who reported SVSH to OPHD (FY24)

Anyone can make a report of SVSH to OPHD. As illustrated in Figure 11, the majority of SVSH reports made to OPHD in FY24 were from "Responsible Employees," namely UC Berkeley employees who, under the SVSH Policy, are required to share with OPHD any information they learn about a student experiencing SVSH (managers and supervisors have additional reporting responsibilities). This continues a pattern seen in recent years, and is attributed to increased awareness of the importance of reporting SVSH incidents to the university.

The second highest source of SVSH reports to OPHD came from complainants themselves, with a small number of reports coming from anonymous or unknown reporters, or as referrals (with complainant's permission) from confidential resources.

Figure 11: Original source of SVSH reports made to OPHD (FY24)



Focus: Incoming Protected Category discrimination and harassment reports made to OPHD, FY24

At UC Berkeley, the Office for the Prevention of Harassment and Discrimination (OPHD) oversees the [UC Anti-Discrimination Policy](#)

(link is external)

, which prohibits discrimination on the basis of Protected Categories other than those covered by the UC SVSH Policy. The Protected Categories covered by the Anti-Discrimination policy include:

- Race
- Religion
- Color
- Citizenship
- National or ethnic origin
- Ancestry
- Sex (including pregnancy, childbirth, lactation or related medical conditions)
- Gender
- Gender identity
- Gender expression

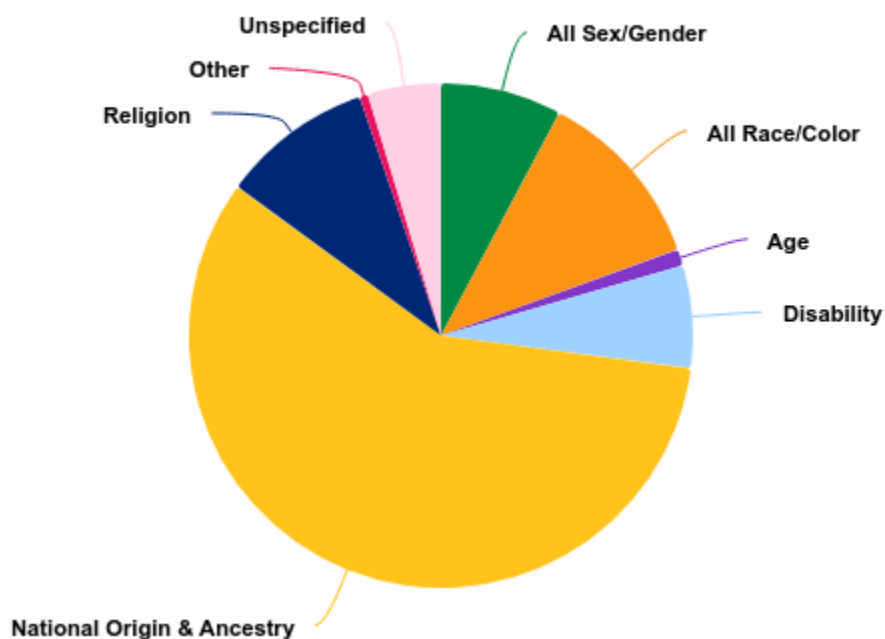
- Gender transition
- Sexual orientation
- Physical or mental disability (including having a history of a disability or being regarded as being disabled)
- Medical condition (cancer-related or genetic characteristics),
- Predisposing genetic information (including family medical history)
- Marital status
- Age (at least 40 years of age in employment context)
- Veteran or military status

In FY24, OPHD received 1,081 reports of Protected Category discrimination and harassment other than SVSH. However, the number of distinct allegations was higher (1,130 allegations), as a given report may include several types of allegations. For example, one complaint could allege that both sex discrimination and racial discrimination occurred simultaneously.

Types of non-SVSH Protected Category discrimination and harassment reports made to OPHD (FY24)

As illustrated in Figure 12, by far the most frequent type of non-SVSH Protected Category discrimination or harassment reported to OPHD involved ancestry or national origin (58%). This was followed by allegations involving race and color (12%), religion (20%), sex and gender (8%), and disability (7%).

Figure 12: Types of non-SVSH Protected Category discrimination and harassment reports (FY24)



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In 2022-23, there were only 24 allegations of discrimination and harassment on the basis of national origin and citizenship. The sharp increase in national origin and ancestry reports in 2023-24 is primarily due to campus activity relating to the conflict in the Middle East. In fact, 70% of all the non-SVSH discrimination and harassment reports made to OPHD in 2023-24 were related to the conflict.

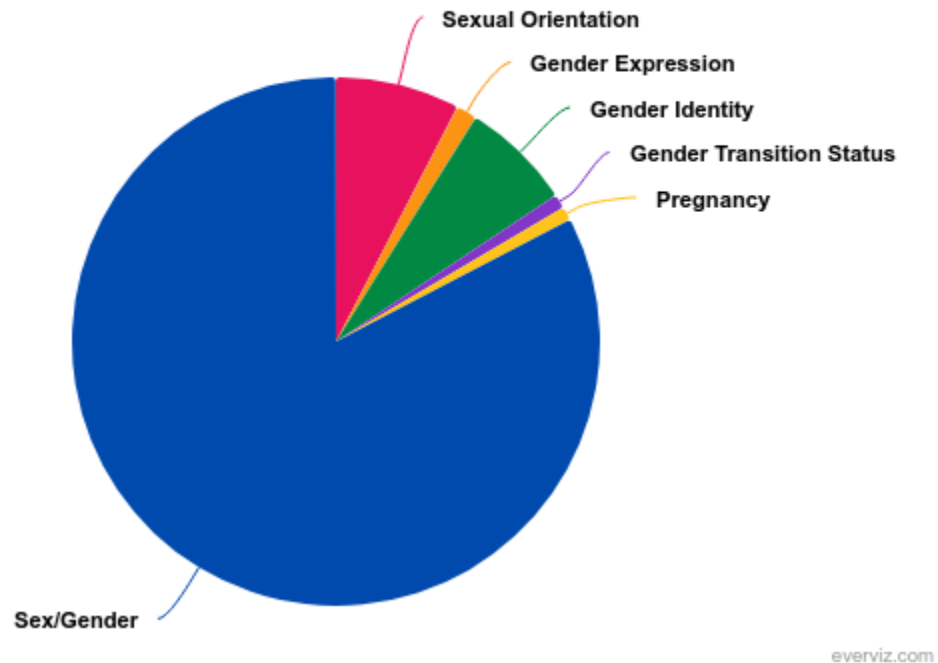
Note that the "Other" category in Figure 12 includes less commonly reported incidents, including retaliation and allegations of discrimination and harassment on the basis of service in the uniformed services and on the basis of a medical condition.

Breakdown of sex/gender discrimination and harassment reports made to OPHD (FY24)

The "All Sex/Gender" category previously seen in Figure 12 is complex, including discrimination/harassment based on sex/gender, gender identity, gender expression,

gender transition, sexual orientation, and pregnancy and related medical conditions. Figure 13 shows a detailed breakdown of those subcategories of sex/gender allegations in reports made to OPHD in FY24. By far the largest subcategory is sex/gender, followed by sexual orientation and gender identity.

Figure 13: Breakdown of discrimination and harassment reports on the basis of sex/gender (FY24)

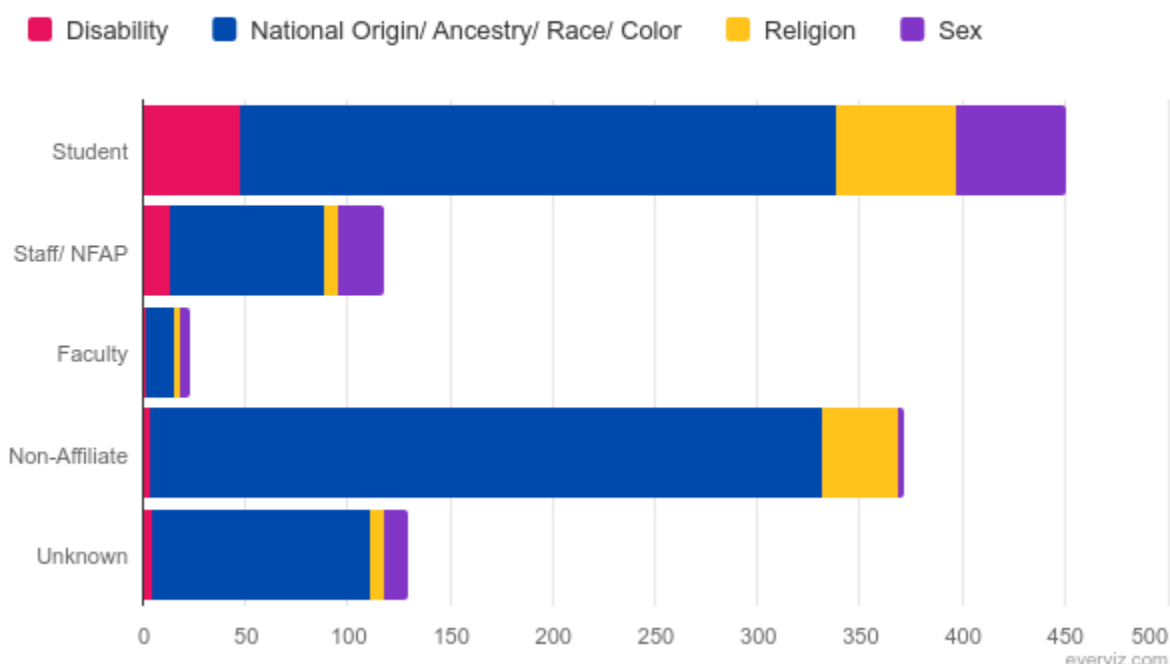


Affiliations of Complainants in select non-SVSH reports made to OPHD, by type of harm alleged (FY24)

Figure 14 tracks allegations by type and affiliation of the complainant (impacted party) in FY24. (Note that a single allegation may have multiple complainants or respondents).

For all affiliation groups, discrimination and harassment on the basis of national origin, ancestry, race, or color made up the majority of allegations. For student and unaffiliated complainants, the second largest subcategory of allegations involved religion; this was likely connected to protest-related incidents. For employee complainants, the second most common type of reported allegations involved sex.

Figure 14: Affiliations of Complainants in select non-SVSH reports by the type of harm alleged (FY24)



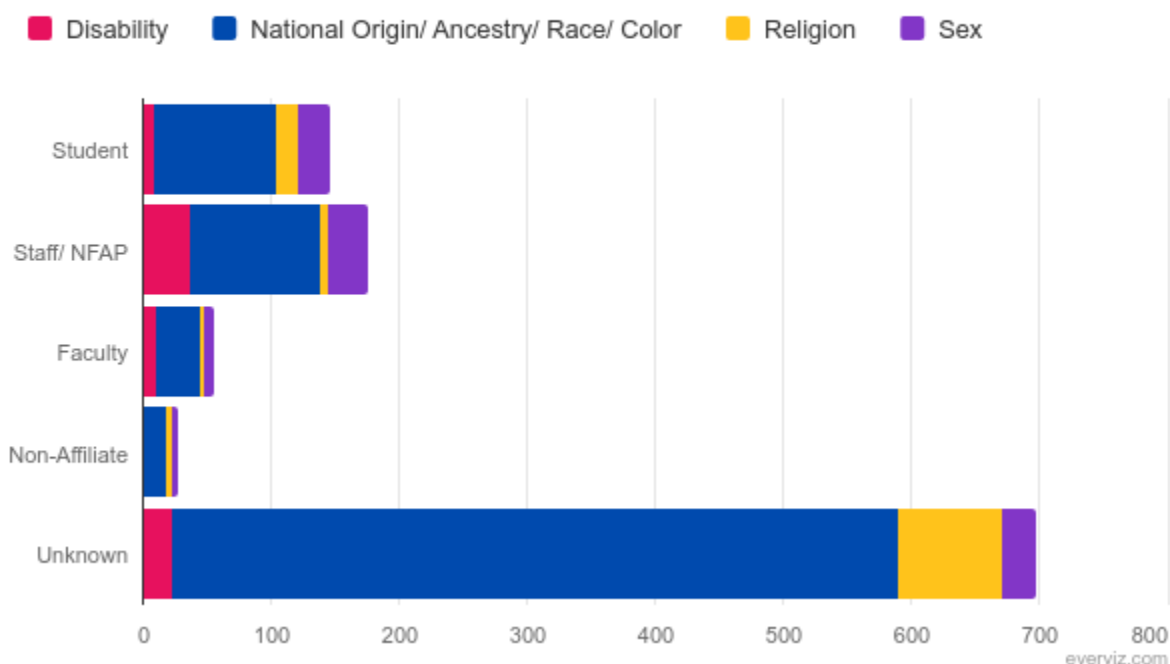
Affiliations of Respondents in select non-SVSH reports made to OPHD, by type of harm alleged (FY24)

Figure 15 shows a breakdown of non-SVSH harassment and discrimination allegations by type and affiliation of the respondent. This data offers a counterpart what was provided earlier in [Figure 14](#) for complainants.

As Figure 15 shows, the vast majority of respondents fell into the category of individuals without a known affiliation to UC Berkeley. Most of the unknown

respondent reports, like most of the reports involving known student and staff respondents, alleged discrimination and harassment based on national origin, ancestry, race, and color. This set of reports largely involved protest-related allegations, only a minority of which identified specific individual respondents.

Figure 15: Affiliations of Respondents in select non-SVSH reports by the type of harm alleged (FY24)

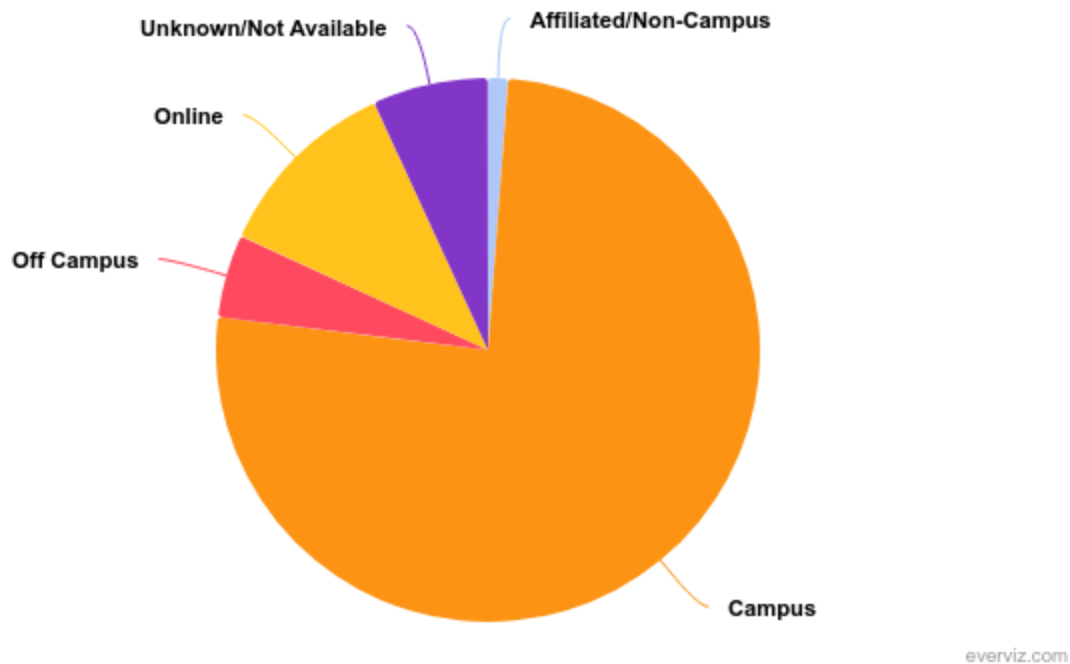


In comparing Figure 15 (respondents) with [Figure 14](#) (complainants), it is important to know that employees (staff and faculty) make up a higher percentage of respondents than they do of complainants. This asymmetry was also manifested in SVSH allegations (see discussion below [Figure 9](#)). It likely reflects an asymmetry in power dynamics that is inherent in, and potentially magnifies the impact of, many instances of alleged discrimination and harassment, both SVSH and non-SVSH.

Locations of non-SVSH Protected Category discrimination and harassment reports made to OPHD, FY24

OPHD records the locations, where known, of allegations of non-SVSH protected category discrimination and harassment. As Figure 16 shows, most reported incidents were identified as occurring on campus, consistent with the earlier observation that many of the reported allegations were related to campus protests and events.

Figure 16: Locations of non-SVSH Protected Category discrimination and harassment reports



Who reported Protected Category discrimination and harassment

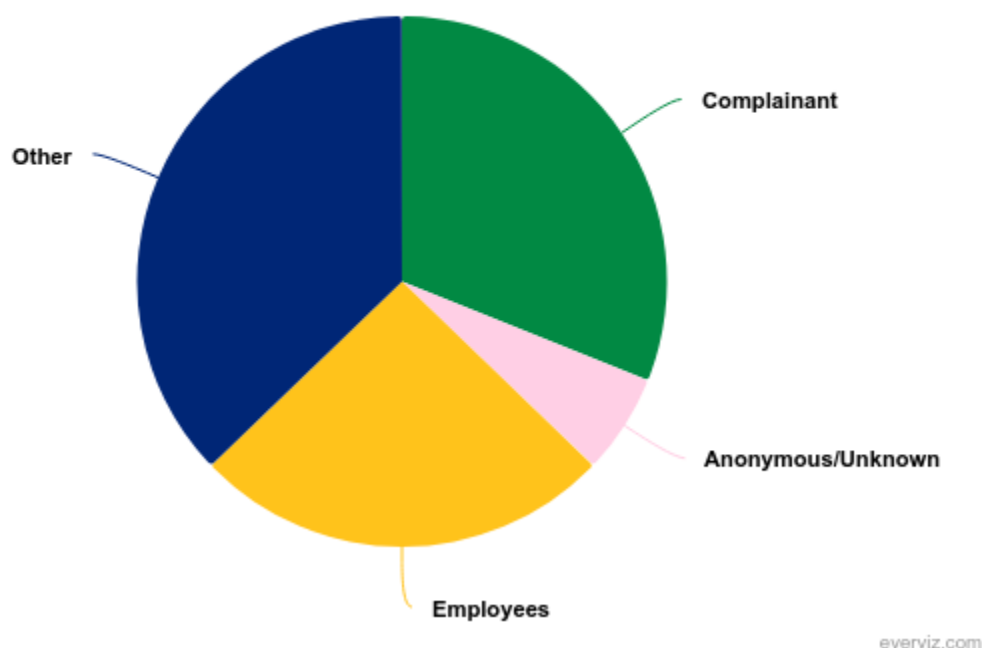
Complainants (impacted parties) themselves directly submitted 31% of the discrimination and harassment allegations reported to OPHD (Figure 17). In comparison, 17% of SVSH reports were reported by the complainant (Figure 11). One likely cause of this discrepancy is the stigma and disbelief survivors of SVSH commonly report feeling in surveys such as the [2018 MyVoice Survey](#), which can be a deterrent to reporting.

While the majority of SVSH reports came from Responsible Employees (Figure 11), only 26% of non-SVSH Protected Category discrimination and harassment reports came from University employees. This is likely due in part to a historical difference in reporting obligations of University employees.

For years, all University employees (with the exception of Confidential Resources) have had an obligation under the UC SVSH Policy to notify the Office for the Prevention of Harassment and Discrimination (OPHD) when, in the course of their employment, they learned of conduct prohibited by the UC SVSH Policy. This is called a Responsible Employee obligation. The UC Anti-Discrimination Policy, which went into effect February 2024, introduced new Responsible Employee obligations for certain University employees, including all managers and supervisors (including Deans, Department Chairs, and Directors of Organized Research Units) and faculty

members. As awareness of this obligation grows, the share of reports from Responsible Employees is likely to increase.

Figure 17: Original source of non-SVSH discrimination and harassment reports made to OPHD (FY24)



Another difference of note between the sources of SVSH reports (see [Figure 11](#)) and the sources of non-SVSH reports depicted in Figure 17 is the "Other" category. "Other" reporters made up the largest share of non-SVSH report sources. This was primarily due to a small number of reported incidents that took place in public spaces. Unlike many SVSH incidents, these incidents had a large number of witnesses. OPHD received a high number of reports about the same incidents, both from University affiliates and people unaffiliated with the University.

Cases closed by OPHD in FY24

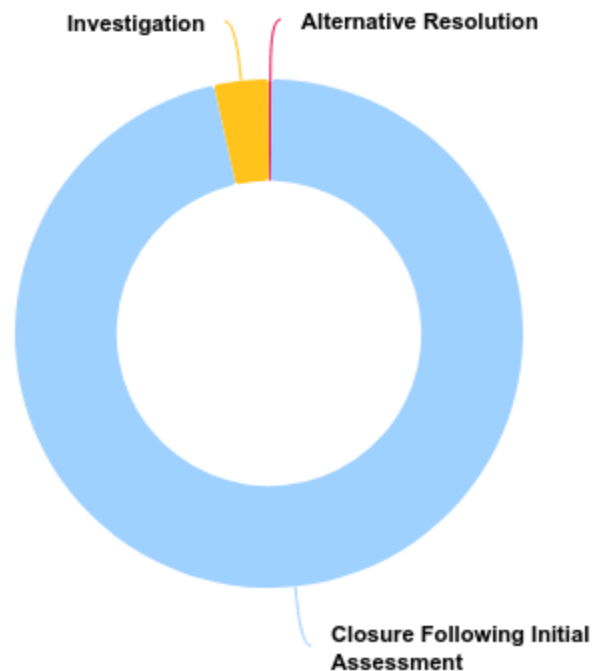
In any given academic/fiscal year, OPHD opens a number of cases and closes a number of cases. Many cases open in one year and close in another year. Thus, the cases for which statistics are provided in this section are not the same cases for which statistics are provided in the section on "Incoming Cases to OPHD," earlier in this report. However, the two sets are comparable at a higher level, as every case that is opened does eventually close.

In 2023-24 OPHD closed 1,637 total complaints of protected category discrimination and harassment, including reports of sexual violence and sexual harassment (SVSH).

The vast majority of cases closed in 2023-24 were closed following initial assessment (Figure 18). Less than 4% of cases closed after a formal investigation.

Cases closed following initial assessment are not simply closed upon review. The OPHD intake team contacts the individual who made the report (unless the report was made anonymously) to offer them resources and the opportunity to speak with a staff member about their options. Where OPHD did not have a basis for proceeding with a resolution (see Figure 19 for reasons), OPHD can close the matter administratively, after doing what they can to support impacted individuals; for example, connecting the complainant with supportive resources, issuing no-contact directives, and/or providing targeted prevention education to individuals or groups.

Figure 18: How OPHD closed cases (FY24)



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The percentage of cases that went to formal investigation (4%) is lower than in past years (6% in 2022-23), but corresponds to a higher raw number (57, vs. 45 in 2022-23). The relatively low percentage is likely related to the unusually high number of incoming reports relating to campus protests, many of which lacked sufficient information for OPHD to be able to pursue further action and were consequently closed within the same year that they were reported.

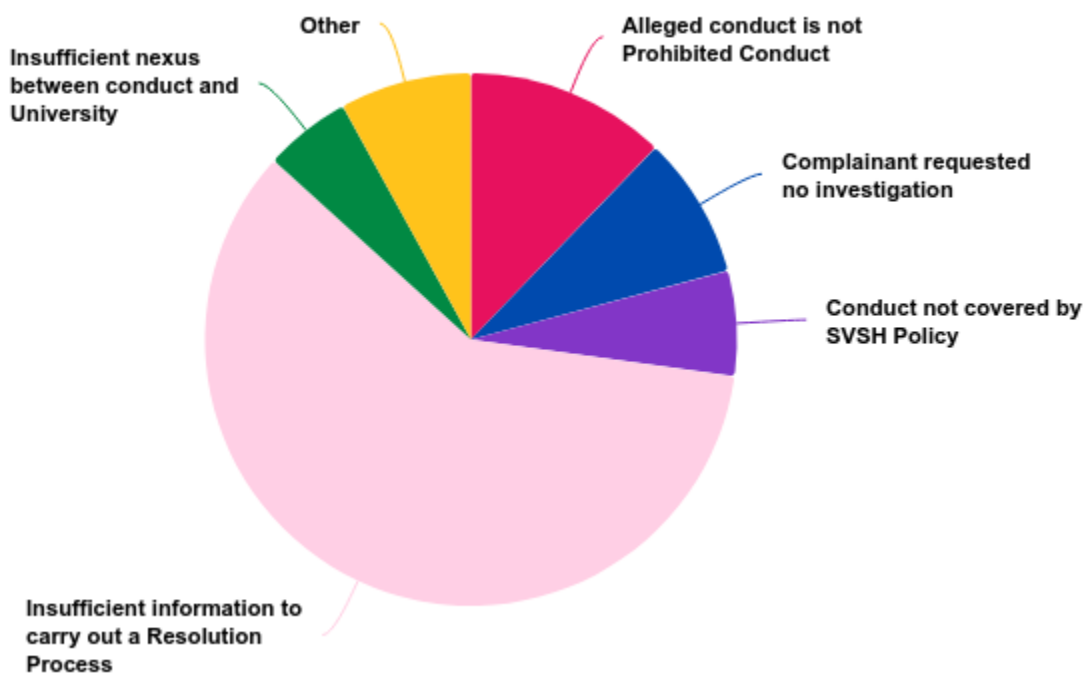
Cases Closed Following Initial Assessment (FY24)

"Initial Assessment" refers to the period after the OPHD intake team receives a report, during which OPHD makes several attempts to contact the impacted party to offer them resources and the opportunity to speak with an OPHD staff member about their options.

In 2023-24, over 1,500 cases were closed following initial assessment ("CFIA"). Figure 19 provides a breakdown of the various reasons that led to this outcome.

In almost 60% of CFIA cases, the reason was that there was insufficient information to carry out a resolution process. In most of those cases, OPHD did not receive a response after making several attempts to contact the affected individual(s) named in the report. The second most common reason for CFIA outcomes (12.2%) was that the conduct alleged in the report, if found to be true, would not rise to the level of a policy violation. Because there can be more than one reason for a CFIA outcome, the total in Figure 19 is greater than the overall number of CFIA cases.

Figure 19: Reasons for Closure Following Initial Assessment



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OPHD always makes an effort to do what they can to support impacted individuals; for example, connecting complainants with supportive resources, issuing no-contact directives, and/or providing targeted prevention education to individuals or groups, even if a matter is administratively closed.

Note about Figure 19:

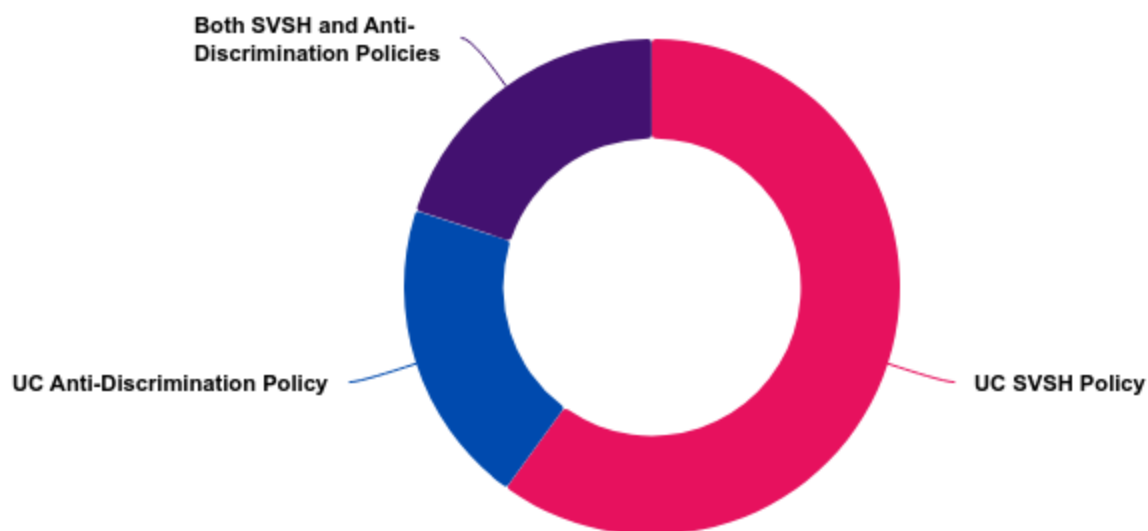
In Figure 19, the category “Alleged conduct is not Prohibited Conduct” refers to cases in which the alleged conduct does not rise to the level of a policy violation upon initial assessment. The “Conduct not covered by SVSH or Discrimination Policy” category refers to conduct that falls outside the scope of the UC SVSH Policy and the Discrimination Policy. Some of these cases fell under other policies, such as the UC Policy on Abusive Conduct in the Workplace and were referred to the appropriate responsible office. The “Insufficient nexus between conduct and University” category refers to cases in which OPHD did not have the authority or jurisdiction to carry out a resolution process, for example, the alleged incident did not occur in the context of a University program or activity and involved only third parties.

Types of investigations completed by OPHD (FY24)

In FY24, OPHD 30 investigations of complaints under the UC SVSH Policy, 10 investigations into allegations of complaints under the UC Anti-Discrimination Policy, and 10 investigations into complaints alleging violations of both the UC SVSH Policy and the UC Anti-Discrimination Policy (Figure 20).

Only completed investigations are shown here. A number of investigations were still in progress at the end of the 2024 fiscal year.

Figure 20: Types of investigations (FY24)



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Of the 50 total investigations depicted in Figure 20, violations of University policy were found in 5 investigations involving employee respondents and 13 investigations involving student respondents. No policy violations were found in 16 investigations involving employee respondents and 16 student cases involving student respondents. Once an investigation is completed, the case continues into the adjudication phase in accordance with the [adjudication framework](#)

([link is external](#))

appropriate for the affiliation of the respondent. Not all cases that completed the investigation phase in FY24 also completed adjudication in the same year. Final outcomes, including resolutions with sanctions, of the cases which completed the adjudication phase in FY 24 can be found in [Figure 22](#).

In addition to the completed investigations shown in Figure 20, another seven investigations were administratively closed, without being completed, in 2023-24. According to the UC SVSH Policy, "the Title IX Officer may close an investigation before completing it if they determine that a significant change in circumstances has so substantially impaired the investigation that they cannot reach reasonably reliable conclusions about whether the alleged conduct occurred. The Title IX Officer will still,

when appropriate, take steps to stop the reported conduct, prevent its escalation or recurrence, and address its effects. They will also offer as appropriate resources to the parties and mitigating measures to the complainant."

In addition to investigating allegations of discrimination and harassment under the UC SVSH Policy and the UC Anti-Discrimination Policy, OPHD conducts investigations into alleged violations of the [UC Abusive Conduct in the Workplace Policy](#), the [Conflicts of Interest Arising Out of Consensual Relationships Policy](#), and allegations of UCPD misconduct. Statistics about these investigations are not included in this report.

Durations of investigations completed by OPHD (FY24)

One of the concerns often shared by parties in a complaint, and by the campus community, is the length of time it takes overall to investigate and adjudicate discrimination and harassment cases. The UC SVSH Policy offers the most detail about timelines, stating that "the Title IX office will typically complete its investigation within 60 to 90 business days from the date of the notice of charges." In reality, the length of an investigation varies according to a number of factors, including the complexity of the case. Extensions for a good cause are allowed.

Figure 21 shows the median length of investigations into allegations of discrimination and harassment complaints (Investigation durations are calculated as the number of business days from the Notice of Investigation to the issuance of a completed investigation report.)

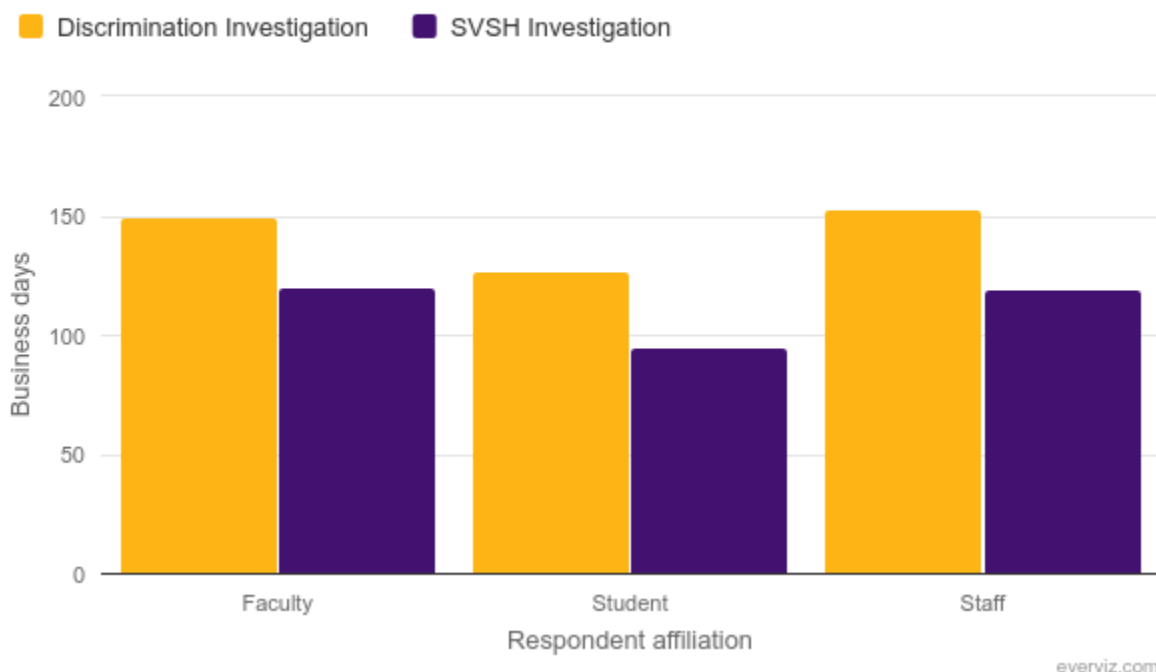
For protected category discrimination/harassment investigations involving student respondents, the median duration was 127 business days. Discrimination/harassment investigations involving employees took longer, with a median of 153 business days for cases with staff and non-faculty academic personnel respondents and a median of 150 days for cases with faculty respondents.

SVSH investigations exhibited slightly lower median durations, with a 95 day median duration for cases involving student respondents, a 120 day median duration for

cases involving employee respondents.

Figure 21: Median duration of investigations (FY24)

In business days



Non-SVSH investigations had longer median durations than SVSH investigations. This could be due to a number of factors, such as that non-SVSH incidents tend to have more witnesses.

Alternative Resolutions completed by OPHD (FY24)

Alternative Resolution is possible under certain conditions, including willing participation by parties. In FY24, fewer than five Alternative Resolutions were attempted (see [Figure 18](#)); as with other data in this report, such small figures are not broken down further. These numbers are typically small. For comparison, in FY23, eight Alternative Resolutions were attempted and five were completed.

Final outcomes of adjudication of cases following an OPHD investigation, FY24

The adjudication process is a phase that follows an OPHD investigation, and is completed by offices other than OPHD. FY24 saw the conclusion of 27 matters under the UC SVSH Policy, 11 under the UC Anti-Discrimination Policy, and 9 under both policies.

The final outcome of an adjudication process is a decision on policy violation and sanctions (if any); parties are informed of the final outcome. Which office handles the process depends on the affiliation of the respondent:

- The Center for Student Conduct oversees the adjudication of cases involving student respondents.
- The Vice Provost for the Faculty oversees adjudication for cases in which a faculty member or other academic appointee is the respondent.
- People & Culture oversees adjudication for cases involving a (non-academic) staff employee as respondent.

The staff, student, and faculty adjudication processes differ procedurally (and union contracts for represented employees may contain different procedures as well.) Despite this procedural variation, there are broad similarities, and the university aspires to consistency in outcomes. In SVSH cases, the Title IX Officer is required to consult on all disciplinary decisions.

Figure 22A illustrates the 47 final outcomes of adjudications under the UC SVSH Policy, the UC Anti-Discrimination Policy, or both that ended in FY24 by the affiliation of the respondent.

Figure 22A: Final outcomes of the adjudication phase of all discrimination/harassment cases by respondent affiliation

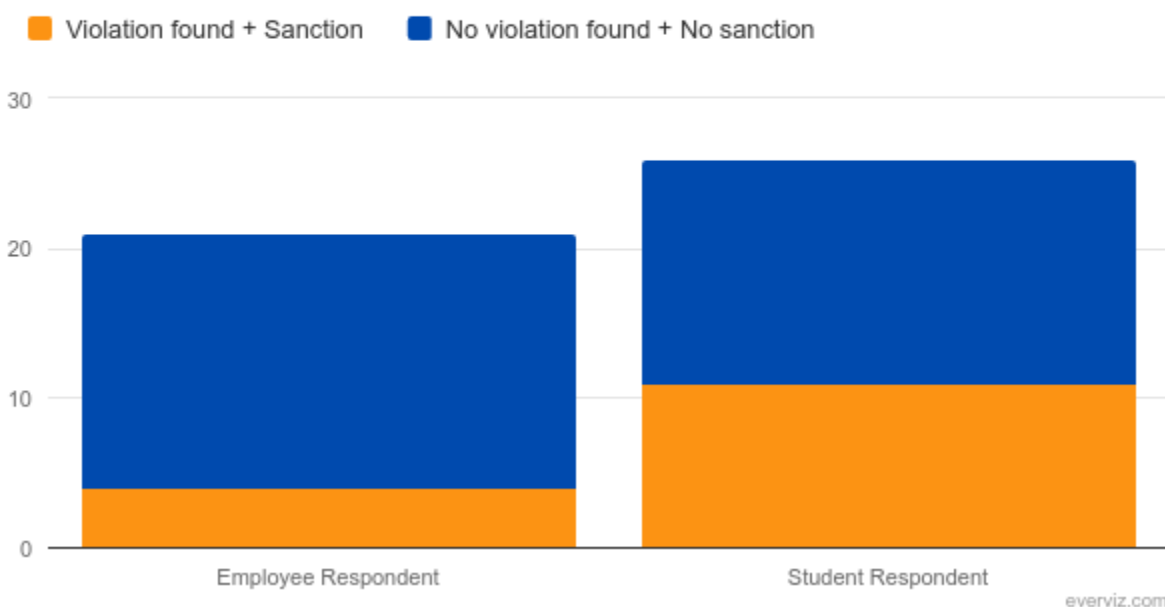
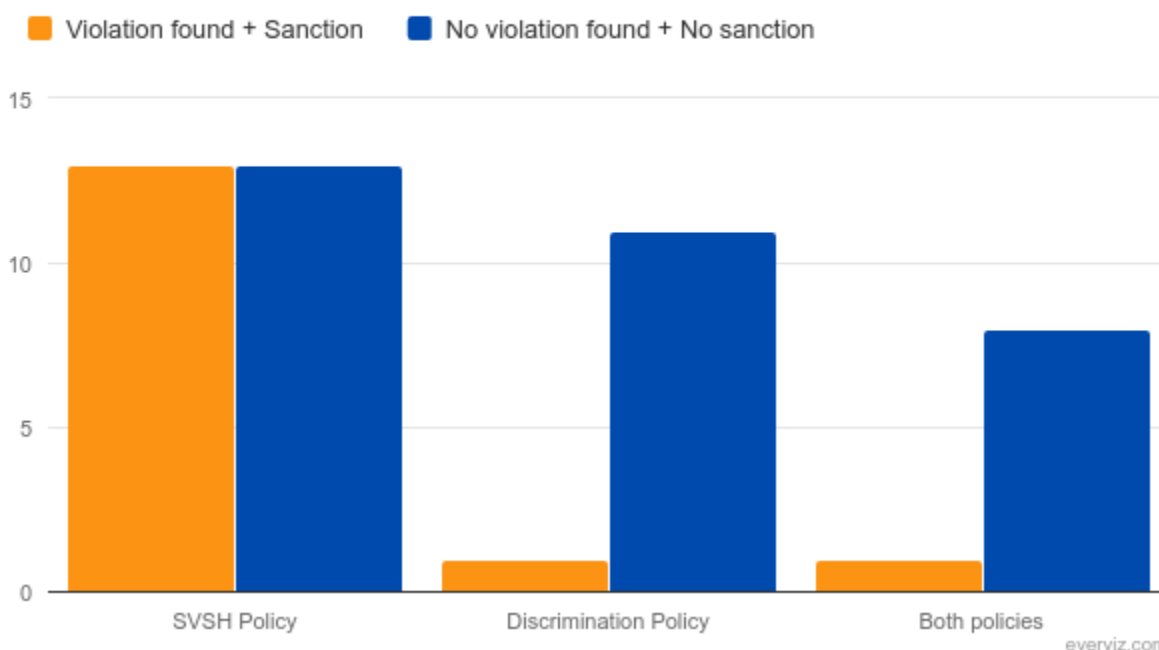


Figure 22B shows the same 47 final outcomes by the policy under which the investigation was charged. 9 investigations were charged under both the UC SVSH

Policy and the UC Anti-Discrimination Policy. In the one case where there was a finding and a sanction, it was only the SVSH Policy that was found to be violated.

Figure 22B: Final outcomes of the adjudication phase of all discrimination/harassment cases by policy framework



The asymmetry in outcomes between SVSH Policy and Anti-Discrimination Policy adjudications was also evident in [last year's report](#).

While it is possible for an investigation and subsequent adjudication to complete in the same academic/fiscal year, often the conclusions of these two processes occur in different years. Thus the cases mentioned in this section are not necessarily a subset of the cases mentioned in the previous sections of this report that cover completed investigations.

Durations of adjudications that completed in FY24

Generally, the duration of the adjudication stage correlates with the number of steps in the process. (Information about the SVSH adjudication process can be found in the [2021 SVSH report](#); the process of adjudication non-SVSH matters is similar.)

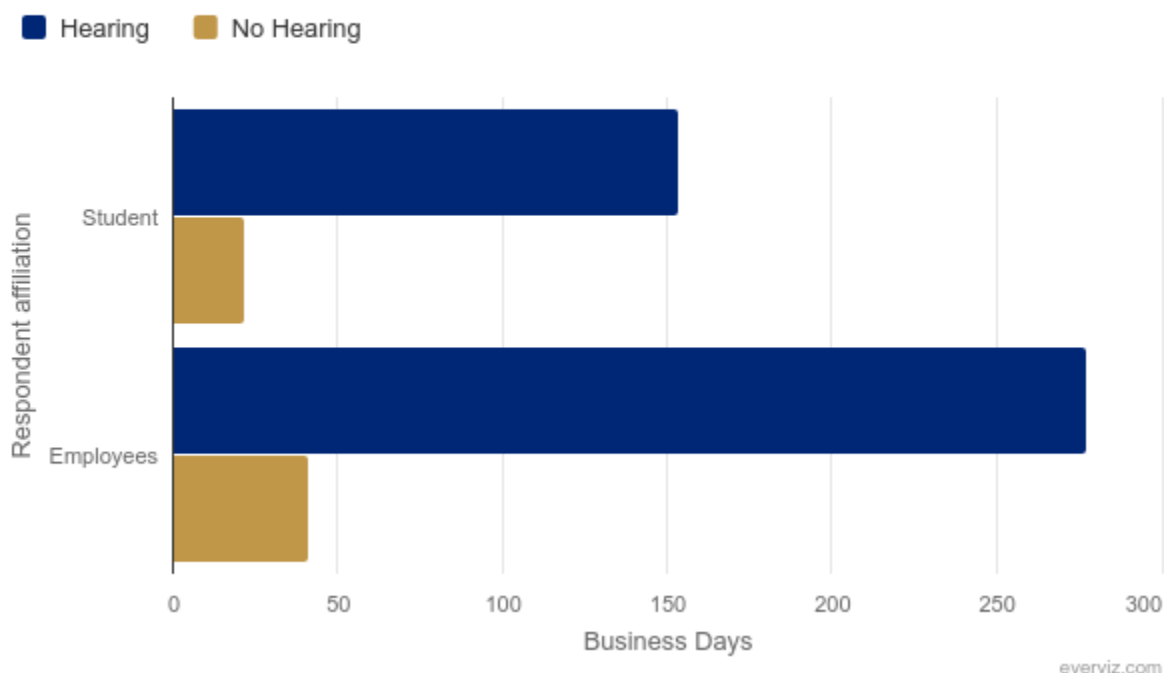
An adjudication involving a hearing generally takes longer than an adjudication that does not. Hearings occur, in student cases, if the parties do not accept the findings of the OPHD investigation and, in faculty respondent cases, if the faculty member does

not agree to a negotiated settlement. Hearings can also occur in student or employee respondent matters that are “DOE-covered,” meaning that they are mandated by the Title IX regulations issued by the U.S. Department of Education (“DOE”) in 2020 to follow a specific grievance process that includes a hearing. As Figure 23 shows, median durations for adjudications involving a hearing were much longer than those for adjudications not involving a hearing, for adjudications completing in FY24.

Figure 23 also compares median durations for student respondent matters to those for employee respondent matters. In FY24, employee respondent adjudications took longer than student adjudications. This pattern has not historically been the case; for example, [the FY23 report](#) showed the opposite pattern, while data in [the FY22 report](#) mirrors the current pattern.

Figure 23: Median duration of adjudication phase

In business days



As more years pass, it will be possible in the future to look back at aggregated data over a period of years in which the number of adjudications is large enough to be able to sort them across all relevant dimensions of analysis.

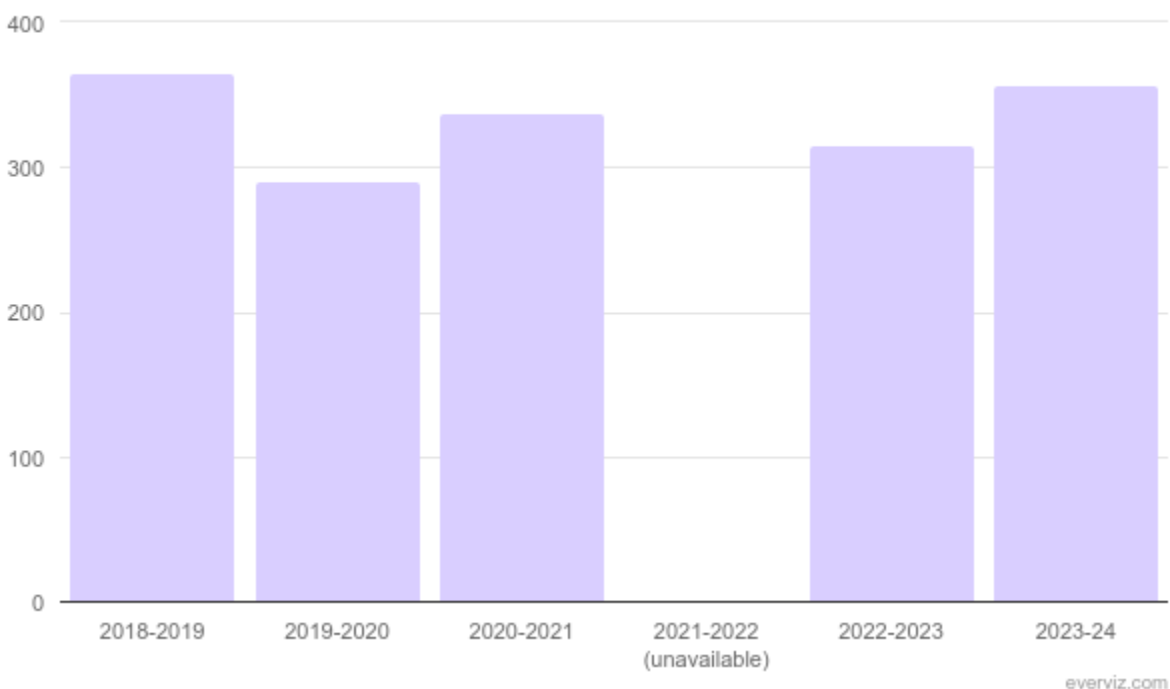
The PATH to Care Center

The [PATH to Care Center](#) is a confidential campus resource devoted to the primary prevention of SVSH and to support and advocacy for those who have experienced it. “PATH” is an acronym that represents the four essential functions of the PATH to

Care Center: prevention, advocacy (survivor support), training, and healing. 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.

In 2023-24, PATH to Care staff provided 3,350 education and prevention engagements with individuals and groups. The Survivor Support Team supported 357 individuals over roughly 663 appointments. The number was higher than the previous year and the second highest number of PATH to Care advocacy clients since 2017-2018 (Figure 24). The Center attributes this increase to increased staffing capacity, which also resulted in lower response times and an increased range and number of services provided.

Figure 24: The number of clients supported by PATH to Care advocates since FY18



Advocacy services provide various types of support that a survivor may need in order to continue working, living, or learning on campus after experiencing violence. This support can include but is not limited to:

- Academic, workplace, and/or housing adjustments
- Safety planning
- Assistance finding therapy
- Assistance in exploring whether or not to report

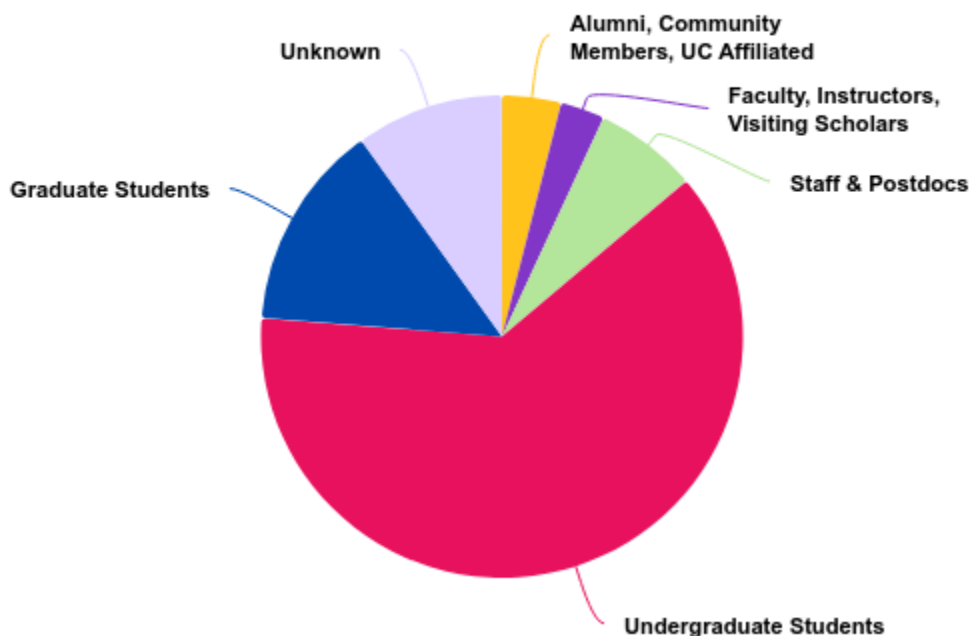
- Accompaniment throughout reporting processes or to receive medical care and/or forensic evidence collection
- Exploring emotional regulation tools and healing modalities

Each client served by the PATH to Care Center has their own unique needs and desires for services. In FY24, PATH to Care staff provided at least 2,241 distinct advocacy services, including 106 accompaniments. Accompaniments generally take several more hours than other types of services. This is especially true for accompaniments in the medical setting, which sometimes take up to 6 hours. In FY24, PATH to Care advocates provided roughly 1,103 hours of direct survivor support services, with over 100 hours of accompaniment provided.

PATH to Care client affiliations

PATH to Care Center services are available to UC Berkeley students, staff, faculty, and postdocs, as well as community members who have been harmed by someone who is affiliated with UC Berkeley. Consistent with previous years, Figure 25 shows that most clients who received services from the PATH to Care Center in 2023-24 were undergraduate students (63%), followed by graduate students (14%).

Figure 25: The affiliations of clients who received survivor support services from PATH to Care (FY24)



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The fact that students have long made up the largest percentage of PATH to Care clients could be attributed to a number of factors. For one, undergraduate students

experience harm at higher rates than graduate students, staff, and faculty according to the [2018 MyVoice Survey](#). In addition, some employees may mistakenly believe that the PATH to Care Center primarily or solely serves students. The PATH to Care Center and other campus partners have worked to correct this misperception in past years.

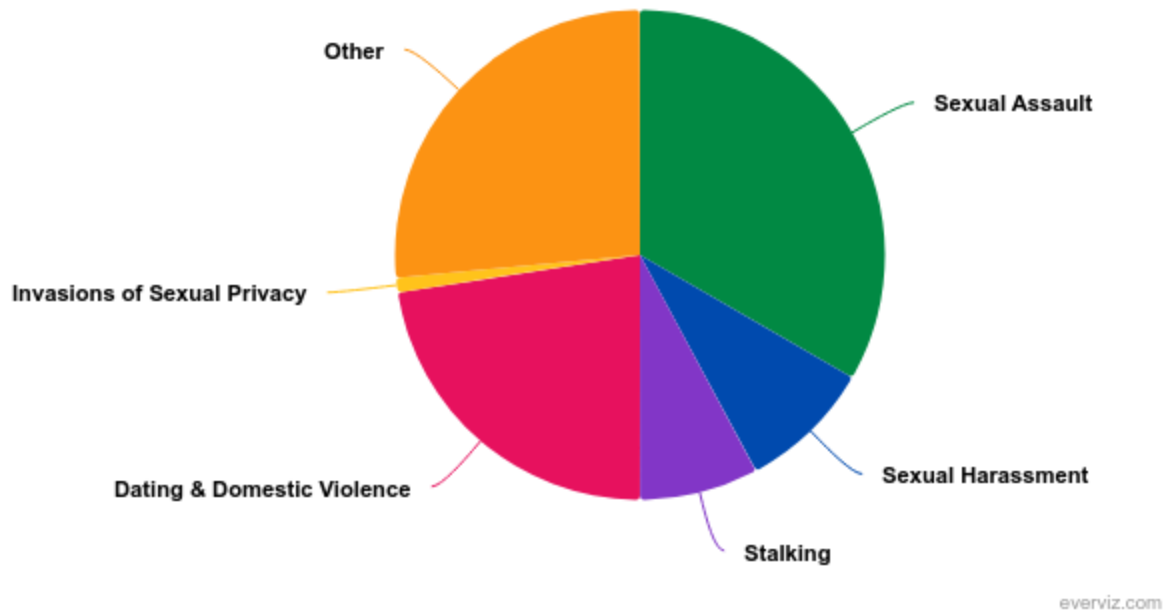
Types of harm for which clients contacted PATH to Care

As shown in Figure 26, the most common form of SVSH harm for which clients sought advocacy services from the PATH to Care Center in FY24 was sexual assault (30.7%). (By contrast, the most common form of SVSH harm reported to OPHD was sexual harassment; see [Figure 4](#).)

“Other forms of harm” category includes (but not limited to) family violence, lewd acts, retaliation, workplace abuse, online abuse/harassment, child abuse, unknown. It can be difficult for people to talk about experiences of SVSH, and PATH to Care Center clients are not required to disclose the type of harm they experienced. It is likely for that reason that the “other forms of harm” category made up the second-largest share of the total types of harm for which clients said they were seeking services.

Clients may, of course, seek services from the PATH to Care Center for multiple forms of harm. For example, a survivor may seek help for an experience of both dating/domestic violence and stalking. Therefore, the total number in Figure 26 is higher than the total number of clients.

Figure 26: Types of harm for which clients sought support from PATH to Care



Social Services

Social Services, a confidential resource unit within University Health Services, provides students with specialized counseling in several areas, including SVSH. Social Services works with survivors in one-on-one and group settings, and offers counseling, support with academic adjustment requests, and referrals. Counselors also provide support and psycho-education to students who are respondents in a case and/or are concerned they have caused harm and wish to work towards positive behavioral change.

In FY24, Social Services provided individual counseling to 69 survivors of SVSH and 7 respondents in a total of 294 appointments.

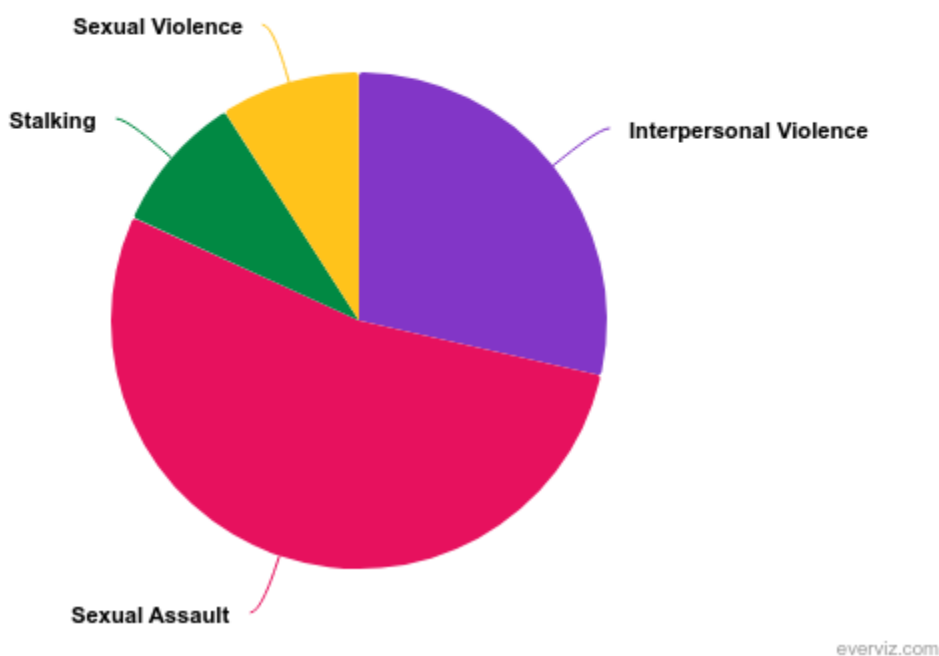
Types of harm for which clients sought services from Social Services (FY24)

As shown in Figure 27, the most common type of SVSH for which clients sought services from Social Services in FY24 was sexual assault (53%), followed by interpersonal violence (28.6%). "Sexual Violence" (9%) is a category used by Social Services that includes sexual harassment, other related behaviors, and reasons that were unknown to the counselor. Sexual violence and stalking each motivated 9% of

client visits. The proportions in Figure 27 continue a pattern from previous years. Sexual assault has been the most common SVSH reason for seeking Social Services support since the SVSH reports have been published, followed by relationship violence.

Because the same client may seek counseling from Social Services due to multiple forms of harm, the total number of types of harm in Figure 27 is slightly greater than the total number of clients.

Figure 27: Types of harm for which clients sought services from Social Services (FY24)

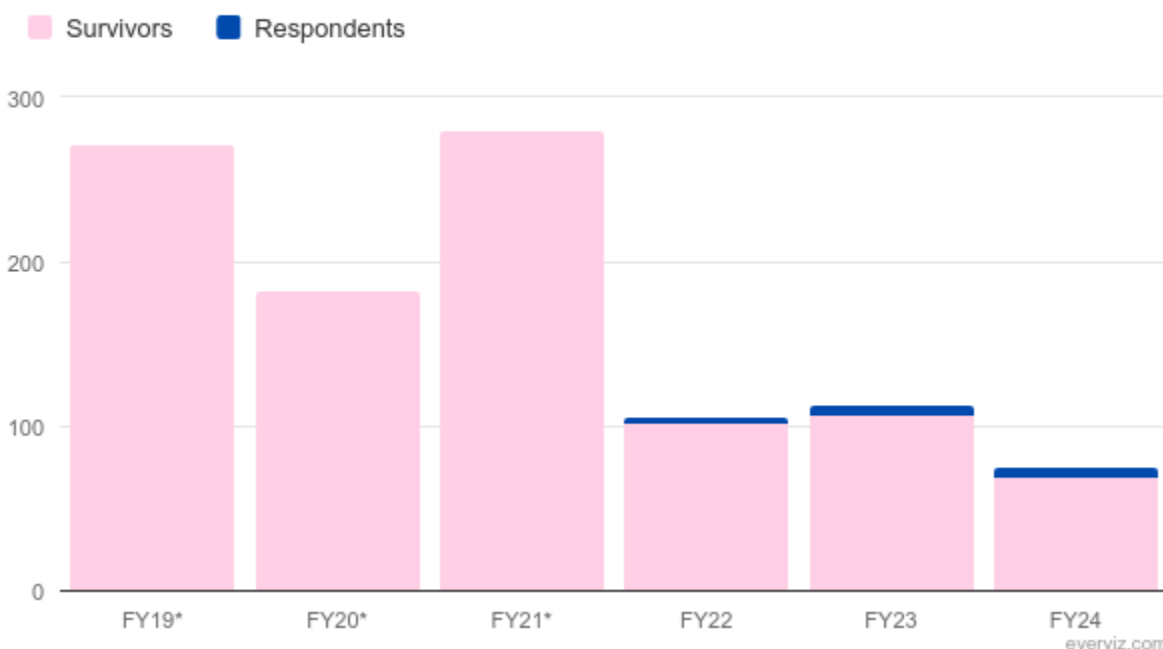


Trends in SVSH-related client visits to Social Services (FY19-FY24)

Annual Reports have tracked SVSH-related Social Services client engagement statistics since FY19. (Prior to FY22, respondent client data was not reported separately.) The dip in FY21 was attributed to the pandemic. Over the past few years, Social Services has experienced an overall decrease in the number of clients (survivors and respondents) served for reasons related to SVSH (Figure 28). Social

Services attributes this pattern to decreased staffing capacity.

Figure 28: Trends in the number of SVSH clients served by Social Services (FY19-FY24)



Note on Figure 28: Prior to FY22, survivors and respondents were counted together into total client counts.

Student SVSH Respondent Services (The Center for Support and Intervention)

One of the functions of the Center for Support and Intervention (CSI), an office within the Division of Student Affairs, is to provide Respondent Services, namely resources, information, and referrals, to students who have been charged with violating the Code of Student Conduct and face suspension or dismissal from the university. These charges can include sexual, behavioral, or academic misconduct.

Most respondents contact CSI directly after learning about Respondent Services from OPHD. In some cases, other campus departments refer respondents to Respondent Services. In 2023-24, CSI was contacted, regarding Respondent Services, for 20 SVSH-related cases, and made outreach efforts to the student respondents. 13 of these 20 students engaged with a CSI Case Manager for Respondent Services.

Respondent Services serves an informational, rather than an advocacy, function. Providing Respondent Services can include connecting the respondent to a variety of

resources, including informational materials about University policy and procedure; referrals to the offices responsible for various stages of the investigation and adjudication processes (i.e., OPHD, the Hearing Officer, and the Center for Student Conduct); and referrals to campus departments who can offer assistance in other areas (e.g. Residential Life, Financial Aid, University Health Services, and the Student Advocate's Office).

Note: For employees, SVSH Respondent Services are provided by Employee & Labor Relations (for staff) and by the Academic Personnel Office (for academic employees). Caseload data from FY24 was not available from these offices.

Overview of Whistleblower Hotline

The systemwide UC Whistleblower Hotline allows anyone to report suspected [improper governmental activities](#) by phone (800-403-4744) or [online](#), through a platform known as "Ethicspoint." The great majority of reports in FY24 came through the Ethicspoint portal.

Reports can be made to the Whistleblower alleging the following types of reportable conduct (for definitions, please see the [UC Whistleblower Hotline website](#)):

- Child / Elder Abuse
- Conflict of Interest / Commitment
- Contracting for Covered Services
- Discrimination / Harassment (Referred to Office for the Prevention of Harassment and Discrimination)
- Fraud / Theft / Embezzlement
- Health / Safety / Violence
- Information Security / Privacy Violations
- Medical Care & Misconduct
- Research Misconduct
- Retaliation
- Sexual Misconduct (Referred to Office for the Prevention of Harassment and Discrimination)
- Waste / Misuse of University Resources
- Workplace Misconduct

Each UC campus has a Locally Designated Official (LDO), charged with administering the [Whistleblower Policy](#) and [Whistleblower Protection Policy](#). At Berkeley, the LDO is Kellie Brennan, Assistant Vice Chancellor of Civil Rights, Whistleblower, and Clery Compliance. The LDO reviews reports of conduct, as well as general inquiries, that are made via Whistleblower and pertain to the Berkeley campus. In consultation with

a campus team, the LDO resolves complaints or routes them to the appropriate campus departments.

Incoming Whistleblower Reports (FY24)

Figure 29 shows the breakdown, by category, of 135 Whistleblower reports relevant to UC Berkeley that were submitted in 2023-24. The most common primary reasons for reports to the Whistleblower Hotline were workplace misconduct (31 reports) and child/elder abuse (18 reports).

Figure 29: Primary reasons for Whistleblower Hotline reports (FY24)

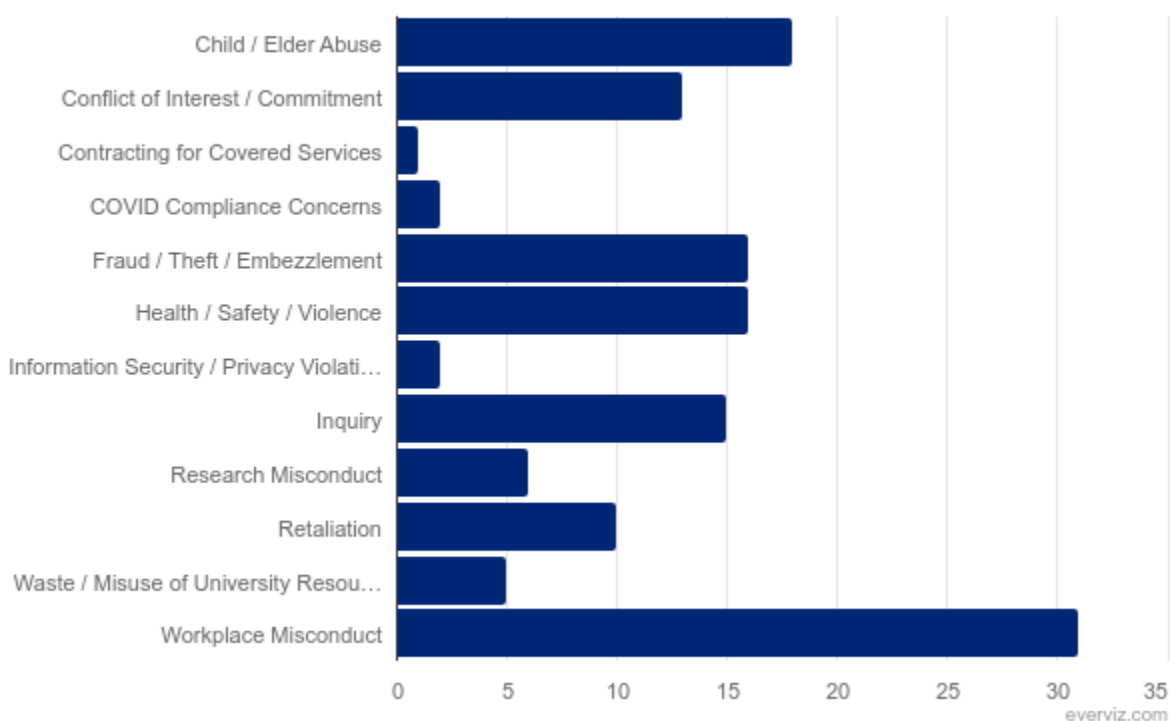


Figure 29 (above) shows the allegations as they were categorized by the person who submitted the report. A single report made to the Whistleblower Hotline may contain more than one type of allegation; those allegations are counted in each relevant category in Figure 29. Conversely, the same alleged incident is sometimes reported to the Whistleblower Hotline by multiple individuals. If the information reported is sufficient, staff reviewing the reports will combine these duplicate reports into one report of the incident. Figure 29 reflects the outcome of that consolidation.

Figure 29 excludes a number of submissions to the Whistleblower Hotline, as follows:

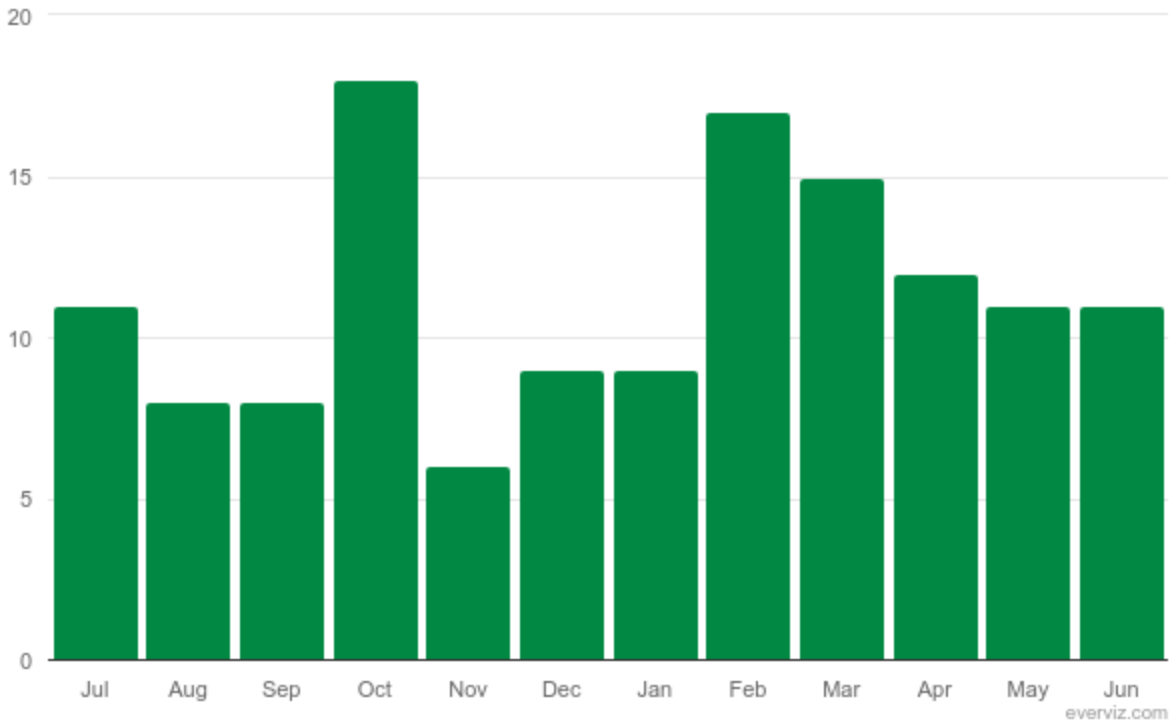
1. The Whistleblower Hotline receives a number of faux or spam reports. Such reports, being unrelated to the University, uncredible, unfounded, and/or otherwise false, are excluded from Figure 1.

2. Reports to the Whistleblower Hotline that allege sexual misconduct or protected category discrimination/harassment are routed to OPHD and included in the OPHD statistics provided elsewhere in this report. These reports are excluded from Figure 1.
3. While the category of “Workplace Misconduct” in Figure 1 is broad enough to include abusive conduct (and bullying) in the workplace, many reports of abusive conduct are, since the advent of the [UC Abusive Conduct in the Workplace policy](#) in 2023, being made through a new Abusive Conduct reporting portal that is not connected to Whistleblower. The portal is maintained by the [Employee and Labor Relations](#) (ELR) unit within People& Culture, which oversees the Abusive Conduct policy. Reports of Abusive Conduct made directly to ELR are not included in this Civil Rights report.
4. Whistleblower is one “tier” of Ethicspoint; there are two additional entry points to report specific kinds of misconduct via the Ethicspoint platform. The [UC systemwide intolerance report form](#) takes reports of hate or bias incidents and routes them to the appropriate campus offices for response. The [Cal Athletics website](#), created in 2022, takes reports of athletics-related employee misconduct, including violations of University and Department of Athletics policies, NCAA bylaws, and federal and state law. Reports of athletic misconduct are reviewed by an administrator in Cal Athletics in addition to the campus team which triages all Whistleblower reports. Statistics about reports made via these tiers are not included in this report, unless subsequently referred to Whistleblower or OPHD. Hate/bias incidents and athletics misconduct reports made through these “tiers” may eventually be included in future Civil Rights reports.

Trends in Whistleblower reports by month

Reports to the Whistleblower Hotline generally peaked in the middle of each semester (Figure 30), a pattern also seen in reports to OPHD (see [Figure 3](#)) and in client contacts at confidential resources. The fall 2023 semester reporting rate peaked in October (18 reports). In spring 2024, the monthly peak occurred in March (17 reports).

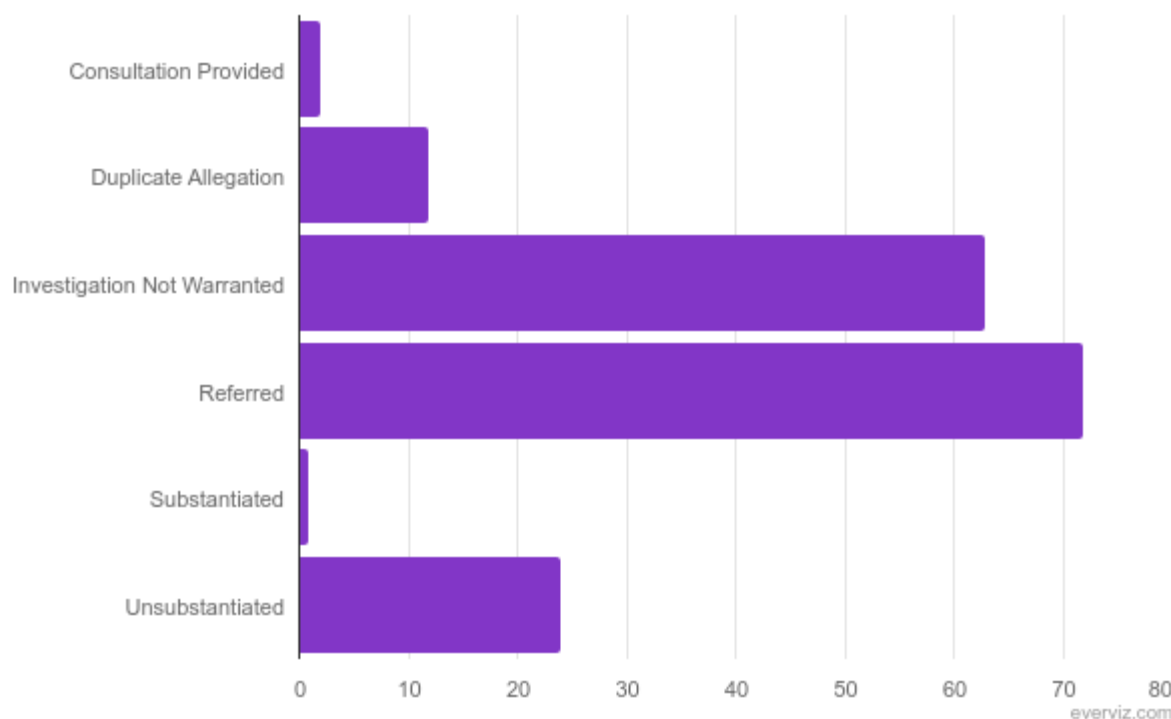
Figure 30: Trends in Whistleblower reports by month (FY24)



Closed Whistleblower Reports (non-OPHD)

174 Whistleblower reports were closed in FY24. Figure 31 depicts the different types of report closure. Most reports did not allege improper governmental activities, even though they were reported through the Whistleblower portal. 72 of those reports were referred to the appropriate entity, such as law enforcement. Another 63 reports, after assessment, were closed after it was determined that the allegation, even if true, would not rise to the level of an improper governmental activity (nor would not warrant referral to another entity). 25 reports were closed after an investigation determined that the allegation was not substantiated. Only one report that closed in FY24 was found, after an investigation, to be substantiated.

Figure 31: Outcomes of closed Whistleblower cases (FY24)



Notes on Figure 31

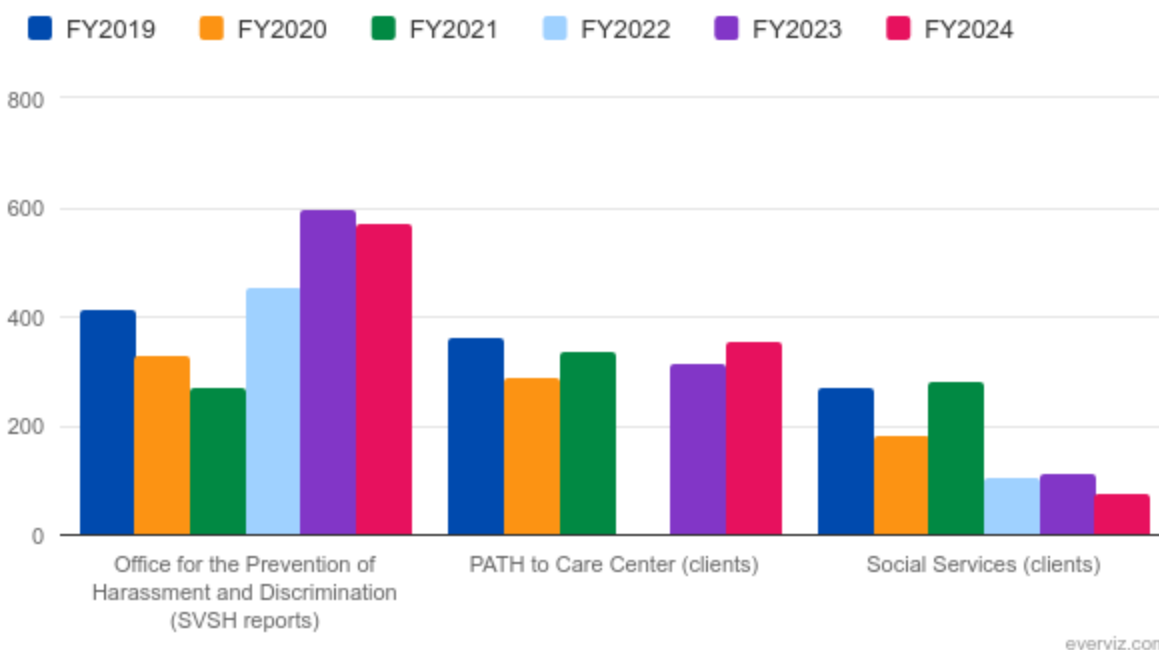
Figure 31 does not include matters that were referred to OPHD; the disposition of OPHD matters is covered in the OPHD section of this report. Note also that not all of the 174 reports closed in FY24 were submitted in FY24 (see [Figure 29](#) on the 134 reports that came in); some were submitted in a previous year. Conversely, not all reports submitted in FY24 were closed in FY24.

Multiple Lenses

With each annual report comes an increased opportunity to track trends over time, using multiple lenses, and thereby converge on a more complete portrait of the experience of the campus community.

Figure 32 illustrates trends in service SVSH utilization at OPHD, the PATH to Care Center, and Social Services from the first SVSH annual report (2018) to the present. For OPHD, Figure 32 reflects the total number of SVSH reports made each year. For PATH to Care, Figure 32 tracks the total number of individual clients who received advocacy services each year. For Social Services, Figure 32 shows the total number of individuals (both survivors and respondents) who sought support for issues related to SVSH each year.

Figure 32: Trends in SVSH service utilization in OPHD, PATH to Care, and Social Services (FY19-FY24)



Because increases in reporting do not necessarily reflect increases in incidence, tracking the utilization of independent support services can serve as a lens on actual experiences. In FY24, OPHD and Social Services saw decreases in SVSH-related reporting and service utilization, respectively whereas the PATH to Care Center saw an increase in clients in FY 24. Both Social Services and PATH to Care attribute the year-to-year variation to staffing levels. If there is a takeaway from FY24, it is the huge increase in reports of non-SVSH protected category harassment and discrimination to OPHD. But the data do clearly show that SVSH harm continues to occur, and that demand for SVSH support services continues to match, if not outstrip, supply.

Note on Figure 32: Data from the PATH to Care Center was not available in the 2021-22 academic/fiscal year.

Closing Acknowledgements

This report was produced by Ava Blustein, Special Projects Analyst and Deputy Title IX Officer for Civil Rights Programs, and Sharon Inkelas, Special Faculty Advisor to the Chancellor on Campus Welfare and Deputy Compliance Officer. This report

reflects the work and insights of many campus partners. The following campus colleagues contributed significant data and edits:

- Kellie Brennan
- Raquel Castellanos Miller
- Jenny Harris
- Kelsey Yusufoglu
- Elliot Yancor

In addition to the individuals above, the authors particularly wish to thank the Coordinated Community Review Team (CCRT) and SVSH Core Team, whose members not only carried out the critical work reported on here but also provided feedback and support to one another throughout the year.

As with past SVSH (and more recently Civil Rights) reports, the aim of this report is to provide a multi-dimensional view of protected category prevention, incidence, and response on the Berkeley campus. While each year is unique, each year's report adds to the clarity of longer-term emerging patterns and trends, permitting campus partners to tailor prevention and response efforts to best ensure that members of the campus community can learn and work in an environment free of harassment and discrimination.