



California State University

It Did Not Adequately or Consistently Address Some Allegations of Sexual Harassment

Background

Sexual harassment can cause significant harm to students and employees of universities. Within the California State University (CSU)—a system with 23 campuses, 56,000 employees, and 460,000 students—the Office of the Chancellor (Chancellor's Office) is responsible for overseeing campuses' efforts to address sexual harassment. In accordance with this responsibility, the Chancellor's Office maintains a systemwide policy that requires campuses to take certain actions in response to sexual harassment allegations. Following several high-profile allegations involving CSU employees, the Joint Legislative Audit Committee requested that we assess CSU's handling of sexual harassment complaints against employees at the Chancellor's Office, San José State University, California State University, Fresno, and Sonoma State University. As part of this audit, we reviewed 40 cases of alleged sexual harassment from 2016 through 2022.

Key Recommendations

To protect CSU students and employees from sexual harassment, the Chancellor's Office should do the following:

- Standardize how campuses make and document their decisions about whether sexual harassment allegations warrant a formal investigation.
- Develop additional guidelines for campuses' formal investigations, including how to perform and structure their analyses to establish whether sexual harassment has occurred.
- Ensure that campuses have a process for tracking the timeliness of their cases and that they have adequate resources for conducting timely investigations.
- Establish systemwide requirements for addressing conduct that is unprofessional but does not meet the threshold of sexual harassment.
- Close gaps in its policy to further limit positive references for employees found to have engaged in sexual harassment.
- Require that campuses use the same case management system, track data consistently, and include specific documents in their files for each sexual harassment case.
- Issue comprehensive best practices, including how campuses should survey their communities and increase awareness of options for reporting sexual harassment.
- Conduct regular reviews of campuses to determine whether they are complying with relevant portions of law, CSU policy, and best practices.

Key Findings

- Without sufficient guidance, campuses did not appropriately investigate some allegations of sexual harassment.
 - » Campuses did not document clear rationales for closing 11 of the cases in our selection without conducting a formal investigation.
 - » Seven investigations we reviewed contained deficiencies that caused us to question campuses' determinations that sexual harassment had not occurred.
 - » More than half of the case files we reviewed were missing important documentation, such as relevant evidence or outreach to complainants.
 - » Nearly two-thirds of the investigations we reviewed were untimely.
- Campuses have not always provided adequate discipline or corrective actions.
 - » One campus found an employee responsible for sexual harassment but took no disciplinary or corrective action for more than five years.
 - » CSU lacks a consistent method for addressing unprofessional conduct that does not constitute sexual harassment, and campuses sometimes took no action to address such conduct.
 - » CSU's letter of recommendation policy still allows official positive references in certain cases for individuals found responsible for sexual harassment.
- The Chancellor's Office must take a more active approach to overseeing campuses.
 - » The Chancellor's Office has not standardized data collection across campuses, nor has it issued other key best practices such as ensuring that campuses conduct effective surveys of their communities.
 - » The Chancellor's Office no longer performs regular compliance reviews of campuses.