



September 6, 2023

Interim Chancellor Jolene Koester
California State University
401 Golden Shore
Long Beach, CA 90802

Dear Chancellor Koester:

On behalf of the Joint Legislative Audit Committee, the Senate Education Committee, and the Assembly Higher Education Committee, we submit this letter as an official request for the California State University (CSU) to provide responses to the following questions originally posed during the joint legislative hearing on August 31, 2023.

In April 2022, the Legislature requested a state audit of the CSU to review how the system handles allegations of sexual harassment.¹ The audit, published on July 18, 2023, revealed that the CSU had failed to produce proper guidance for campuses and had failed to properly regulate the implementation of its sexual harassment policy across the system.² On August 31, 2023, the Legislature hosted a joint hearing on the audit where various CSU officials were provided an opportunity to respond to the audit as well as address questions posed by members of the committees.

During the hearing, a number of the questions posed by members of the Legislature were met with evasive answers and a lack of transparency. The Vice Chancellor of Human Resources was unable to answer questions directed to her, specifically those on the CSU's policy on return rights, letters of recommendation, and definition of sexual harassment. Furthermore, the system could not identify how they were planning to implement the recommendations of the State Auditor's and the Cozen O'Conner reports. The hearing was an opportunity for the CSU to take ownership of a pervasive culture of callous self-interest over their duty to students, faculty, and staff. This was a chance for the CSU to demonstrate that they would restore trust with a detailed plan of how the system would combat sexual harassment by implementing the recommendations with fidelity. However, this opportunity was not seized by the representatives of the CSU and instead, the hearing served as a finger-pointing session for leaders to place blame on previous CSU administrations and existing collective bargaining agreements.

¹ https://legaudit.assembly.ca.gov/sites/legaudit.assembly.ca.gov/files/2022-109%20CSU%20Title%20IX%20%28Asm%20Salas%29_Redacted.pdf

² <https://www.auditor.ca.gov/reports/2022-109/index.html>

Various other questions posed by elected officials on how the CSU plans to adhere to the recommendations of the two reports were also not adequately answered during the hearing. While the CSU Vice Chancellor for Human Resources mentioned there will be five new positions at the Chancellor's Office as well as implementation taskforces on each campus to enforce and enact the various recommendations from the two reports, she failed to provide specifics as to what recommendations will be implemented first and how the recommendations would be adhered to by the campuses. Furthermore, as part of their legislative briefings on Title IX and sexual harassment policy compliance, the Assembly Higher Education Committee has been informed that CSU campuses have not received guidance from the Chancellor's Office on the next steps in implementing the recommendations from the reports.

In order to restore trust and to ensure the Legislature can effectively hold the CSU accountable to the recommendations from the State Auditor and the Cozen O'Connor reports, the Joint Legislative Audit Committee, the Senate Education Committee, and the Assembly Higher Education Committee need written responses to the following no later than October 1, 2023:

1. A detailed, comprehensive timeline as to how the CSU Chancellor's Office and each campus of the CSU will be implementing the recommendations from the two reports.
2. An answer to the question of what recommendations from the Cozen O'Connor report and the State Auditor's report will be implemented first and in what order the recommendations will be prioritized.
3. An answer to the question of what barriers would prevent the CSU from implementing any of the recommendations from the State Auditor report or the Cozen O'Connor report.
4. An answer to the question of what are the recommendations being made to the implementation committees on campus and what roles will the five new positions have at the CSU Chancellor's Office? Who is part of the campus committees and when will they begin the process of implementing the recommendations from the reports?
5. An answer to the questions of what is the CSU's policy on retreat rights and letters of recommendation. What would render an administrator unsuitable to have continued direct interactions with CSU students or employees in accordance with the policy?
6. A sum total of sexual harassment-related settlement payments since June of 2014 and the funding source of those payments.

Should you have any questions, please contact Ellen Cesaretti-Monroy at ellen.cesaretti-monroy@asm.ca.gov, in the Assembly Committee on Higher Education.

Sincerely,



David Alvarez
Chair, Joint Legislative Audit Committee



Mike Fong
Chair, Assembly Committee on Higher Education



Josh Newman
Chair, Senate Committee on Education

cc: Members, Joint Legislative Audit Committee
Members, Assembly Committee on Higher Education
Members, Senate Committee on Education
Incoming Chancellor, Mildred García
CSU Vice Chancellor of Human Resources, Leora D. Freedman
Assistant Vice Chancellor of Advocacy and State Relations, Nathan Dietrich