TITLE IX COMPLIANCE
SYSTEMWIDE

Audit Report 12-16
January 15, 2013

Members, Committee on Audit

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## APPENDICES

<table>
<thead>
<tr>
<th>APPENDIX A:</th>
<th>Personnel Contacted</th>
</tr>
</thead>
<tbody>
<tr>
<td>APPENDIX B:</td>
<td>Campus Response</td>
</tr>
<tr>
<td>APPENDIX C:</td>
<td>Chancellor’s Acceptance</td>
</tr>
</tbody>
</table>

## ABBREVIATIONS

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
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<tbody>
<tr>
<td>CFR</td>
<td>Code of Federal Regulations</td>
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<tr>
<td>CSU</td>
<td>California State University</td>
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<tr>
<td>DCL</td>
<td>Dear Colleague Letter</td>
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<td>DOE</td>
<td>Department of Education</td>
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<td>EADA</td>
<td>Equity in Athletics Disclosure Act</td>
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<td>EO</td>
<td>Executive Order</td>
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<td>GC</td>
<td>Government Code</td>
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<td>OCR</td>
<td>Office of Civil Rights</td>
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<td>OUA</td>
<td>Office of the University Auditor</td>
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<tr>
<td>VSM</td>
<td>Voluntary Self-Monitoring (Report)</td>
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EXECUTIVE SUMMARY

As a result of a systemwide risk assessment conducted by the Office of the University Auditor (OUA) during the last quarter of 2011, the Board of Trustees, at its January 2012 meeting, directed that Title IX Compliance be reviewed. The OUA had previously reviewed Title IX Compliance in 1982.

We visited six campuses from February 20, 2012, through August 17, 2012, and audited the procedures in effect at that time. Campus-specific findings and recommendations have been discussed and reported individually.

Our study and evaluation revealed certain conditions that, in our opinion, could result in significant errors and irregularities if not corrected. Specifically, the California State University (CSU) was operating without clearly defined programmatic responsibilities for Title IX compliance, and systemwide policies and procedures needed to be updated. These conditions, along with other weaknesses, are described in the executive summary and body of this report. In our opinion, except for the effect of the weaknesses described above, the operational and administrative controls for Title IX compliance activities in effect as of August 17, 2012, taken as a whole, were sufficient to meet the objectives stated in the “Purpose” section of this report.

As a result of changing conditions and the degree of compliance with procedures, the effectiveness of controls changes over time. Specific limitations that may hinder the effectiveness of an otherwise adequate system of controls include, but are not limited to, resource constraints, faulty judgments, unintentional errors, circumvention by collusion, and management overrides. Establishing controls that would prevent all these limitations would not be cost-effective; moreover, an audit may not always detect these limitations.

The following summary provides management with an overview of conditions requiring attention. Areas of review not mentioned in this section were found to be satisfactory. Numbers in brackets [ ] refer to page numbers in the report.

GENERAL ENVIRONMENT [7]

Programmatic responsibilities and ownership for Title IX compliance had not been clearly defined at the Office of the Chancellor (CO), nor had they been documented in systemwide policies. In addition, systemwide policies and procedures related to Title IX needed improvement. For example, executive orders relating to employee complaint procedures had not been updated to incorporate the Title IX coordinator’s role in processing such complaints. Further, the nondiscrimination notification included on the CSU Mentor system for student applicants did not include campus Title IX coordinator names and contact information.
INTRODUCTION

BACKGROUND

In 1972, Congress passed Title IX of the Education Amendments to the Civil Rights Act of 1964, prohibiting discrimination on the basis of sex in all federally assisted educational programs and activities. Title IX states: “No person in the United States shall, on the basis of sex, be excluded from participation in, or be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance.”

Title IX provides legal protection against gender-based discrimination for both students and employees and, with some exceptions, covers all aspects of educational programs and activities that receive federal funds. This includes admissions, access to programs and courses, counseling and guidance, housing, financial assistance, employment, and athletics, among other areas.

Regulations implementing Title IX were issued in 1975 by the Department of Health, Education and Welfare and were codified in Code of Federal Regulations, Title 34, Part 106. High schools and colleges had three years to comply with the implementing regulations. When the Department of Education (DOE) was established in 1980, primary oversight for Title IX compliance was transferred to the department’s Office of Civil Rights (OCR). Then, in 1994, Congress passed the Equity in Athletics Disclosure Act (EADA), requiring federally assisted, co-educational institutions of higher education to annually report information on the gender breakdown of their intercollegiate athletic programs to the DOE.

In addition to specific legislation, federal policy materials and case law influence how Title IX laws are interpreted and applied. Recent policy materials have focused on bullying and sexual harassment in the education environment. On October 26, 2010, OCR issued a Dear Colleague Letter (DCL) discussing how bullying could result in discriminatory harassment that could trigger Title IX responsibilities. On April 4, 2011, OCR issued a DCL discussing sexual harassment and sexual violence in the educational environment and schools’ responsibilities under Title IX to investigate and respond to these types of incidents.

The California State University (CSU) is committed to creating an atmosphere where all individuals can work and study free of unlawful discrimination. A number of CSU policies address Title IX issues relating to discrimination and harassment.

Executive Order (EO) 883, Systemwide Guidelines for Nondiscrimination and Affirmative Action Programs in Employment, dated October 31, 2003, discusses the requirement for each campus to develop and implement nondiscrimination policies and affirmative action programs in employment.

EO 927, Systemwide Policy Prohibiting Harassment in Employment and Retaliation for Reporting Harassment or Participation in a Harassment Investigation, dated January 6, 2005, and EO 928, Systemwide Complaint Procedure for Discrimination, Harassment and Retaliation Complaints for Employees, dated January 6, 2005, provide grievance procedures for employees, employee applicants, and independent contractors who believe they have been subjected to harassment. These policies also prohibit retaliation against any such individuals for reporting harassment or participating in a harassment investigation.
EO 993, *Implementation of the “California Campus Blueprint to Address Sexual Assault” and other Sexual Assault Legislation*, dated October 23, 2006, discusses the requirement for campuses to have a sexual assault policy, a plan to prevent sexual assaults, and education and prevention programs relating to sexual assault. This was expanded and superseded by EO 1072, *Implementation of Title IX of the Education Amendments of 1972 and Related Sexual Harassment/Violence Legislation for CSU Students*, dated April 6, 2012, which provided additional legislative requirements specific to Title IX. These include the requirement to post a Title IX notice of nondiscrimination, designate a Title IX coordinator, and adopt and publish complaint procedures for sexual discrimination, harassment, and violence complaints.

EO 1043, *Student Conduct Procedures*, dated August 3, 2009, discusses the complaint and investigation process for students who violate the student conduct code. Violations of the student conduct code, such as intimidation, harassment, or sexual misconduct, may trigger Title IX responsibilities.

EO 1045, *Systemwide Policy Prohibiting Discrimination, Harassment and Retaliation Against Students and Applicants for Admission and Systemwide Procedure for Handling Discrimination, Harassment and Retaliation Complaints by Students and Applicants for Admission Against the CSU and/or CSU Employees*, dated March 1, 2010, addresses complaint and grievance procedures for students and applicants for admission who believe they have been subjected to discrimination, harassment, or retaliation.

EO 1043 and EO 1045 were superseded by EO 1073, *Student Conduct Procedures*, and EO 1074, *Systemwide Policy Prohibiting Discrimination, Harassment and Retaliation Against Students and Systemwide Procedure for Handling Discrimination, Harassment and Retaliation Complaints by Students*, respectively, on April 6, 2012. The revised policies were issued in response to the April 2011 DCL issued by OCR relating to sexual harassment and assault. They streamlined the complaint and investigation process for student complaints relating to discrimination, harassment, and retaliation and provided for all student complaints of this nature to be processed in accordance with the policy and procedures stated in EO 1074.

The CSU also voluntarily monitors gender equity in its athletics programs through the *Voluntary Self-Monitoring Report Regarding Equal Opportunity in Athletics for Women Students* (VSM). The origins of this report, which is published on an annual basis, stem from a 1993 consent decree between the CSU and the California National Organization for Women that required the CSU to increase female student participation in intercollegiate athletics, expenditures for women’s athletics programs, and grants-in-aid for female student athletes. After the consent decree was satisfied in 2000, the chancellor and CSU presidents decided to voluntarily continue to report on and monitor progress in these areas. Although the VSM and its goals are not specifically tied to Title IX, they demonstrate the CSU’s commitment to providing equal athletic opportunities for members of both sexes.
PURPOSE

Our overall audit objective was to ascertain the effectiveness of existing policies and procedures related to Title IX compliance and to determine the adequacy of controls over related processes to ensure compliance with relevant government regulations, Trustee policy, Office of the Chancellor directives, and campus procedures.

Within the overall audit objective, specific goals included determining whether:

- Administration of Title IX compliance is well-defined and includes clear lines of organizational authority and responsibility and documented delegations of authority.

- Processes and procedures ensure timely and effective notification and communication of Title IX legislation and CSU policies and directives.

- Individuals and campus areas involved in Title IX coordination, complaints, and investigations are appropriately trained and aware of their roles and responsibilities.

- Policies and procedures pursuant to Title IX are current and comprehensive, and distribution procedures are effective.

- Processes and procedures exist to ensure timely and adequate response to complaints from the OCR and other external entities.

- The processing of complaints and grievances ensures timely and adequate resolution of issues related to Title IX.

- Coordination and communication between campus departments and law enforcement personnel relating to Title IX incidents is adequate.

- Confidential hardcopy and system information assets, such as information pertaining to Title IX complaints and investigations, are reasonably secure.

- Management and oversight of athletics provides an adequate control environment for Title IX compliance.

- Data reported in the EADA report is accurate and can be supported by the campus.

- Campus controls provide reasonable assurance that the athletic interests and abilities of students of both sexes are effectively accommodated, that athletic scholarships are awarded on an equitable basis, and that the provision and maintenance of locker rooms and practice/competitive facilities are equitable.
SCOPE AND METHODOLOGY

The proposed scope of the audit as presented in Attachment A, Audit Agenda Item 2 of the January 24 and 25, 2012, meeting of the Committee on Audit stated that Title IX Compliance includes compliance with federal, state, and local rules and regulations that relate to the Education Amendments of 1972. Proposed audit scope would include, but was not limited to, review of compliance with federal and state laws, Trustee policy, systemwide directives, and campus policies and procedures; roles and responsibilities of Title IX coordinators; Title IX notification requirements; grievance and complaint procedures for students, faculty, staff, and third parties; testing of campus efforts to investigate and resolve complaints; processes to monitor and report gender equity in campus programs, including athletics; collection, analysis, and reporting of campus statistics; and protection of sensitive and confidential information.

Our study and evaluation were conducted in accordance with the International Standards for the Professional Practice of Internal Auditing issued by the Institute of Internal Auditors and included the audit tests we considered necessary in determining whether operational and administrative controls are in place and operative. This review emphasized, but was not limited to, compliance with Board of Trustee policies and Office of the Chancellor and campus policies, letters, and directives. The audit focused on procedures in effect from January 1, 2010, through August 17, 2012.

We focused primarily on the internal administrative, compliance, and operations controls over Title IX compliance activities. Specifically, we reviewed and tested:

- The campus framework for Title IX compliance, including designation of a Title IX coordinator, notice of nondiscrimination, and published grievance procedures.
- Qualifications of employees involved in the Title IX complaints process and campuswide training practices for Title IX issues.
- Resolution of student complaints and grievances related to discrimination, harassment, and retaliation.
- Coordination and communication with campus law enforcement personnel when Title IX violations involve a criminal complaint.
- Safeguards to secure confidential information pertaining to Title IX complaints and investigations.
- Management and oversight mechanisms to monitor gender equity in intercollegiate athletics.
- Accuracy of information reported in the EADA and the CSU VSM reports.
- Campus controls to provide reasonable assurance that athletic participation opportunities, financial aid, and locker rooms and facilities are provided in an equitable manner.
During the course of the audit, we visited six campuses: Chico, Fullerton, Los Angeles, San Diego, San José, and San Marcos. We interviewed campus personnel and audited procedures in effect at the time of the audit.
OBSERVATIONS, RECOMMENDATIONS, AND MANAGEMENT RESPONSES

GENERAL ENVIRONMENT

PROGRAMMATIC RESPONSIBILITIES FOR TITLE IX COMPLIANCE

Programmatic responsibilities and ownership for Title IX compliance had not been clearly defined at the Office of the Chancellor (CO), nor had they been documented in systemwide policies.

Specifically, we found that no single owner, department, or steering committee had been assigned responsibility for ensuring compliance with, and defining the applicability of, Title IX policies and procedures, including:

- Adequate resolution of issues noted in internal audit reports or external agency reports.
- Monitoring of campus Title IX trends and issues.
- Maintenance of systemwide Title IX policies.
- Coordination of Title IX training and communication efforts.
- Reporting of systemwide compliance to CO executive management.

Government Code (GC) §13402 and §13403 state that management is responsible for establishing and maintaining a system of internal administrative controls, which includes documenting the system, communicating system requirements to employees, and assuring that the system is functioning as prescribed and is modified, as appropriate, for changes in conditions. It further states that administrative controls are the methods through which reasonable assurance can be given that measures adopted by state agency heads to safeguard assets and promote operational efficiency are being followed.

The executive vice chancellor of academic affairs and the vice chancellor of human resources stated their belief that systemwide policy clearly delineates the responsibilities for the various aspects of Title IX to the respective administrative divisions. They further stated that at the time of the audit, a more formal process to communicate recommendations and compliance issues to executive management was under consideration within the CO.

Failure to assign programmatic responsibility for Title IX compliance increases the risk of misunderstandings related to the performance of duties and functions, inconsistencies in complying with state and federal requirements, inconsistent treatment and handling of issues, and possible litigation and regulatory sanctions.

Recommendation 1

We recommend that the CO clearly define programmatic responsibilities and ownership for Title IX compliance and document them in systemwide policies.
Management Response

We concur. Campus presidents are responsible for ensuring adequate systems of compliance and control are established and maintained for the various aspects of Title IX. Clear programmatic responsibility and ownership for Title IX requirements will be assigned within the CO.

This recommendation will be implemented by May 30, 2013.

POLICIES AND PROCEDURES

Systemwide policies and procedures related to Title IX needed improvement.

We noted that:

- Although Executive Order (EO) 993 and EO 1045, relating to student complaint procedures, were recently updated to incorporate the Title IX coordinator’s role in processing such complaints, EO 927 and EO 928, relating to employee complaint procedures, had not been similarly updated.

- California State University (CSU) policies relating to Title IX were unclear as to the requirements for orientation programs or other dissemination of Title IX information to non-freshman students such as graduate, transfer, and extended education students, and to temporary employees such as lecturers or student assistants.

- CSU policies did not provide adequate guidance on documenting situations in which the victim foregoes a complaint and the campus knew or should have known about the situation.

GC §13402 and §13403 state that management is responsible for establishing and maintaining a system of internal administrative controls, which includes documenting the system, communicating system requirements to employees, and assuring that the system is functioning as prescribed and is modified, as appropriate, for changes in conditions. Further, administrative controls are the methods through which reasonable assurance can be given that measures adopted by state agency heads to safeguard assets and promote operational efficiency are being followed.

State Administrative Manual §20050 states that one symptom of a deficient internal control system is policy and procedural or operational manuals that are either not currently maintained or nonexistent.

The executive vice chancellor of academic affairs and the vice chancellor of human resources stated that updates to policies and procedures related to Title IX were in process but had lagged due to the varied university constituencies impacted by the policy.

Failure to ensure that systemwide policies relating to Title IX compliance are current and provide clear guidance increases the risk of inconsistencies in complying with state and federal requirements and possible litigation and regulatory sanctions.
Recommendation 2

We recommend that the CO:

a. Incorporate the Title IX coordinator’s role in procedures for processing employee complaints.

b. Clearly define the requirements for orientation programs or other dissemination of Title IX information to non-freshman students such as graduate, transfer, and extended education students, and to temporary employees such as lecturers and student assistants.

c. Provide guidance on documenting situations in which the victim forgoes a complaint and the university knew or should have known about the situation.

Management Response

We concur. Systemwide Human Resources has drafted a revision of the systemwide discrimination complaint process for employees. The draft requires review by chancellor’s office executives, campus constituent groups, and impact bargaining with the unions. The draft specifies:

- The Title IX coordinator’s role in the complaint process;
- All employees, including student assistants and faculty employees, are to be provided nondiscrimination training. In addition, campuses will be instructed regarding requirements in orientations for all incoming students; and
- Campuses are to record the reason(s) why they decide not to investigate facts brought to their attention, where a written complaint was not filed.

This recommendation will be implemented by May 30, 2013.

Nondiscrimination Notifications

The nondiscrimination notification included on the CSUMentor system for student applicants did not include campus Title IX coordinator names and contact information.

Code of Federal Regulations, Title 34, Part 106, Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, §106.9, states that (a) each recipient shall implement specific and continuing steps to notify applicants for admission and employment, students, and employees that it does not discriminate on the basis of sex in the educational program or activity which it operates. Such notification shall state at least that the requirement not to discriminate extends to employment and to admission, and that inquiries concerning the application of Title IX can be referred to the employee designated as the Title IX coordinator or to the assistant secretary. It further states that each recipient shall prominently include a statement of the policy described in paragraph (a) in each announcement, bulletin, catalog, or application form which is used in connection with the recruitment of students or employees.
The executive vice chancellor of academic affairs and the vice chancellor of human resources stated that listing the name and contact information of each campus Title IX coordinator was not considered necessary by the CO for materials that were not campus-specific.

Failure to include contact information for the Title IX coordinator in CSU application systems and campus nondiscrimination statements increases the risk of non-compliance with CSU and campus nondiscrimination and harassment policies and with federal and state regulations.

**Recommendation 3**

We recommend that the CO include campus Title IX coordinator names and contact information on the nondiscrimination notification included in the CSU Mentor system for student applicants.

**Management Response**

We concur. Title IX coordinator names and contact information will be provided on each CSUMentor page that currently displays the nondiscrimination notification.

This recommendation will be implemented by May 30, 2013.
## APPENDIX A:
### PERSONNEL CONTACTED

<table>
<thead>
<tr>
<th>Name</th>
<th>Title</th>
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<tbody>
<tr>
<td><strong>Office of the Chancellor</strong></td>
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<tr>
<td>Benjamin F. Quillian</td>
<td>Executive Vice Chancellor and Chief Financial Officer</td>
</tr>
<tr>
<td>Ephraim P. Smith</td>
<td>Executive Vice Chancellor and Chief Academic Officer</td>
</tr>
<tr>
<td>Gail Brooks</td>
<td>Vice Chancellor of Human Resources</td>
</tr>
<tr>
<td>Gale Baker</td>
<td>University Counsel</td>
</tr>
<tr>
<td>Bruce Briggs</td>
<td>Assistant Vice Chancellor, Information Technology Services, and Chief Information Officer</td>
</tr>
<tr>
<td>Ellen Bui</td>
<td>Senior Manager, Equal Employment Opportunity</td>
</tr>
<tr>
<td>James Czaja</td>
<td>Senior Manager, Labor and Employee Relations</td>
</tr>
<tr>
<td>Lori Erdman</td>
<td>Chief of Staff, Business and Finance (At time of review)</td>
</tr>
<tr>
<td>Eric Forbes</td>
<td>Assistant Vice Chancellor of Student Academic Support</td>
</tr>
<tr>
<td>Leora Freedman</td>
<td>University Counsel</td>
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<tr>
<td>Bruce Gibson</td>
<td>Senior Director, Advocacy and Campus Relations/Equal Employment Opportunity/Chancellor’s Office Human Resources (At time of review)</td>
</tr>
<tr>
<td>Zachary Gifford</td>
<td>Associate Director, Systemwide Risk Management</td>
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<tr>
<td>Christine Helwick</td>
<td>California State University General Counsel</td>
</tr>
<tr>
<td>Nate Johnson</td>
<td>Chief Law Enforcement Officer</td>
</tr>
<tr>
<td>Dean Kulju</td>
<td>Director, Student Financial Aid Services and Programs</td>
</tr>
<tr>
<td>Charlene Minnick</td>
<td>Assistant Vice Chancellor, Risk Management and Public Safety</td>
</tr>
<tr>
<td>Ray Murillo</td>
<td>Associate Director of Student Programs</td>
</tr>
<tr>
<td>Michael Redmond</td>
<td>Senior Director, Chancellor’s Office Fiscal Controls and Special Initiatives</td>
</tr>
<tr>
<td>Sabrina Sanders</td>
<td>Assistant Director, Student Programs</td>
</tr>
<tr>
<td>John Swarbrick</td>
<td>Associate Vice Chancellor, Labor Relations</td>
</tr>
<tr>
<td>Dawn Theodora</td>
<td>University Counsel</td>
</tr>
<tr>
<td>Rosalinda Velasco</td>
<td>Senior Manager, Student Equity and Equal Opportunity/Whistleblower Compliance</td>
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</tbody>
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| **California State University, Chico** |                                                                       |
| Paul J. Zingg                | President                                                             |
| Sharyn Abernatha             | Assistant Vice President for Staff Human Resources                   |
| Anita Barker                 | Athletic Director                                                     |
| Maurice Bryan                | Associate Director of Student Judicial Affairs                        |
| Pedro Douglas                | Associate Vice President for Student Affairs and Title IX Coordinator |
| Dawn Frank                   | Director, Safe Place                                                  |
| Beverly Gentry               | Manager, Staff Human Resources                                        |
| Robyn Hearne                 | Chief of Police                                                       |
| Lori Hoffman                 | Vice President for Business and Finance                               |
| Jeni Kitchell                | Manager of Internal Audits                                             |
| Lisa Root                    | Director, Student Judicial Affairs                                     |
| David Stephen                | Director, University Housing and Food Service                         |
| Margie Wilson                | Administrative Analyst, Athletics                                     |
| Karla Zimmerlee              | Chief of Staff and Executive Assistant to the President               |

| **California State University, Fullerton** |                                                                       |
| Mildred Garcia                | President                                                             |
APPENDIX A: PERSONNEL CONTACTED

California State University, Fullerton (cont.)
Willie Hagan Interim President (At time of review)
Ryan Alcantara Associate Vice President for Student Affairs
William C. Barrett Interim Vice President, Administration and Finance and
Chief Financial Officer
Meredith Basil Associate Athletics Director and Director, Athletics
Academic Services
John Beisner Interim Associate Vice President, Human Resources
and Risk Management
Julie Bowse Associate Athletics Director and Senior Woman Administrator
John Brockie Administrative Lieutenant, University Police Department
Rosamaria Gomez-Amaro Director of Diversity and Equity Programs and University
Title IX Coordinator
Susan Leavy Director, WoMen’s Center
Fred Lipscomb Director, Housing and Residence Life
Sandra Rhoten Associate Dean for Judicial Affairs
Robert Scialdone Associate Athletics Director, Business Affairs
Aaron Tapper Assistant Athletics Director, Facilities/Events
Scott Willey Operations Lieutenant, University Police Department
Steven Yim Controller

California State University, Los Angeles
James M. Rosser President
Jonathan Avalos Crime Prevention Coordinator, University Police
Dan Bridges Athletic Director
Jennifer Celaya-Davis Director, Student Development and Programs
Lisa Chavez Vice President, Administration and Chief Financial Officer
Stephen Fleischer Director, Housing Services
Joanna Gaspar Senior Health Educator, Student Health Services
Letycia Gomez Judicial Affairs Officer
Tanya Ho University Internal Auditor
Sheila Hudson Associate Athletic Director
Monica Jazzabi Director and Medical Chief of Staff, Student Health Services
Lizette Juarez Administrative Service Manager, University Police
Philip LaPolt Acting Assistant Vice President for Academic Affairs,
Academic Personnel
Rafael Navarro Athletics Business Manager
Rebecca Palmer Assistant Director for Residence Life, Housing Services
Sal Rodriguez Senior Auditor
Lisa Sanchez Assistant Vice President, Human Resources Management and
Interim Title IX Coordinator
Nancy Wada-McKee Assistant Vice President, Student Affairs

California State University, San Marcos
Karen S. Haynes President
Bridget Blanshan Dean of Students and Associate Vice President for
Student Development Services
Lea Burgess-Carland Director, Gender Equity Center
APPENDIX A: PERSONNEL CONTACTED

California State University, San Marcos (cont.)
Ellen Cardoso  Director, Human Resources and Equal Opportunity
Marvin Castillo  Senior Labor and Employee Relations Manager, Human Resources and Equal Opportunity
Matt Ceppi  Chief of Staff, Office of the President
Linda Colker  Internal Operations Coordinator, Athletics
Sara Gallegos  Associate Executive Director, Associated Students, Inc.
Linda Hawk  Vice President, Finance and Administrative Services
Julie Mattingly  Associate Director, Student Life and Leadership
Robert McManus  Interim Chief, University Police Department
Douglass Miller  Interim Chief, University Police Department
Jennifer Milo  Director of Athletics
Dilcie Perez  Associate Dean of Co-Curricular Education
Janet Powell  Associate Vice President, Office of Faculty Affairs
Katy Rees  Assistant Vice President of Administration
Crystal Smith  Resource and Operations Analyst, Office of the President
Todd Snedden  Associate Athletic Director
Eloise Stiglitz  Vice President, Student Affairs
Gregory Toya  Associate Dean of Students
Lynn Wellborn  Advancement Services Coordinator
Sara Wibe-Norris  Director, University Village Apartments

San Diego State University
Elliot Hirshman  President
Jenny Bramer  Associate Athletic Director/Senior Woman Administrator
Christopher Bronsdon  Director, Financial Reporting
Valerie Carter  Director, Audit and Tax
Julie Fitzgerald  Financial Aid Coordinator, Athletics
Thom Harpole  Director, Office of Employee Relations and Compliance
Sandy Jorgensen-Funk  Director, Counseling and Psychological Services
Chuck Lang  Associate Athletic Director, Business Administration
Joshua Mays  Lieutenant, Public Safety
Lee Mintz  Director, Center for Student Rights and Responsibilities
Jessica Rentto  Associate Vice President, Administration
Sally Roush  Vice President, Business and Financial Affairs
Christy Samarkos  Director, Residential Education

San José State University
Mohammad H. Qayoumi  President
Shawn Bibb  Vice President for Administration and Finance
Demerris Brooks  University Ombudsman
Rosalinda Calderon  Senior Equal Opportunity and Workforce Planning Analyst
Leann Cherkasky Makhni  Director, International House
Maria De Guevara  Associate Vice President of Human Resources/Title IX Coordinator
Peter Decena  Chief of Police
Richard Dillon  Assistant Director, Student Organization Development
Wendy Dunn  Director of Compliance
Sandra Escalante  Personnel Services Representative
San José State University (cont.)

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
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<tbody>
<tr>
<td>Jennifer Gacutan-Galang</td>
<td>Wellness and Health Promotion Coordinator</td>
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<tr>
<td>Matt Goudreau</td>
<td>Facilities Operations and Events Specialist</td>
</tr>
<tr>
<td>Staci Gunner</td>
<td>Director, Student Conduct and Ethical Development</td>
</tr>
<tr>
<td>Natalie Harding</td>
<td>Director, Academic Budgets</td>
</tr>
<tr>
<td>Jessica Hernandez</td>
<td>Interim Student Conduct Coordinator</td>
</tr>
<tr>
<td>Connie Hernandez-Robbins</td>
<td>Assistant Director, Guardian Scholars Program</td>
</tr>
<tr>
<td>Stephanie Hubbard</td>
<td>Associate Director, Resident Life</td>
</tr>
<tr>
<td>Liz Jarnigan</td>
<td>Associate Athletics Director for Student Services/</td>
</tr>
<tr>
<td></td>
<td>Senior Woman Administrator</td>
</tr>
<tr>
<td>Cynthia Kato</td>
<td>Director, Academic Advising and Retention Services</td>
</tr>
<tr>
<td>Elizabeth Martinez</td>
<td>Assistant to the Associate Vice President of Human Resources</td>
</tr>
<tr>
<td>Lynn Meade</td>
<td>Associate Athletics Director for Compliance</td>
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<tr>
<td>Robin Moore</td>
<td>Director, Equal Opportunity and Workforce Planning</td>
</tr>
<tr>
<td>Ninh Pham-Hi</td>
<td>Director of Internal Controls</td>
</tr>
<tr>
<td>Alicia Samis</td>
<td>Administrative Assistant to the Student Conduct Administrator</td>
</tr>
<tr>
<td>Pam Stacks</td>
<td>Associate Vice President, Graduate Studies and Research</td>
</tr>
<tr>
<td>Sharon Willey</td>
<td>Assistant Vice President for Student Affairs</td>
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<tr>
<td>Matt Witty</td>
<td>Associate Athletics Director for Business Operations</td>
</tr>
<tr>
<td>Steve Zlotolow</td>
<td>Associate Dean, International and Extended Studies</td>
</tr>
</tbody>
</table>

DATE: March 11, 2013

TO: Larry Mandel
   University Auditor

FROM: Benjamin F. Quillian
   Executive Vice Chancellor and
   Chief Financial Officer

SUBJECT: Audit Report # 12-16 Title IX Management Response

In response to the “Incomplete Draft” report dated January 15, 2013, we are providing
the enclosed revised management response related to Recommendation # 1, 2 and 3.

Should you have any questions, please feel free to contact us.

BFQ:mp

Attachment

cc: Ephraim Smith, Executive Vice Chancellor and CAO
   Gail Brooks, Vice Chancellor, Human Resources
   Michael Redmond, Sr. Dir. CO Budget and Special Initiatives
GENERAL ENVIRONMENT

PROGRAMMATIC RESPONSIBILITIES FOR TITLE IX COMPLIANCE

Recommendation 1

We recommend that the CO clearly define programmatic responsibilities and ownership for Title IX compliance and document them in systemwide policies.

Management Response

We concur. Campus presidents are responsible for ensuring adequate systems of compliance and control are established and maintained for the various aspects of Title IX. Clear programmatic responsibility and ownership for Title IX requirements will be assigned within the CO.

This recommendation will be implemented by May 30, 2013.

POLICIES AND PROCEDURES

Recommendation 2

We recommend that the CO:

a. Incorporate the Title IX coordinator’s role in procedures for processing employee complaints.

b. Clearly define the requirements for orientation programs or other dissemination of Title IX information to non-freshman students such as graduate, transfer, and extended education students, and to temporary employees such as lecturers and student assistants.

c. Provide guidance on documenting situations in which the victim forgoes a complaint and the university knew or should have known about the situation.

Management Response

We concur. Systemwide Human Resources has drafted a revision of the systemwide discrimination complaint process for employees. The draft requires review by chancellor’s office executives, campus constituent groups and impact bargaining with the unions. The draft specifies:

- The Title IX Coordinator’s role in the complaint process;
• All employees, including student assistants and faculty employees, are to be provided nondiscrimination training. In addition, campuses will be instructed regarding requirements in orientations for all incoming students; and

• Campuses are to record the reason(s) why they decide not to investigate facts brought to their attention, where a written complaint was not filed.

This recommendation will be implemented by May 30, 2013.

NONDISCRIMINATION NOTIFICATIONS

Recommendation 3

We recommend that the CO include campus Title IX coordinator names and contact information on the nondiscrimination notification included in the CSUMentor system for student applicants.

Management Response

We concur. Title IX coordinator names and contact information will be provided on each CSUMentor page that currently displays the nondiscrimination notification.

This recommendation will be implemented by May 30, 2013.
March 27, 2013

MEMORANDUM

TO: Mr. Larry Mandel
   University Auditor

FROM: Timothy P. White
       Chancellor

SUBJECT: Draft Final Report 12-16 on Title IX Compliance, Systemwide

In response to your memorandum of March 27, 2013, I accept the response as submitted with the draft final report on Title IX Compliance, Systemwide.

TPW/amd