

THE CALIFORNIA STATE UNIVERSITY
OFFICE OF THE CHANCELLOR

BAKERSFIELD

November 20, 2007

CHANNEL ISLANDS

CHICO

DOMINGUEZ HILLS

Ms. Elaine Howle
State Auditor
Bureau of State Audits
555 Capitol Mall, Suite 300
Sacramento, California 95814

EAST BAY

FRESNO

FULLERTON

Dear Ms. Howle:

HUMBOLDT

The California State University welcomes the opportunity to respond to the draft audit of various aspects of university hiring practices and discrimination litigation. The Bureau of State Audits' time and efforts dedicated to the comprehensive review of the California's State University's hiring practices and discrimination litigation is appreciated.

LONG BEACH

LOS ANGELES

MARITIME ACADEMY

The auditor's recommendations will be helpful to the university in our efforts to improve hiring policies and practices. We will begin a review of recommendations and implementation of some improvements immediately and will be acting on other improvements as soon as feasible.

MONTEREY BAY

NORTHRIDGE

POMONA

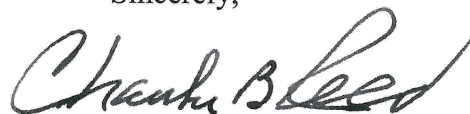
The attached document provides responses to each of the auditor's recommendations.

SACRAMENTO

SAN BERNARDINO

Sincerely,

SAN DIEGO



Charles B. Reed
Chancellor

SAN FRANCISCO

SAN JOSÉ

SAN LUIS OBISPO

CBR/tm

SAN MARCOS

SONOMA

STANISLAUS

California State University Response to Hiring Practices Audit

The California State University (CSU) appreciates the time and effort dedicated by the Bureau of State Audits to the comprehensive review of the CSU's Hiring Practices. The auditor's recommendations will assist the university in improving policies and procedures related to hiring in the CSU. The CSU further appreciates this opportunity to respond to the draft audit of its Hiring Practices. We have reviewed the draft and find that the facts are correctly reported in the audit.

The CSU generally agrees with the auditor's recommendations and will explore the appropriate manner to address the issues which have been raised. We will be acting on some recommendations immediately and on the others as soon as feasible. Many of these recommendations will be discussed with the CSU Board of Trustees in order to determine whether policy changes will be made and/or whether there will be additional trustee involvement in the oversight process. We have provided responses to each of the auditor's recommendations and have organized those responses in the same order that they were presented in the audit.

The CSU takes seriously its obligation to effectively manage all aspects of its hiring policies and procedures balancing both state and federal requirements. Many of the findings of this audit are related to the tension between existing federal requirements for diversity and the need to comply with California Proposition 209 which dictates that we are colorblind in our hiring process. We believe that a systemwide emphasis on inclusion rather than policies, procedures and practices that target specific underrepresented groups provides our best means of complying with these competing regulations. We respect that other institutions may have chosen other ways in which to strike this balance, and while those practice may remain legally unchallenged, we would need to give careful consideration to whether any changes in policy or procedures might be perceived to constitute an illegal preference in violation of Proposition 209. While we will strive for even better balance in our process and procedures, the results of our practices as evidenced by the current ethnic and gender composition of our faculty and executive group compares very favorably when weighed against other institutions of higher education.

While we will strive for even better balance, when compared to other institutions of higher education the current ethnic and gender composition of our faculty and executive group compares very favorably. As is reflected in Table 4 of this report, for the 15 departments reviewed, the percent of recent female faculty hired (44%) exceeded the percent of female doctorate recipients nationwide (41%). Table 4 also indicates that recent minority faculty hired (26%) was more than double the percent of minority doctorate recipients nationwide (12%). Either guidance or policy will be provided at the system level. We are committed to ensuring that the objectives of the system regarding inclusion are better understood and clearly communicated when providing such guidance or policy.

One issue which is raised throughout the audit report is the need for consistency in the interpretation and application of systemwide policy on all campuses. We agree that consistent interpretation of policy is an imperative. We continue to believe that in a system as large and complex as the CSU, campuses must be afforded flexibility in process in order to meet local needs. We do however recognize the importance of consistency and prudent decision-making. We are committed to improving the manner in which we monitor compliance with both legal requirements and policy regarding all aspects of the hiring process. Where consistency of procedure does not interfere with meeting systemwide objectives it will be provided.

We appreciate the opportunity this audit has afforded the university to improve the communication of systemwide guidance to campuses, consistency of interpretation, and consistency of implementation. We will carefully review existing policies and guidelines to determine where there are opportunities to enhance our effectiveness.

Response to recommendations

Chapter 1

To ensure campuses employ hiring practices that are consistent with laws and regulations and among campuses, the university should issue systemwide guidance on the hiring process for professors. In developing this guidance, the university should do the following:

- **Take action to ensure campuses have departments elect faculty to serve on search committees to help ensure that searches are conducted in accordance with the collective bargaining agreement and campus policies.**

Agree: The Chancellors Office will remind the campuses of the requirement to elect members of faculty search committees and will ensure that the requirement is a part of campus faculty hiring procedures.

- **Direct campuses to have departments develop position descriptions as broadly as possible consistent with academic needs and to more fully consider during the position allocation phase of the hiring process how new positions being requested will affect employment opportunities for women and minorities overall and the resulting diversity of its professors.**

Agree: The Chancellor's Office will include in campus faculty hiring guidelines the need to develop position descriptions as broadly as possible consistent with academic needs and the CSU commitment to inclusiveness.

- **Direct campuses to have search committees review affirmative action plans so they are aware of the availability and placement goals for women and minorities when planning the search process. The guidance should address the purpose of placement goals and the affirmative action plan in general so that search committees have the appropriate context and do not misuse the information.**

Agree: This will be included in systemwide guidance on faculty hiring. This may be incorporated as a part of training to be developed for search committees.

- **Encourage campuses to develop alternatives to broaden the perspective of search committees and increase the reach of the search for professors. One way could be to advise departments that lack of diversity on their own faculty to appoint women and minority faculty members from outside the department to search committees. Additionally, to ensure that it is meeting its responsibilities under federal regulations, the university should provide guidance to campuses on special efforts to ensure that minorities and women have equal opportunity to serve on search committees.**

Agree in concept: We will include in systemwide guidance the need to develop alternatives to broaden the perspective of search committees and increase the reach of the search for professors. We will also provide guidance on making efforts to ensure that minorities and women have equal opportunity to serve on search committees. We would give careful consideration to whether any action or guidance could be viewed as an illegal “preference” in violation of Proposition 209.

- **Instruct campuses to compare the proportions of women and minorities in the total applicant pool to the proportions in the labor pool to help assess the success of outreach efforts in recruiting these groups. To help ensure that they have sufficient data from applicants to effectively compare these proportions, campuses could send reminders to applicants requesting them to submit information regarding their gender and ethnicity when response rates are low.**

Agree: Guidance to campuses will include using analysis of response data as one means of determining the effectiveness of advertising and recruitment efforts in obtaining an inclusive pool. We will remind campus officials that they may send reminders to applicants but that such reminders should clearly explain the use of the data collected and should advise the applicant of his/her right to decline to identify gender and/or ethnicity in the survey response.

- **Devise and implement a uniform method for campuses to use when calculating availability data to better enable the university to identify and compare availability and placement goals systemwide and among campuses. Additionally, direct campuses to compare and report the gender and ethnicity of their current workforce to the labor pool by individual department to ensure placement goals are meaningful and useful to those involved in the hiring process.**

Agree in concept: Building on some of the best practices identified within the audit, systemwide officials will establish a taskforce comprised of campus officials in order to identify a workable method for uniform calculating of availability data. We will also identify the appropriate levels for data comparisons. In some cases this may be at the department level, in others at the school or other divisional level.

- **Instruct campuses to require search committee members to receive training offered at the campus level regarding the hiring process, federal regulations, Proposition 209, and other relevant state and federal laws.**

Agree: We will provide guidance to the campuses on the need to require such training and will explore the possibility of utilizing online training to assist in meeting this requirement.

Chapter 2

To ensure campuses employ consistent search and selection procedures and develop appropriate policies, the university should issue systemwide guidance on the hiring process for management personnel. In developing this guidance, the university should do the following:

- **Direct campuses to develop hiring policies for management personnel that address key steps to establish consistency among searches and to ensure searches are conducted in a fair and equitable manner.**

Agree: The Chancellor's Office staff will develop guidance indicating the basic principles which should be included in a campus policy.

- **Encourage campuses to identify alternatives to broaden the perspective of search committees and increase the reach of the search for management personnel positions. For instance, campuses could appoint women and minorities to search committees lacking diversity. Additionally, to ensure that it is meeting its responsibilities under federal regulations, the university should provide guidance to campuses on special efforts to ensure that women and minorities have equal opportunity to serve on search committees.**

Agree in concept: We will include in systemwide guidance the need to develop alternatives to broaden the perspective of search committees and increase the reach of the search for management personnel positions. We will also provide guidance on making efforts to ensure that minorities and women have equal opportunity to serve on search committees. We would give careful consideration to whether any action or guidance could be viewed as an illegal "preference" in violation of Proposition 209.

- **Instruct campuses to compare the proportions of women and minorities in the total applicant pool to the proportions in the labor pool to help assess the success of their outreach efforts in recruiting female and minority applicants. To help ensure that they have sufficient data from applicants to effectively compare these proportions, campuses could send reminders to applicants requesting them to submit information regarding their gender and ethnicity.**

Agree: Guidance to campuses will include using analysis of response data as one means of determining the effectiveness of advertising and recruitment efforts in obtaining an inclusive pool. We will remind campus officials that they may send reminders to applicants but that such reminders should clearly explain the use of the data collected and should advise the applicant of his/her right to decline to identify gender and/or ethnicity in the survey response.

- **Advise campuses to compare and report the gender and ethnicity of their current workforce to the labor pool by separating management personnel positions into groups based on the function of their positions to ensure placement goals are meaningful and useful to those involved in the hiring process.**

Agree: Systemwide guidance will include requirements that campuses identify the appropriate levels for data comparisons. In some cases this may be at the department level, in others at the divisional level but the identified level include positions of same or similar function.

- **Direct campuses to have search committees review affirmative action plans so they are aware of the availability and placement goals for women and minorities when planning the search process. The guidance should address the purpose of placement goals and the affirmative action plan in general so that the search committees have the appropriate context and do not misuse the information.**

Agree: This will be included in systemwide guidance on faculty hiring. This may be incorporated as a part of training to be developed for search committees.

- **The university should establish more complete policies to guide the recruitment process for system executives to ensure the process for each search is fair, equitable, and consistent.**

To ensure it is conducting inclusive and consistent advertising to obtain as diverse an applicant pool as possible, the university should require broad-based advertising, including publications primarily with women or minority audiences, for all presidential and system executive positions.

To broaden the perspective of the committees and increase the reach of the search for presidential positions, the university should develop policies regarding the diversity of trustees and advisory committees, and consider alternatives on the manner in which to increase committee diversity.

Agree in concept: We agree that some improvement can be made in the existing executive recruitment policies and procedures. We will review the current policies and procedures for executive recruitment with the trustees and determine if specific changes should be made in light of the auditor's recommendations. While the CSU is committed to improving its hiring process, we would give careful consideration to whether any changes could be viewed as an illegal "preference" in violation of Proposition 209.