

2022-109 AUDIT SCOPE AND OBJECTIVES

California State University— Sexual Harassment Complaints — Executives, Faculty, and Staff

The audit by the California State Auditor will provide independently developed and verified information related to the California State University (CSU) system's handling of sexual harassment complaints involving executives, faculty, and staff at the Chancellor's Office, Fresno State, San José State, and Sonoma State. The audit's scope will include, but not be limited to, the following activities:

1. Review and evaluate the laws, rules, and regulations significant to the audit objectives.
2. Determine the mission and role of CSU's systemwide Title IX office and evaluate the processes it has in place to provide oversight and ensure consistency and timeliness in CSU's response to sexual harassment allegations, including its compliance with federal law and use of best practices.
3. Determine whether CSU has adequate systemwide policies and procedures in place for preventing, detecting, and addressing sexual harassment. In making this determination, review notices to students and employees about how to report allegations, efforts to keep victims of alleged harassment informed about the status of a complaint, and policies about employee obligations to report alleged harassment.
4. Review CSU's process for investigating alleged sexual harassment. Determine whether the process ensures that the investigatory process is free from interference and identify any needed improvements.
5. To the extent possible, identify the total number of sexual harassment complaints against employees of the CSU system during the past five years and determine the following:
 - (a) The number of complaints filed against employees at the Chancellor's Office and at each CSU campus.
 - (b) Whether CSU initiated an investigation of those complaints, how many it substantiated, and whether alleged perpetrators were involved in multiple complaints and, if so, how many.
 - (c) Whether CSU resolved those complaints in a timely manner.
6. At the Chancellor's Office and at each of the three named campuses, for a selection of substantiated sexual harassment allegations in which the alleged perpetrator was a CSU employee, perform the following:
 - (a) Identify and assess any differences in CSU's approach to investigations involving various categories of employees, including faculty, nonfaculty staff, administrators, and executives.
 - (b) Identify and assess any differences among the Chancellor's Office and the three campuses in their handling of investigations.
 - (c) Assess the consistency, reasonableness, and timeliness of any discipline CSU administered in those cases. To the extent possible, assess whether the discipline issued was generally proportional to the conduct, adequate to deter future harassment, and aligned with policies, laws, or best practices.

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7. Review systemwide policies—and the processes that the Chancellor’s Office and three campuses followed—for administering rights to return to prior job classifications (retreat rights) or other post-employment benefits and compensation to CSU employees and determine the following:
 - (a) To the extent possible, which executive positions across the CSU system have retreat rights as part of their employment agreements.
 - (b) How does CSU determine the appropriate extent of retreat rights and related compensation to offer its employees and, to the extent possible, whether the CSU’s approach is consistent with comparable public university systems.
 - (c) To the extent possible, the number of instances over the past five years at the Chancellor’s Office and the three campuses in which CSU granted retreat rights or related compensation to employees, including those accused of sexual harassment.
 - (d) The reasonableness of the actions CSU took under 7(c), and whether CSU should make any changes to relevant provisions of CSU employment agreements and compensation practices.
8. Assess any CSU policies or practices related to letters of recommendation for employees who have been found to have perpetrated sexual harassment.
9. Review and follow up on relevant findings and recommendations from prior audits or reviews either performed or contracted by the CSU, the California State Auditor, or other entities.
10. Review and assess any other issues that are significant to the audit.