Case Flow and Intersection of Title VII and Title IX

1. Complaint of sex-based misconduct involving an employee Respondent
   
   Refer to Title IX Coordinator for preliminary evaluation under 34 CFR § 106.30.

2. Was the Complainant in the US at the time of the incident?
   - No: Dismiss
   - Yes: Did the conduct occur in the Recipient’s education program or activity?

3. Did the conduct occur in the Recipient’s education program or activity?
   - No: Dismiss
   - Yes: Does the conduct alleged in the formal complaint constitute sexual harassment as defined in § 106.309?

4. Does the conduct alleged in the formal complaint constitute sexual harassment as defined in § 106.309?
   - No: Dismiss
   - Yes: At the time of filing a formal complaint, was the complainant participating in or attempting to participate in the recipient’s education program or activity?

5. At the time of filing a formal complaint, was the complainant participating in or attempting to participate in the recipient’s education program or activity?
   - No: Dismiss
   - Yes: Voluntary Appeal

6. Voluntary Appeal
   
   Denied
   - Dismiss is UPHELD
   
   Granted
   - Case IS NOT dismissed

7. "Process B" Reinstates complaint outside of Title IX under HR/employee relations/professionalism or other applicable employee conduct code/procedures, or procedures required by a collective bargaining agreement, employment contract, or other applicable law.
   
   Review using "Severe or Pervasive" Standard
   
   "Charges might include Protected Class Harassment or Discrimination"

8. "Charges might include Protected Class Harassment or Discrimination"

9. Investigate and subject to Title IX grievance procedures compliant with 34 CFR § 106.45. Doing so will satisfy both Titles VII and IX.