

Title IX and Discrimination, Harassment, and Retaliation (DHR) Assessment

California State University, Northridge

The Institutional Response Group

Gina Maisto Smith, Esq.

Leslie Gomez, Esq.

Maureen Holland, Esq.



July 17, 2023

Table of Contents

	Page
I. Introduction	1
II. Overview of Engagement	2
III. Summary of Findings and Recommendations.....	4
IV. The Office of Equity and Compliance	7
A. Infrastructure.....	7
B. Visibility and Community Awareness of OEC	9
C. Website.....	9
D. Reporting Options.....	10
E. Case Processing	11
F. Review of Case Files.....	14
G. Community Feedback about OEC.....	14
V. Core Title IX and Related Requirements	15
A. Title IX Coordinator.....	16
B. Notice of Nondiscrimination.....	20
C. Grievance Procedures.....	21
VI. Campus Coordination.....	23
A. University Police Department.....	23
B. Student Conduct and Ethical Development	24
C. Academic Affairs/Faculty Affairs	25
D. Human Resources.....	26
E. Student Housing and Residential Life.....	26
F. Clery Act Responsibilities.....	27
VII. Campus Resources for Students and Employees.....	27
A. Campus Care Advocates	27
B. Respondent Support.....	29
C. Counseling Services	29
D. Student Health Services.....	30
E. Additional Resources for Employees.....	31
VIII. Prevention, Education, Professional Development, Training and Awareness	32
A. Students.....	32
B. Employees.....	33

C. Coordination	34
IX. Other Conduct of Concern	34
X. Recommendations	36
A. Infrastructure and Resources	36
B. Strengthening Internal Protocols	37
C. Communications.....	41
D. Prevention, Education, Professional Development, Training and Awareness	43
E. Responding to Other Conduct of Concern	45
Appendix I	48
Appendix II	51
Appendix III	54

I. Introduction

In March 2022, the Board of Trustees of the California State University (CSU), through the Office of the Chancellor, engaged Cozen O'Connor to conduct a systemwide assessment of the CSU's implementation of its programs to prevent and address discrimination, harassment, and retaliation (DHR) based on protected status, including sex and gender (under Title IX).¹ The goal of the engagement is to strengthen CSU's institutional culture by assessing current practices and providing insights, recommendations, and resources to advance CSU's Title IX and DHR training, awareness, prevention, intervention, compliance, and support systems.

Our work involved a comprehensive assessment of infrastructure and implementation of CSU policies and procedures at the system and each university. We evaluated the coordination of information and personnel, communications, record keeping and data management, and all other aspects relevant to ensuring effective and legally compliant responses to sexual and gender-based harassment and violence, protected status discrimination and harassment, and *other conduct of concern*.

We assessed the strengths, challenges, and resources at each of the 23 universities within the CSU and the Chancellor's Office headquarters, and identified opportunities for systemwide coordination, alignment, oversight, and efficiency to support effective implementation. Specifically, the review included the assessment of:

- Infrastructure and resources at each CSU university and the systemwide Title IX and DHR offices;
- Training, education, and prevention programming for students, staff, and faculty at each university, the Chancellor's Office, and members of the Board of Trustees;
- The availability of confidential or other resources dedicated to supporting complainants, respondents, and witnesses;
- The life span of a Title IX or DHR report, from intake to resolution, including intake; outreach and support protocols; case management systems and protocols; staffing and models for investigations, hearings, sanctioning/discipline, grievance, and appeal processes; investigative and hearing protocols; inter-departmental collaboration, information sharing, and coordination in individual cases and strategic initiatives; document and data management protocols; timeliness of case resolution, and factors impacting timely resolution; informal resolution processes; and,

¹Definitions for discrimination, harassment, and retaliation, including the protected statuses under federal and state law are defined in the [CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, and Retaliation](#) (Nondiscrimination Policy).

protocols for responding to reports of misconduct by students or employees that do not rise to the level of a policy violation;

- University culture and climate regarding Title IX and DHR issues; and
- Support and resources offered to university Title IX or DHR staff by the CSU's systemwide Title IX or DHR staff at the Chancellor's Office.

On May 24, 2023, we presented a high-level summary of the scope of the assessment, our observations, and accompanying recommendations at the public session of the Board of Trustees Committee on University and Faculty Personnel. The PowerPoint from the presentation is available [here](#). A recording of the presentation can be accessed [here](#).

This report outlines Cozen O'Connor's assessment of the Title IX and DHR programs at California State University Northridge (Northridge Report). The Northridge review was led by Leslie Gomez and Maureen Holland. The Northridge Report supplements Cozen O'Connor's Systemwide Report. The Systemwide Report and a Summary of the Systemwide Report can be accessed here: [The CSU's Commitment to Change | CSU \(calstate.edu\)](#). The Northridge Report must be read in conjunction with the Systemwide Report, as the Systemwide Report provides a more detailed discussion about the assessment, the scope of the engagement, our approach to the issues, and common observations and recommendations across all 23 CSU universities. For ease of reading and efficiency, the content from the Systemwide Report is not replicated in each University Report.

Northridge is located in Los Angeles, CA. It has a student population of 37,500, 6% of whom live on campus, and a workforce of approximately 3,600 staff and faculty. An overview of the university's metrics and demographics is included in Appendix I.

II. Overview of Engagement

As outlined in the Systemwide Report, our assessment included a review of written documents, as well as interviews with university Title IX and DHR professionals, administrators, students, faculty, and staff, at each university. Information gathered in our interviews is presented without personal attribution in order to ensure that administrators, students, faculty, and staff could participate openly in the assessment without fear of retaliation or other concerns that might inhibit candor. Relevant de-identified and aggregated information from the interviews is set forth in each of our reports, and Cozen O'Connor has

maintained notes of each interview as attorney work product within our confidential files; these files will not be shared with the CSU.

With respect to Northridge, Cozen O'Connor conducted a three-day onsite campus visit from September 6 to 8, 2022 as well as multiple additional virtual follow-up meetings conducted over Zoom. In total, Cozen O'Connor conducted over 31 meetings with more than 45 Title IX and DHR professionals, administrators, and other key campus partners, some of whom we spoke to on multiple occasions. These meetings included interviews with the following offices and individuals (identified by role):

- University President
- Office of Equity and Compliance (OEC)
 - Assistant Vice President, Equity & Compliance, Title IX Coordinator, DHR Administrator, and ADA Coordinator
 - Director, Office of Equity and Compliance, Deputy Title IX Coordinator and Deputy DHR Administrator
 - Senior Investigator, DHR and Title IX
 - Equity & Compliance Program and Case Coordinator
- Student Affairs/Student Life
 - Vice President for Student Affairs / Dean of Students
 - Associate Vice President of Student Life
 - Interim Assistant Vice President of Student Affairs, Equity & Inclusion
 - Assistant Dean of Students / Director of Student Conduct & Ethical Development
 - Director, Student Life and Development
 - Assistant Director, Matador Involvement Center
- University Counsel
- Vice President for Administration and Finance
- Human Resources
 - Associate Vice President, Human Resources
 - Manager, Employee Relations
- Faculty Affairs
 - Associate Vice President for Faculty Affairs
 - Director for Faculty Affairs
- Provost and Vice President for Academic Affairs
 - Provost and Vice President for Academic Affairs
- Strength United
 - Executive Director
- Athletics
 - Executive Associate Athletics Director and Senior Women's Administrator
 - Associate Athletics Director
- Clery
 - Risk Manager and Clery Director
- University Counseling
 - Director, University Counseling Services
- Department of Police Services

- Deputy Chief, Department of Police Services
- Lieutenant Patrol Operations
- Lieutenant Investigations Unit
- Student Health
 - Interim Director, Klotz Student Health Center
- Housing and Residential Life
 - Executive Director of Student Housing and Residential Life
- Chief Diversity Officer
- University Student Union
 - Executive Director, University Student Union
- Health Promotion & Education
 - Assistant Director of Health Promotion & Administration

In addition to these meetings with administrators and campus partners, Cozen O'Connor sought feedback from students, staff, and faculty through a variety of modalities, including in-person engagement, through a systemwide survey, through a dedicated email address (calstaterewiew@cozen.com), as well as individual meetings via Zoom.

During and after our in-person visit, Cozen O'Connor met with the Faculty Senate Executive Committee (7 attendees), employee union representatives (5 attendees), and the President and Vice President of Associated Students, Inc.

In December 2022, we asked each of the 23 universities to disseminate an invitation to participate in an online survey. University presidents and the Chancellor's Office communicated the availability of the survey to all faculty, staff, and students at the university. The survey was open from December 2022 through February 2023. In total, we received 1,895 responses to the survey from Northridge students, faculty, staff, and administrators. A summary of the survey response rate and data is included in Appendix II.

III. Summary of Findings and Recommendations

As supported by the evidence base outlined in this report, our core findings and recommendations are as follows:

Infrastructure, Awareness, and Sustainability: In the last year and a half, the Office of Equity and Compliance (OEC) has changed its name, almost the entire staff has turned over, and the reporting lines for the office have shifted. As a consequence, partner offices and community members have noted underdeveloped systems for communication and

collaboration across university units, and lack of capacity to move beyond responding to immediate reports and concerns to focus on other important functions including building awareness of OEC, developing and delivering prevention and education programming, and maintaining updated materials and resources. At the time of our campus visit in September 2022, there were three staff members in OEC. As of June 2023, OEC has five full-time staff members and is planning to hire a sixth. While the campus community generally reflected that OEC currently appears to have dedicated and talented staff, campus partners raised concerns about the long-term stability of the unit given the office's significant history of turnover. With some suggested improvements, we believe OEC will be well-positioned to fulfill its core functions and to serve the needs of the Northridge community. In this period of development for OEC, we note the need for stronger university support and guidance, realignment of roles and functions, and updates to outward facing OEC resources and web communications to position OEC to best serve the Northridge community. Our recommendations include updating the reporting structure for OEC; developing stronger internal systems for multidisciplinary coordination, communication, and tracking; updating and improving the OEC website and other external-facing resources and communications; launching an awareness campaign to educate the university about OEC; increasing the capacity for oversight within OEC, as well as ensuring ongoing training and professional development for OEC staff.

Prevention and Education: At Northridge, there is no single prevention and education program with consistent leadership, uniform branding and marketing, or strategic planning and oversight. Instead, efforts are distributed across a group of university partners and there is little required programming beyond the online modules for staff, faculty, and students. We recommend that Northridge dedicate resources to build a formalized prevention and education program, including a dedicated prevention and education coordinator and a reconstituted and expanded university Prevention and Education Oversight Committee, to address issues related to discrimination and harassment, including sexual and gender-based harassment and violence. We recommend that the prevention and education coordinator work with Title IX/DHR personnel at the Chancellor's Office, University Counsel, and the Assistant Vice President for OEC to map all federal, state and other requirements related to prevention

programming, including the topics to be covered, the audiences to receive training, the frequency of the training, and the modality. After dedicated resources are in place, we recommend that the Prevention and Education Oversight Committee and the prevention and education coordinator focus on developing programming that serves the unique needs of Northridge's community. We encourage the Prevention and Education Oversight Committee to consider curricular or credential-based options and to consider how to incentivize participation and engagement for all members of the campus community.

Responding to *Other Conduct of Concern*:² Across universities in the CSU system, we observed the significant impact of *other conduct of concern* on the learning and working environment. We also observed underdeveloped systems to address such conduct. At Northridge, OEC conducts an initial assessment of all reports and determines whether or not the conduct would constitute a potential violation of the Nondiscrimination Policy. In all cases where the report will not result in a formal investigation – often because the complainant requests that no investigation occur, the conduct is not reported to be based on protected status, or the conduct would not rise to the level of a violation of the Nondiscrimination Policy – OEC sends a Formal Statement of Concern (FSOC) letter to the complainant via email. If OEC has been in contact with the respondent about the report, OEC also emails a FSOC letter to the respondent. We find this practice to be an effective starting point for improving communications and coordination when addressing *other conduct of concern*, however, there is still need for greater coordination with the other offices to develop a formal process for responding. We recommend that Northridge work closely with the Chancellor's Office and CSU's Office of General Counsel to develop a

² We use the term *other conduct of concern* to refer to conduct that may not rise to the level of protected status discrimination or harassment, but may nonetheless violate other university policies or be disruptive to the learning, living, or working environment. This includes, for example:

- Conduct on the basis of protected status that does not rise to the threshold of a potential policy violation because it is not severe, persistent, or pervasive
- Conduct not based on protected status, but that may implicate other policies (e.g., professionalism)
- Conduct that may not be subject to discipline because of free speech or academic freedom principles.

centralized reporting process, written framework for evaluating reports, and a triage model/review process to evaluate next steps.

IV. The Office of Equity and Compliance

A. Infrastructure

[OEC](#) is responsible for the implementation of Title IX and DHR at Northridge. The office reviews and investigates all reports involving allegations pursuant to the policies and procedures set forth in the [CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, and Retaliation \(Nondiscrimination Policy\)](#). The office is physically located on the second floor of Valera Hall, a building which also houses Human Resources, Student Conduct, and other administrative offices. At the time of our visit, OEC's Assistant Vice President of Equity and Compliance (also the Title IX Coordinator/DHR Administrator) reported to the university's Chief Diversity Officer. After the Chief Diversity Officer left Northridge in January 2023, the Assistant Vice President of OEC (AVP of OEC) began reporting to the President's Chief of Staff. OEC has a broad portfolio of responsibility, including responding to reports of discrimination, harassment, or retaliation involving students, faculty, or staff. The AVP of OEC also trains university hiring panels on best practices in Equal Employment Opportunity and hiring.

OEC currently consists of [five staff members](#): the AVP of OEC who serves as the university's Title IX Coordinator, DHR Administrator, and ADA Coordinator; the Director of Equity and Compliance who serves as Deputy Title IX Coordinator and Deputy DHR Administrator; the Deputy Director of Equity and Compliance; a Senior Title IX and DHR Investigator; and a Program and Case Coordinator. OEC is planning to hire another investigator this summer. While the AVP of OEC has been in his position since July 2019, the remaining staff have all joined more recently, with the two most senior positions having joined in the last six months. The Program and Case Coordinator joined OEC in December 2020, the Senior Investigator joined in April 2021, the Director of Equity and Compliance joined in February 2023, and the Deputy Director of Equity and Compliance joined the office in May 2023. OEC uses a case management system called i-Sight, while other campus offices use the Maxient case management system.

As is clear from their dates of hire, many of the members of the OEC team are relatively new to their roles and the functioning of the Office is consequently in a state of development. As expressed to us during our visit, the Office has experienced significant turnover, with many staff moving to other CSU Title IX and

DHR offices or the CSU Chancellor's Office. As a result, OEC has been chronically understaffed, which impacts the ability to consistently carry out core compliance functions. These personnel shifts have also caused delays in case responses and have necessitated the recurrent need to develop and cultivate relationships and communication channels at the university. Recently, OEC engaged the services of external investigators when OEC staff did not have sufficient capacity. OEC has also begun using student assistants to help with data input and to answer phones.³ In June 2023, OEC staff reported that they had recently updated intake tools and protocols, were actively updating documentation practices, and were planning to evaluate models for intake and initial assessment. It will be important for OEC to ensure sufficient capacity to supervise and build this team, which may require reviewing the portfolio of the AVP of OEC. The success of OEC's ongoing development will depend upon several factors: establishing stable leadership and supervisory structure with sufficient subject-matter knowledge and capacity to oversee OEC's many functions; sufficient personnel to address the Office's broad portfolio, including personnel to address outreach, intake, initial assessment, supportive measures, investigations, communications, prevention and education, and case management; and consistent technology tools and protocols regarding documentation and recordkeeping.

Primary and ongoing prevention and awareness programming is a collaborative effort at Northridge. Because there is no single university office or person responsible for development and delivery of programming, the effort is distributed across a group of partners including OEC, StrengthUnited, Health Promotion, and peer educators in programs run by University Counseling Services. There is no dedicated person within OEC who leads prevention and education efforts for the office.

OEC reported that it receives a high volume of reports – approximately 9 to 15 per week. At any given time, OEC has more than 20 active investigations in various stages of the resolution process.

Each of the 23 CSU universities maintains data about the nature of reports, resolutions, and other demographics, albeit in inconsistent and varied manners. Each of the 23 CSU universities also produces an annual report and shares data with the Chancellor's Office. An overview of the metrics from the Title IX annual reports is included in Appendix III.

³ We recommend that OEC discontinue the use of students for these specific functions.

B. Visibility and Community Awareness of OEC

In our meetings with partner offices and in community engagement, many individuals referred to OEC by its former name, Equity & Diversity (OED), which had changed to OEC about seven months before our visit. While OEC's leader – the AVP of OEC – is known to many by name, and while we heard positive feedback about his demonstrated commitment, vision, and advocacy on behalf of institutional equity, OEC is widely regarded as perpetually under resourced, with high turnover and an insufficient number of staff. As noted below, OEC's website is underdeveloped and outdated. Campus partners noted that some print materials also contained outdated contact information for campus resources, including a Title IX Coordinator from more than 5 years ago.

Our engagement with students suggests a low level of awareness of OEC, either by name or role. While students expressed familiarity with sexual violence prevention from online trainings, these trainings were not reported to have raised their awareness of on-campus resources, personnel, or reporting options. In speaking with campus administrators who work closely with students, we learned that feedback regarding OEC is mixed. One campus administrator said, “for the most part, I hear positive things. Sometimes we hear, ‘nobody got back to me [or] things didn’t happen quickly enough,’ but for the vast majority, I have heard positive things from students about their experiences [with OEC].” Another campus partner shared their concern that students may choose not to report because of the perception that the process is too complex and/or that it takes too long. Other individuals shared that, before the COVID-19 pandemic, there had been more marketing and promotion of the Title IX and DHR functions, but efforts had declined in recent years.

Our recommendations include the development of an awareness campaign to raise awareness of OEC, including personnel, roles, resources, and functions. Our recommendations also prioritize updated forward-facing materials such as web presence and informational materials, perhaps by identifying creative ways to update more resources more readily, like a QR code that links to web content, instead of printed documents that are quickly out of date.

C. Website

OEC's outward-facing resources require significant updating. [OEC's website](#) still refers to the office by its former name (Equity and Diversity). The OEC website contains separate pages for [Title IX and Gender Equity](#) and [Discrimination, Harassment & Retaliation \(DHR\)](#), both of which refer to outdated Executive

Orders that were superseded in 2021 rather than to the current CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence and Retaliation (Nondiscrimination Policy).⁴ Moreover, the website links to the Executive Orders redirect to the general [CSU Policy Library](#) website, rather than to a specific policy or executive order.

The current OEC landing page contains icons for what appear to be key OEC programs, but a more streamlined list with more prominent key links (“About Us,” “Report a Concern,” “FAQs”) would help focus the page and prioritize the needs of those accessing the website. Our recommendations contain suggested improvements for updating web resources. As a first priority, however, we recommend the immediate removal of outdated policy language.

D. Reporting Options

There are multiple pathways for individuals to report to OEC, including via email to equityanddiversity.department@csun.edu, via phone call, or in person on the second floor of Valera Hall. Individuals may also share concerns with a responsible employee who must then report all known information directly to OEC via email, phone, or in person.

As noted above, OEC’s website has different pages for [Title IX](#) and [DHR](#). While the Title IX page does not contain any online reporting forms, the DHR page contains two: one for [complaints by Employees](#) and one for [complaints by Students or Applicants](#). Both forms appear to be based on the Nondiscrimination Policy⁵ and contain instructions that read as follows (with emphasis in the original):

From the Employee complaint form:

Instructions: This complaint form is for use by individuals who are eligible to file a complaint of Discrimination, Harassment, Retaliation, Sexual Misconduct, Dating or Domestic Violence or Stalking under Executive Order 1096. **Please fill in all of the information requested below as completely as possible and attach additional pages to this form, if necessary.**

From the Student and Applicant complaint form:

⁴ We brought these issues to OEC’s attention at the time of our campus visit.

⁵ The CSU System publishes an online Complaint Form as Attachment F of the Nondiscrimination Policy.

Executive Order 1097 provides students a systemwide procedure to file complaints alleging violations of the California State University (CSU) systemwide policy prohibiting Discrimination, Harassment, Retaliation, Sexual Misconduct, Dating or Domestic Violence or Stalking against students by the CSU, Employees, other Students, or Third Parties. **Please fill in all of the information requested below as completely as possible and attach additional pages to this form, if necessary.**

The forms themselves are fillable PDFs. There are no instructions on the form or on OEC's website about how a person should submit the form once completed.

While these forms are just one of the reporting pathways available to individuals, the length of the forms and the level of detail they seek may cause confusion or create barriers to reporting for impacted parties. For example, both forms require the reporting party to designate the type of reported conduct, the basis or bases upon which they were discriminated against or harassed, the date(s), location(s) and a description of the incident(s), a description of what the reporting party or others did "to try to resolve the complaint," and a request to describe and attach "documents or electronic communications" that support the reporting party's complaint.

The form requires the complainant to complete and sign a certification stating, "I certify that the information given in this complaint is true and correct to the best of my knowledge or belief." The form provides information about Advisors stating, "The role of the Advisor is limited to observing and consulting with you." This statement does not accurately reflect the role of Advisors in Track One Hearings, where the Advisor conducts cross-examination. As noted above, neither the form nor the website contain information about how to submit the form once completed. As described in the Systemwide Report, we recommend that the online reporting form in Attachment F, as well as individual or tailored forms in use at Northridge, be revised to remove potential barriers to reporting and engagement caused by their current language.

E. Case Processing

Based on our interviews with OEC and other partner offices, we understand that after OEC receives a report, the Director, Deputy Director or Case Coordinator promptly sends email outreach to the identified complainant. This outreach is based on a template and includes an invitation to meet with an

investigator,⁶ information about reporting and resolution options, and the availability of supportive measures and resources with or without the filing of a formal complaint. If the report concerns Sexual Misconduct/Sexual Assault, Sexual Exploitation, Dating Violence, Domestic Violence, or Stalking, the outreach communication also includes Attachment D to the Nondiscrimination Policy, which is a CSU document titled, “Rights and Options for Victims of Sexual Misconduct/Sexual Assault, Sexual Exploitation, Dating And Domestic Violence, And Stalking.”

OEC conducts an initial assessment of all reports and determines whether or not the conduct would constitute a potential violation of the Nondiscrimination Policy. In all cases where the report will not result in a formal investigation – often because the complainant requests that no investigation occur, the conduct is not reported to be based on protected status, or the conduct would not rise to the level of a violation of the Nondiscrimination Policy – OEC sends a Formal Statement of Concern (FSOC) letter to the complainant via email. If OEC has been in contact with the respondent about the report, OEC will also email a FSOC letter to the respondent. We reviewed several FSOC letters that OEC issued. We found them clear and helpful, although we have suggestions to improve the tone and content. We recommend that OEC continue the current practice of issuing FSOC letters whenever a report will not result in a formal investigation. This practice helps parties understand the status of the report and serves as documentation of OEC’s response, including the information known to OEC, what the complainant requested with respect to their report, and how and why OEC decided not to proceed with a formal investigation. It is also a helpful tool in coordinating a referral to another unit for appropriate response.

OEC does not currently use a multidisciplinary team (MDT) in its initial assessment process. Our recommendations speak to the importance of an MDT to ensure that OEC has access to and can consider all known information including the nature and circumstances of the reported conduct, any information about the parties and/or the conduct maintained by other offices or kept in other recordkeeping systems, and any information indicating an immediate or potential safety concern, threat, or other risk of harm. While OEC reportedly communicates well with key partners including University Counsel, University Police, Student Conduct, Human Resources, Faculty Affairs, and other units, we recommend a more formalized structure that allows for consistent and informed decision-making based upon all known and

⁶ As of June 2023, the OEC director, the OEC Deputy Director, and the Senior Investigator, were all conducting investigations within OEC.

available information. This is of particular importance where, as at Northridge, OEC uses a different records management system than partner offices.

Currently, investigators conduct intake meetings with complainants. If the complainant asks that an investigation not occur, or if they are not certain whether they would like to proceed with a formal resolution process, the investigator gathers basic information about the conduct, shares information about supportive measures, resources, and resolution options, and discusses supportive measures. If a complainant wishes to initiate an investigation, the investigator conducts an initial interview. Intake meetings are guided by the use of written worksheets for consistency and coverage of all necessary topics. We reviewed the current intake worksheets and found them to be comprehensive. The worksheets include prompts to gather and input information about the nature of the report, the identities of the individuals involved, the prohibition against retaliation, process options, and requested supportive measures. Our recommendations include suggested enhancements to the intake form, including adding the parties' dates of birth/ages for mandatory child abuse reporting purposes, and including information about the availability of medical care, the ability to report to law enforcement, the importance of preserving evidence, the right to an advisor of choice, the applicable evidentiary standard, amnesty for personal drug or alcohol use, and the availability of the Campus Care Advocates and other confidential resources.

We understand that OEC is in the process of developing and improving tools to track supportive measures, timeframes for resolution, communications about good cause delays, identities and affiliations of parties, and other critical information about reports and responses. We support this increased focus on documentation and recordkeeping. As noted above, OEC currently maintains case information in i-Sight, which is kept updated by OEC staff and, currently, student assistants (a practice we do not recommend). Northridge uses a combination of internal and external investigators and maintains oversight over all investigations whether they are conducted by internal or external personnel. OEC and University Counsel review each investigation report to assess for clarity and to ensure that it contains all necessary elements. Northridge uses external hearing officers who have contracts with the CSU system. University Counsel also reviews each written determination to assess for comprehensiveness, and to ensure that the bases for the findings are clearly and sufficiently articulated.

F. Review of Case Files⁷

To assess timeliness, efficiencies in process, causes of delay, and communications with parties throughout the pendency of a process, we reviewed a representative sample of investigative reports and one written determination following a hearing. We note that investigative reports do not follow a consistent template, although the reports were issued over a wide timeframe ranging from October 2020 to February 2022. In terms of substance, the investigation reports reflected that investigators were thorough in gathering and summarizing evidence, neutral and clear in their writing, and, where applicable, cogent in their reasoning and analysis. Some of the reports reflected long timeframes in terms of the length of the investigative process, with most taking over six months from the complaint phase to the issuance of the written report. The case timelines are included below: 5.5 months for investigation, and an additional 2 months following appeal (DHR); 6.5 months (DHR); 9 months (DHR); 3.5 months (DHR); 8 months (Title IX), and 10.5 months (Title IX). In some instances, the case files we reviewed were incomplete.

G. Community Feedback about OEC

Aside from positive feedback about the current AVP of OEC, the most common community feedback we received was regarding the high level of turnover and resultant gaps in communication and case processing within OEC. In the last year and a half, the office has changed its name, almost the entire staff has turned over, and the reporting lines for the office have shifted. As a consequence, partner offices and community members have noted underdeveloped systems for communication and collaboration across university units, and lack of capacity to move beyond responding to concerns to focus on building awareness of OEC, developing and delivering prevention and education programming, and maintaining updated materials and resources. At the time of our visit in September 2022, there were three staff members in OEC. As of June 2023, OEC has five full-time staff members and is planning to hire a sixth this summer. While the campus community generally reflected that OEC currently appears to have dedicated and talented staff, campus partners raised concerns about the long-term stability of the unit given the office's history of turnover. With some suggested improvements, we believe OEC will be well-positioned to fulfill its core functions and to serve the needs of the Northridge community.

⁷ We requested to review a small sample of case files at each university to evaluate form, comprehensiveness of documentation, timeliness, and responsiveness. Given the scope of our assessment, we did not conduct an extensive audit of all Title IX and DHR records.

As with other universities in the CSU system, we heard feedback from some faculty and staff about a culture of inattention or unwillingness to act that has impacted employees' willingness to file reports with OEC. Some faculty and staff reported that they had experienced death threats and racial slurs and had gotten limited support from the university. Other staff and faculty noted insufficient support and accommodations provided for deaf students and employees, stating that deaf individuals have to proactively request sign language interpreters rather than the university considering interpreters as part of planning public events. Several faculty noted that, for Northridge to change, there needed to be changes to its recruitment and retention efforts to ensure equity on the basis of race and gender in its faculty ranks. We understand that the AVP of OEC spends significant time on faculty recruitment protocols, including training university hiring panels on best practices in Equal Employment Opportunity (EEO) and hiring.

Our recommendations speak to infrastructure improvements designed to address concerns regarding timeliness, communications, collaboration, and information-sharing across campus.

V. Core Title IX and Related Requirements

In evaluating legal compliance and effectiveness based on the observations described above, we reviewed Title IX's implementing regulations as the legal framework. Title IX's implementing regulations, amended most recently in May 2020, require that educational institutions (i) appoint a Title IX coordinator;⁸ (ii) adopt grievance procedures that are prompt and equitable;⁹ and (iii) publish a non-discrimination statement.¹⁰ In the sections below, we describe our observations of the university's compliance with each of these core Title IX obligations. Although the implementing regulations and regulatory frameworks are not as prescriptive under other federal and state laws that address all other protected status discrimination, harassment, and retaliation,¹¹ we incorporate the Title IX framework as it relates to these core requirements, because they apply equally to DHR programs.

⁸34 C.F.R. § 106.8(a).

⁹34 C.F.R. § 106.8(b).

¹⁰34 C.F.R. § 106.8(c).

¹¹ These include Title VI and Title VII of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, and the Age Discrimination Act of 1975. The implementing regulations for these statutes outline some requirements that are similar or identical to certain of the "core Title IX

A. Title IX Coordinator

Under the current Title IX regulations, every educational institution that receives federal funding must designate at least one employee, known as the Title IX Coordinator, to coordinate the institution's Title IX compliance efforts.¹² In this role, the Title IX Coordinator is designated as the university official responsible for receiving and coordinating reports of sex discrimination, including sexual harassment, made by any person.¹³ The Title IX Coordinator's role and responsibilities should be clearly defined, and the institution must notify applicants for admission and employment, students, parents or legal guardians of elementary and secondary school students, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the institution, of the name or title, office address, electronic mail address, and telephone number of the employee or employees designated as the Title IX Coordinator.¹⁴ The Title IX regulations detail the responsibilities of the Title IX Coordinator, which include, among other things:

1. Receiving reports and written complaints;¹⁵
2. Coordinating the effective implementation of supportive measures;¹⁶
3. Contacting complainants to discuss the availability of supportive measures, with or without the filing of a formal complaint;¹⁷

obligations." For instance, most of the regulatory frameworks require a notice of non-discrimination. See 34 C.F.R. § 100.6(d) (Title VI), 34 C.F.R. § 104.8 (Section 504), and 34 C.F.R. § 110.25 (Age Discrimination Act), and 28 C.F.R. § 35.106 (ADA). Furthermore, the implementing regulations for the Age Discrimination Act closely mirror the core Title IX obligations in that they require educational institutions to: (i) designate at least one employee to coordinate their efforts to comply with and carry out their responsibilities, including investigation of complaints; (ii) notify beneficiaries of information regarding the regulations and the contact information for the responsible employee; and (iii) adopt and publish grievance procedures providing for prompt and equitable resolution of complaints. 34 C.F.R. § 110.25.

¹² 34 C.F.R. § 106.8(a).

¹³ *Id.*

¹⁴ *Id.*

¹⁵ 34 C.F.R. § 106.30(a)(defining "actual knowledge" as including notice to the Title IX Coordinator).

¹⁶ *Id.*

¹⁷ 34 C.F.R. § 106.44(a)

4. Considering the wishes of the complainant with respect to supportive measures, explaining the process for filing a formal complaint;¹⁸
5. Attending appropriate training;¹⁹
6. Remaining free from conflicts of interest or bias with respect to complainants or respondents, generally or individually;²⁰
7. Overseeing the prompt and equitable nature of any investigation or resolution, and;²¹
8. Overseeing effective implementation of any remedies issued in connection with the grievance process.²²

Under the Title IX regulations, guidance documents issued by the U.S. Department of Education, Office for Civil Rights (OCR), and effective practices, the Title IX Coordinator should be sufficiently positioned within the institutional organizational structure, sufficiently resourced to carry out care and compliance responsibilities, sufficiently trained and experienced, and free from conflicts of interest.²³ Generally, Title IX Coordinators should be positioned to operate with appropriate independence and autonomy, have sufficient supervision and oversight, and have direct or dotted reporting lines to senior leadership.

¹⁸ *Id.*

¹⁹ 34 C.F.R. § 106.45(b)(1)(iii) (“A recipient must ensure that Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, receive training on the definition of sexual harassment in 34 C.F.R. § 106.30, the scope of the recipient's education program or activity, how to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.”)

²⁰ 34 C.F.R. § 106.45(b)(1)(iii).

²¹ 34 C.F.R. § 106.8(a)(charging the Title IX Coordinator with “coordinating [institutional] efforts to comply” with Title IX)

²² 34 C.F.R. § 106.8(a); 34 C.F.R. § 106.45(b)(7)(iv).

²³ These effective practices have been articulated, among other places, in a [Dear Colleague Letter](#) from the U.S. Department of Education’s Office for Civil Rights on April 24, 2015. Although this Dear Colleague Letter has since been rescinded, the underlying concepts described in the letter are still instructive. The 2015 Dear Colleague Letter stated, “The Title IX coordinator’s role should be independent to avoid any potential conflicts of interest and the Title IX coordinator should report directly to the recipient’s senior leadership” The Letter further instructed that “the Title IX coordinator must have the authority necessary to [coordinate the recipient’s compliance with Title IX] and, in order to do so, “Title IX coordinators must have the full support of their institutions . . . [including by] making the role of the Title IX coordinator visible in the school community and ensuring that the Title IX coordinator is sufficiently knowledgeable about Title IX and the recipient’s policies and procedures.”

The Chancellor’s Office has published guidance regarding the role of university Title IX Coordinators. Attachment B to the Systemwide Nondiscrimination Policy mandates that university Title IX Coordinators “shall have authority across *all* campus-based divisions and programs (e.g., Human Resources, Academic Affairs, Student Affairs, Athletics, Housing, the Department of Police Services, etc.) to monitor, supervise, oversee, and ensure implementation of [the Nondiscrimination Policy] in all areas” (emphasis in original) Attachment B further requires that all Title IX Coordinators and Deputy Title IX Coordinators be Management Personnel Plan (MPP) employees and “have the qualifications, authority and time to address all complaints throughout the campus involving Title IX issues.”²⁴ Finally, Attachment B recommends that all Title IX Coordinators “be someone without other institutional responsibilities that could create a conflict of interest (e.g., someone serving as university counsel or as a disciplinary decision maker)” and that they report to a supervisor who is a Vice President or higher.

In addition to reviewing these written guidelines applicable to the system as a whole, Cozen O'Connor evaluated whether, in practice, each Title IX Coordinator was well positioned to effectively carry out their duties. As described above, this analysis consisted of assessing whether each Title IX Coordinator was appropriately positioned organizationally; sufficiently resourced; sufficiently trained; and free from conflicts of interest.

In evaluating Northridge’s compliance with the above obligations, we note that the contact information for the current Title IX Coordinator — as well as contact information for OEC — is linked in a footer common to all Northridge websites, except for the Athletics website, which is run through a third-party vendor.²⁵

With respect to the positioning of the Title IX Coordinator within the university structure, we find the Title IX Coordinator’s recently revised supervision line suboptimal. For the reasons below, we recommend stronger oversight and more active management by a university official whose portfolio is focused on

²⁴ The [Nondiscrimination Policy](#) similarly defines campus DHR Administrators as “the [MPP] Employee at each campus who is designated to administer this Nondiscrimination Policy and coordinate compliance with the laws prohibiting Discrimination, Harassment and Retaliation.” The Nondiscrimination Policy states that the DHR Administrator “may delegate tasks to one or more designees, provided that any designee shall be an MPP Employee or an external consultant, and the DHR Administrator retains overall responsibility and authority.”

²⁵ Footer on all Northridge websites reads “Title IX” which links to <https://www.csun.edu/eqd/title-ix> (last visited June 18, 2023). The Northridge Athletics website, <https://gomatadors.com/> (last visited June 18, 2023), does not contain this common footer.

equity and compliance issues. As noted above, while the AVP of OEC has been in his position since July 2019, the two most senior personnel under the AVP have joined in the last six months. Despite the OEC Director/Deputy Title IX Coordinator being new to Northridge and to the Title IX field, we understand that she oversees or performs many of the day-to-day functions of the office. We learned that this is due, in part, to other significant responsibilities in the AVP's portfolio, including EEO training for hiring panels and investigations within Athletics. We also learned that student assistants are fielding phone calls from reporting parties and inputting data into i-Sight — practices we recommend discontinuing due to the paramount importance of sensitivity and privacy. Because OEC is in a period of development and has new staff taking on significant leadership roles, we recommend more proactive oversight of OEC to help the AVP identify short- and long-term priorities, internally align roles and responsibilities, develop and strengthen documentation and recordkeeping practices, update informational materials and web resources, formalize information-sharing through a multidisciplinary team, and ensure sufficient resourcing to sustain the office's functioning. We did not identify any concerns with respect to conflicts of interest inherent in the Title IX Coordinator's position.

In terms of resources, the Title IX and DHR functions struggle in much the same way as other offices across the system. While OEC currently has more employees than most other CSU Title IX/DHR offices — five in total, consisting of the AVP, Director, Deputy Director, Senior Investigator; and a Program and Case Coordinator, plus another investigator to be added — the OEC team reported, and we observed that staffing was insufficient to meet the needs of the university. OEC reportedly addresses between 9 and 15 cases per week, has addressed approximately 24 investigations between March 2022 and the present, and was preparing to send notices of investigation in approximately 5 more cases as of June 2023. OEC currently lacks dedicated resources to address awareness, training, and education for the university. Because OEC's resources are largely focused on addressing individual reports, proactive education and community engagement have necessarily decreased.

In terms of training, we observed that the Title IX Coordinator/DHR Administrator has fluency with respect to Title IX and DHR issues. Materials used to train the OEC team are posted [on OEC's website](#), under an expandable menu labeled, "Title IX training for Equity and Diversity Personnel."

B. Notice of Nondiscrimination

The Title IX regulations require that institutions publish a non-discrimination statement.²⁶ The statement must notify applicants for admission and employment, students, parents or legal guardians of elementary and secondary school students, employees, and unions that:

1. The institution does not discriminate on the basis of sex in its education programs and activities, and that it is required by Title IX not to discriminate in such a manner;²⁷
2. The institution does not discriminate with respect to admissions or employment, and;
3. Inquiries about the policy may be referred to the Title IX Coordinator, the Assistant Secretary for Civil Rights in the U.S. Department of Education's Office for Civil Rights, or both.

Along with these notification requirements, institutions must display contact information for the Title IX coordinator on their respective websites, and in each handbook or catalog that it makes available to all stakeholders listed above.²⁸

Northridge has a [Notice of Nondiscrimination on the Basis of Gender or Sex](#), which, consistent with the Title IX regulations, states that the university does not discriminate on the basis of gender, which includes sex and gender identity or expression, or sexual orientation in its education programs or activities. According to the Notice, the prohibition against discrimination on the basis of gender or sexual orientation includes sexual harassment, sexual misconduct, and "gender-based dating and domestic violence," and stalking. The Notice provides the required contact information for the Title IX Coordinator and OCR.

As noted above, with the exception of the Athletics website, all Northridge websites we reviewed have a common footer with a link labeled "Title IX." This link opens the Title IX webpage which, in turn, links to the Notice of Nondiscrimination. While there is currently no direct link to the Notice of Nondiscrimination on university sites, there is a consistent link to the Title IX webpage in the common footer on all pages.

The current Notice of Non-Discrimination on the Basis of Gender or Sex does not contain any broader language addressing the university's nondiscrimination on the basis of other protected statuses. Such a

²⁶34 C.F.R. § 106.8(b)

²⁷ *Id.*

²⁸ 34 C.F.R. § 106.8(b)(2).

Notice, while not a requirement of Title IX, would be consistent with the purpose of Title VI and Title VII of the Civil Rights Act of 1964, Title II of the Americans with Disabilities Act of 1990, the Age Discrimination Act of 1975, and other relevant federal and state laws prohibiting protected status discrimination, harassment, and retaliation.

There is a separate [Notice of Nondiscrimination](#) in the university's online catalog which addresses nondiscrimination on the basis of age, genetic information, marital status, medical condition, nationality, race or ethnicity (including color, caste, or ancestry), religion or religious creed, veteran or military status, and disability, along with gender (or sex), gender identity (including nonbinary and transgender), gender expression, and sexual orientation. This broader Notice of Nondiscrimination does not appear to be linked to any other university websites or referenced on OEC's website, even though OEC is the office that administers the policy and process related to discrimination or harassment on the basis of all protected statuses. We recommend that the university search its web resources for all nondiscrimination notices and statements, and that the university unify these resources under an omnibus notice.

C. Grievance Procedures

Finally, the Title IX regulations require educational institutions to “adopt and publish grievance procedures that provide for the prompt and equitable resolution of student and employee complaints alleging any action that would be prohibited [as sex discrimination under Title IX] and a grievance process that complies with [34 C.F.R. § 106.45] for formal complaints”²⁹ The regulations further require educational institutions to provide notice of the grievance procedures and process, including how to report or file a complaint of sex discrimination, how to report or file a formal complaint of sexual harassment, and how the institution will respond to such a report or complaint.³⁰

CSU's Chancellor's Office maintains the [CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, and Retaliation \(Nondiscrimination Policy\)](#). Consistent with its obligations under Title IX and other federal and state laws prohibiting protected status discrimination, harassment, and retaliation, this document sets forth the grievance procedures and process for resolving reports of sex discrimination, as well as other protected

²⁹ 34 C.F.R. § 106.8(c).

³⁰ *Id.*

status prohibited conduct. Pursuant to the Nondiscrimination Policy, there are three separate tracks for formal resolution of complaints. Specifically, “Track One” applies to reports of sexual harassment that fall within the federal mandated hearing process required under the 2020 Title IX regulations; “Track Two” applies to reports of sexual misconduct, dating violence, or domestic violence against a student where credibility is an issue, that fall within the mandated hearing process articulated in California case law; and “Track Three” applies to all other reports that allege a violation of the Nondiscrimination Policy.

This Nondiscrimination Policy, which applies to all 23 CSU universities, is an omnibus policy document that maps the complex and overlapping procedural requirements mandated by several federal and state frameworks, including the federal Title IX regulations, California state law relating to sex discrimination and sexual harassment in higher education, California case law relating to due process, and other federal and state laws relating to discrimination based on other protected statuses. Although the Nondiscrimination Policy is consistent with the legal requirements of Title IX and the related federal framework for discrimination and harassment on the basis of protected statuses, Title IX/DHR professionals and university constituents from every university consistently expressed to Cozen O'Connor that the Nondiscrimination Policy was impenetrable in practice; that it was dense, lengthy, and difficult to navigate; and, that it bred confusion. We heard a strong desire for the Chancellor’s Office to simplify its procedures, and were optimistic that the forthcoming amendments to the federal Title IX regulations, expected to be released by the U.S. Department of Education in the fall of 2023, would provide the impetus for the Chancellor’s Office to do so.

The CSU’s prohibition against certain consensual relationships is embedded within the Nondiscrimination Policy.³¹ We learned that at many of the CSU universities, the prohibition is not adequately communicated to the campus community, limited or no training is offered on the prohibition, and the prohibition is not enforced. Given the significant overlap of the prohibited relationship policy with Title IX, and DHR and *other conduct of concern*, attention should be given to the training and enforcement of this prohibition. We recommend that training on this section of the policy be incorporated into required training and education. On many campuses, this was an issue of significant concern for faculty and staff.

³¹ Under Article II, Section F of the [Nondiscrimination Policy](#), a “Prohibited Consensual Relationship” is defined as “a consensual sexual or romantic relationship between an Employee and any Student or Employee over whom they exercise direct or otherwise significant academic, administrative, supervisory, evaluative, counseling, or extracurricular authority.”

VI. Campus Coordination

We heard positive feedback regarding open lines of communication between OEC and key partners including Human Resources, Faculty Affairs, Student Housing and Residential Life, Student Conduct, and University Police; however, this communication generally occurs in an organic fashion, on an as-needed basis. There is no formal multidisciplinary team in place that meets on a regular basis to discuss all new student, staff, and/or faculty OEC cases. We observed a willingness from OEC and other partner offices to institute such a routinized and structured meeting. These partner offices are described more fully below.

Similarly, in terms of recordkeeping and data management across offices, multiple individuals commented that the ability to locate and share information across departments has been hindered by a lack of established processes and the lack of a unified recordkeeping system; and, as a result, institutional knowledge has been lost with the turnover of employees. As noted above, OEC has experienced turnover in staff and has relied on a case management system called i-Sight, whereas other partner offices including Student Conduct, Student Housing and Residential Life, Fraternity and Sorority Life, use a case management system called Maxient. We learned that faculty personnel files were maintained in various locations at the department and college level and are not easily or uniformly searchable. Collectively, these inconsistent and decentralized recordkeeping practices make it difficult to reliably query information and leave the university reliant on the individual knowledge of longtime employees or the capacity of employees to manually search records systems.

A. University Police Department

The [Northridge Department of Police Services](#) (DPS) is divided into three units: Police Services Administration/Administrative Services, Police Operations, and Parking and Transportation Services. Police Operations is further subdivided into day and night watch patrol units, K-9 unit, Motors, the Housing Community Policing Unit, Investigations Unit, Dispatch Unit, Professional Standards and Training and Accreditation Program. DPS provides police services 24 hours a day. The Chief of Police reports to the VP of Administration & Finance.

The Patrol Unit consists of 28 sworn Officers, 6 Dispatchers and 10 Community Service Specialists. DPS Patrol Officers generally work in 12-hour shifts, providing continuous patrol of the university and surrounding community 24 hours a day, seven days a week. Uniformed police patrol the area in police cars, motorcycles, T3 electric vehicles, bicycles, and on foot.

DPS investigates reports of sexual or gender-based violence that are reported to have occurred on campus. Responding officers are trained to provide complainants information related to medical care and survivor advocate resources.

DPS coordinates the university's [Threat Assessment](#) function, in coordination with the Student Behavioral Intervention Team, if the matter involves a student. DPS also provides resources to individuals who have experienced sexual assault or violence. DPS has a section of their website dedicated to [Sexual Violence and Rape Prevention](#), which includes information about prevalence, prevention and awareness information, and on- and off-campus resources; however, we noted that some of the resources are outdated.³² We recommend that DPS review all of its online resources to ensure that they are up to date.

Police are responsible employees and share reports with OEC; however, consistent with California Penal Code 293, DPS will honor a complainant's wish to maintain confidentiality and not include the complainant's name in the information shared with the Title IX Coordinator.

DPS works with the Clery Coordinator to assess whether a timely warning should be issued to the university community. DPS is the primary entity responsible for assessing whether to issue emergency notifications to the university.

B. Student Conduct and Ethical Development

Northridge's Office of Student Conduct and Ethical Development (SCED) is part of the [Division of Student Affairs](#). SCED oversees the student conduct process, including addressing potential violations of the [Student Conduct Code](#). SCED addresses a variety of incidents that may include behavioral misconduct, academic dishonesty, and concerning student behavior. Incidents of student misconduct may include issues with alcohol, drugs, theft, weapons, violence, harassment, sexual misconduct, hazing, or other violations that are not academic in nature and do not rise to the level of a Title IX or DHR violation. The Office refers matters that relate to Title IX/DHR to OEC, and OEC refers student matters that don't rise to the level of a potential Title IX/DHR violation to SCED.

³² For example, several of the links list the Title IX Coordinator as Susan Hua. Ms. Hua has not worked at Northridge since 2018. The website also refers to the superseded Executive Orders rather than to the Nondiscrimination Policy.

In cases alleging sexual harassment, sexual assault, dating violence, domestic violence, and stalking against a student respondent, the Title IX Hearing Officer is responsible for determining whether the respondent has violated the Nondiscrimination Policy. If there is a finding of responsibility, the Director of SCED determines the appropriate sanction.

The SCED Office is led by the Assistant Dean of Students & Director of SCED, who has been in her role since December 2018. The Assistant Dean reports to the Vice President for Student Affairs. The SCED Office consists of the Director, a Care and Conduct Coordinator, a Student Conduct Officer who focuses on Academic Dishonesty, and an Administrative Assistant.

C. Academic Affairs/Faculty Affairs

[The Division of Academic Affairs](#) is one of the largest divisions within the university and is under the leadership of the Provost and Vice President for Academic Affairs. The Division is organized into colleges, with over fifty discipline-related departments, the University Library, academic support units, and central academic administrative offices. The Division also encompasses eight central academic administrative offices: Academic Resources and Planning, Educational Opportunity Program (EOP), Faculty Affairs, Graduate Studies, Institutional Research, Research and Sponsored Programs, Student Success, and Undergraduate Studies.

[Faculty Affairs](#), within the Division of Academic Affairs, consists of the Associate Vice President for Faculty Affairs, the Director for Faculty Affairs, five Academic Personnel Analysts, a Confidential Office Support person, and three Student Assistants. The office of Faculty Affairs implements the Unit 3 Faculty Collective Bargaining Agreement and manages various personnel processes including tenure, promotion, faculty grievances, and arbitration. Faculty Affairs also supports implementation of the Unit 11 Academic Student Employee Collective Bargaining Agreement.

As is the case at many CSU institutions, faculty records are not maintained in a central location and are not easily searched. Faculty records are primarily kept in three places: Human Resources, Faculty Affairs, and either the relevant Dean's Office (for tenure track faculty) or the relevant department (for lecturers). Human Resources maintains an electronic personnel file for each faculty member (and every Northridge employee). HR's records are maintained in a searchable records management system. Faculty Affairs maintains grievance files in a shared drive, but those files are generally catalogued under the grievant's name. This cataloguing system makes Faculty Affairs records difficult to search. Other records related to

faculty members may be maintained in the relevant Dean's Office (for tenured and tenure-track faculty) or in a faculty member's department (for lecturers). Those records are not kept in a records management system or otherwise centrally searchable.

University partners and Title IX/DHR professionals reported a collaborative working relationship between Faculty Affairs and OEC.

D. Human Resources

[Human Resources \(HR\)](#) is led by an Associate Vice President for Human Resources. HR oversees Benefits, Payroll, Retirement, Employee Enrichment, Professional and Personal Development, and Employee Relations. This entails ensuring compliance with the Collective Bargaining Agreements, providing training and information to the administration to prevent and resolve grievances, and in some cases investigating complaints of discrimination and harassment. The HR website contains a link to contact OEC. The Employee and Labor Relations function is led by the Director of Employee Relations and the Manager of Employee Relations, both of whom report up to the Associate Vice President for Human Resources, who reports to the Vice President of Administration and Finance and Chief Financial Officer, who reports to the President.

In accordance with the current Collective Bargaining Agreement (CBA) between the California Faculty Association (CFA) and the CSU, when OEC is investigating conduct that could be discrimination or harassment on the basis of a protected status, all CBA-related grievance procedures are held in abeyance until the Title IX or DHR investigation is fully completed.³³

E. Student Housing and Residential Life

[Student Housing and Residential Life](#) at Northridge oversees Northridge's 21 residence halls and consists of approximately 45 full-time employees (not including the 73 student Resident Assistants). The full-time staff includes an Executive Director, three Associate Directors, two Assistant Directors, three Coordinators, three Community Directors, seven Assistant Community Directors, Interpreters, Graduate Assistants, Clerks, Analysts and other positions. Student Housing and Residential Life staff are trained to report all known information about potential sexual assault, sexual harassment, dating violence, domestic

³³ Collective Bargaining Agreement Between CFA and the Board of Trustees of CSU; Unit 3: Faculty; Article 10.7

violence, stalking, and protected status discrimination or harassment via Maxient in real time. If a student Resident Assistant (RA) receives a report of potential Title IX or DHR conduct, they are trained to report to their supervisor who helps them get the report to OEC. Reports of conduct that do not implicate the Nondiscrimination Policy but represent other potential policy violations are generally routed to SCED and/or addressed within Residential Life.

F. Clery Act Responsibilities

At Northridge, the Risk Manager within the Office of Insurance and Risk Management serves as the university's Clery Coordinator. For Clery Compliance functions, the Risk Manager/Clery Coordinator reports to the Vice President for Administration and Finance and Chief Financial Officer. The Northridge [Clery Compliance website](#) contains information about identification of campus security authorities (CSAs), Clery reporting obligations, and links to the daily crime log (maintained by DPS), the most recent [Annual Security Report](#) and Annual Fire Safety Report (required under Clery and the Higher Education Act Fire Safety Regulations, respectively), and the Annual Campus Safety Plan and Systemwide Hate Incidents Report (as required by the California Education Code).

VII. Campus Resources for Students and Employees

The care side of campus resources is critically important to the effective functioning of Title IX and DHR programs. Northridge provides the following resources dedicated to supporting student and employee well-being

A. Campus Care Advocates³⁴

Northridge is home to StrengthUnited, which is a university-chartered child and family advocacy center within the College of Education. According to their [website](#): "Through a groundbreaking multidisciplinary approach, StrengthUnited serves thousands of children and adults annually, free of charge. We provide 24/7 confidential support and response and help survivors of violence and abuse navigate the often-confusing array of different jurisdictions, departments, and service providers. StrengthUnited brings service partners including law enforcement, medical professionals, counselors, legal aid, and more

³⁴ The Confidential Advocate role is defined in Attachment C of the Nondiscrimination Policy and discussed in the Systemwide Report.

together in one location, creating an experience that favors the needs of the survivor....” StrengthUnited houses two Campus Care Advocates who serve students, faculty, and staff.

The StrengthUnited [Campus Care Advocate website](#) contains the following description of services offered:

The Campus Care Advocates are a confidential resource on campus for students, faculty, and staff who wish to discuss any matters related to sexual violence, relationship abuse, domestic violence, gender-based harassment, and stalking. The campus care advocates can provide emergency and ongoing support services for victims/survivors, including crisis support; advocacy and accompaniments to medical, legal, law enforcement, and Title IX proceedings; counseling; assistance with campus accommodations; and referrals to community resources. The care advocates can be reached virtually on a confidential line 818-677-7492, and by email Careadvocates@csun.edu. All services are virtual until further notice. Once offices re-open they can be found in Room 201 of the Klotz Student Health Center on the CSUN campus.

There are currently two Campus Care Advocate positions through StrengthUnited. One of the Campus Care Advocates has been in her role for about two years. Because of the structure of the program and the salary range for the positions, however, the role generally turns over after the Campus Care Advocate earns their Master of Social Work (MSW) degree and enters the job market where their earning power is higher. StrengthUnited reflected that, at other universities in the CSU system, Campus Care Advocates may not be expected to have an MSW or to be in training for their MSW; however, StrengthUnited believes an MSW-trainee or higher is best positioned to serve the Northridge community. The Campus Care Advocates are supervised through StrengthUnited. The supervisor reflected that there is great need for clinical supervision of the Campus Care Advocates, particularly given the high rate of turnover. An individual shared their perspective that, “[StrengthUnited and the Campus Care Advocates] are meeting the actual need, but that’s because people give so much of themselves.” In other words, the current model, while functional, may not be the optimal long-term model to serve the university community. The roles are grant-funded with a renewable 3-year competitive grant. StrengthUnited applies for its own grants and raises its own money, independent of Northridge. While the university provides funding and space for StrengthUnited, the financial structure allows StrengthUnited a measure of independence from Northridge.

The Campus Care Advocates are housed at the Student Health Center, which is an accessible yet private location. The Advocates serve students, faculty, and staff. Campus Care Advocates are available to participate as support persons for complainants in OEC processes, but they do not conduct cross-examination at live hearings. If a complainant is seeking an advisor to conduct cross-examination, the Care Advocates make referrals to free legal services in the community.

The Campus Care Advocate website provides information about how to schedule an appointment via email or phone.

B. Respondent Support

Like most other CSU universities, Northridge does not have any dedicated resources uniquely for respondents, such as a dedicated support person for respondents or a respondent advisor program. In the event a Title IX case proceeds to a hearing, the Chancellor's Office provides a hearing advisor to respondents if they do not already have their own advisor, as required by the federal Title IX regulations. While there is no requirement to have a respondent support person or advisor, we recommend that Northridge identify a dedicated resource to address the unique needs of respondents in the grievance process.

C. Counseling Services

[CSU Northridge University Counseling Services \(UCS\)](#) provides a range of mental health services including initial evaluations, short-term counseling and psychotherapy, Wellness Workshops, group treatment, psychiatric services, crisis/urgent care services, and case management. UCS relies on a short-term counseling model for individual therapy and makes referrals to other university and community resources as needed. UCS has a robust [group counseling program](#) with no limitation on the number of group sessions a person may attend. Currently, UCS has three administrators, approximately 24 counselors, three psychology interns, two social work interns, two half-time psychiatrists and six psychiatry residents. In or around 2020, UCS was granted funding to add seven new positions. In recent years, UCS has greatly diversified its staff to better reflect the population it serves. In a given academic year, UCS works with approximately 6% of the student population.

UCS also hosts a peer education program with approximately 100 peer educators in the following areas: The Blues Project (addresses depression and suicide prevention), JADE (addresses body image and

disordered eating), and Project D.A.T.E. (in coordination with StrengthUnited, addresses sexual violence prevention).

UCS is open during regular business hours (Monday through Friday, 8 am to 5 pm) in Bayramian Hall. As of the time of our visit, UCS was offering both virtual and in-person services for individuals.

In addition to Counseling services, the UCS website directs users to immediate crisis/urgent care services which are always available by phone. The website also includes a “Get Help” button which takes users to an [Urgent Care](#) webpage.

D. Student Health Services

[The Klotz Student Health Center](#) provides [clinical services](#) to address student health needs and questions. In-person and telehealth services include primary medical care, dental, vision, immunizations, laboratory and x-ray services, and a pharmacy. The Health Center also offers [specialty services](#) such as gynecological care, chiropractic care, acupuncture, nutrition counseling, sports medicine, wellness coaching, and physical therapy.

The Health Center has a written sensitive examinations policy, based on the American College Health Association [white paper](#) published in October 2019. The Student Health Center’s sensitive examinations policy has been in place for more than two years.

The Student Health Center also hosts a [Health Promotion & Wellness](#) program. Health Promotion & Wellness oversees a variety of programs and initiatives, peer education programs, and the administration of the National College Health Assessment. [Additional Resources for Students](#)

Students also have access to off-campus resources including those listed in the [Student Resources and Reporting Options pamphlet](#) the OEC website.³⁵

CSUN with a Heart is a website that provides information about various resources regarding the basic needs of Northridge students, including food, housing, clothing, personal hygiene, mental and physical health, financial opportunities, and supportive communities. Northridge administers a Food Pantry and

³⁵ We recommend that OEC review this pamphlet to ensure that all contact information is up to date and to adjust the definitions of prohibited conduct to align with those in the Nondiscrimination Policy.

assists students in enrolling in CalFresh, which provides monthly cash supplements to individuals facing food insecurity. Northridge also hosts a college-focused rapid rehousing program in partnership with Jovenes, which offers temporary and long-term housing and support services to students experiencing homelessness and housing instability. Northridge offers assistance with emergency housing, housing navigation support, and connections to various community based resources. A complete list of services at Northridge is available on the [CSUN with a Heart](#) website.

Northridge's Student Behavioral Intervention Team (SBIT or BIT) is a multidisciplinary team that works proactively to identify, assess, and offer coordinated institutional responses to Northridge students whose behavior poses a risk to themselves, others, or the university community. The team has representation from DPS, the Dean of Students Office, University Counseling Services, and OEC.

Northridge is home to various identity-based resource centers and cultural houses that support the student experience at the university. Currently, Northridge operates four resource centers, including: DREAM Center, Pride Center, Veterans Resource Center and the Women's Research & Resource Center. The university also operates cultural houses connected to the ethnic studies department and academic colleges: The Black House, Chicano House, Glenn Omatsu House and La Casita. These various resource centers and houses have diverse reporting, staffing and funding structures that support their operations.

E. Additional Resources for Employees

Northridge faculty and staff have access to resources through the Campus Care Advocates, the Department of Police Services, and OEC. Many collective bargaining units also offer resources, support, and accompaniment to members navigating Title IX or DHR processes.

Additionally, employees have access to an [Employee Assistance Program](#) (EAP) through LifeMatters. The EAP provides free and confidential services to employees, including telephone and face-to-face counseling for stress, depression, personal problems, balancing work and personal needs, family and relationship issues, alcohol or drug dependency, workplace conflicts, and other concerns.

VIII. Prevention, Education, Professional Development, Training and Awareness³⁶

Under the Nondiscrimination Policy, the Title IX Coordinator is responsible for “coordinating training, education, and preventive measures,” which may be delegated to a Deputy Title IX Coordinator.³⁷ Even if responsibilities are shared with a Confidential Advocate, the Title IX Coordinator “remains primarily responsible for all campus-based prevention and awareness activities.”³⁸ The Nondiscrimination Policy further provides: Confidential Advocates may serve on campus-based task force committees/teams to provide general advice and consulting, participate in prevention and awareness activities and programs, and play an active role in assisting, coordinating, and collaborating with the Title IX Coordinator in developing and providing campus-wide awareness and outreach activities, possibly including prevention activities.³⁹

This level of coordination and oversight is not occurring at Northridge, nor at most universities across the system.

A. Students

Under the Nondiscrimination Policy, all Northridge students are required to take online Title IX online training including *Sexual Violence Prevention for New Undergraduate Students*, *Sexual Violence Prevention for New Graduate Students*, and *Bystander Intervention* for returning undergraduate and graduate students every academic year. Failure to complete the training by the deadline will result in a registration hold on the student’s account.

In addition to online training, Northridge has joined the [Its On Us](#) a national campaign to raise awareness of sexual violence and bystander intervention options and to encourage students to stand against sexual and gender-based harassment and violence. Northridge student-athletes created a [video](#) with

³⁶ The legal and regulatory framework, which sets forth requirements under federal and state law, is outlined in Section VII.B.2. of the Systemwide Report, Legal Framework re: Prevention and Education.

³⁷ See Attachment B: Campus Title IX Coordinators Role and Responsibilities.

³⁸ See Attachment C: Confidential Sexual Assault Victim's Advocates.

³⁹ *Id.* Under Attachment C, all awareness outreach activities must “comply and be consistent with University policies” and the Advocate is required to “partner and collaborate with the Title IX Coordinator to ensure the activities comply with CSU policy and are consistent with campus-based practices.”

information about the Its On Us campaign. OEC hosts a website for [Its On Us](#) with information about on- and off-campus resources and reporting options.

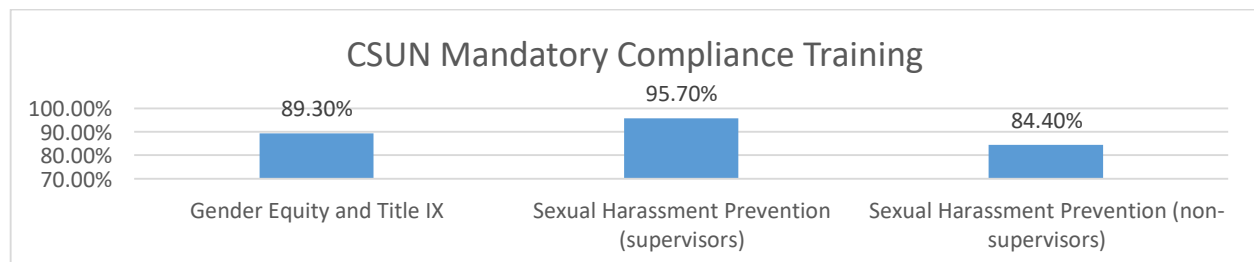
Northridge's [Health Promotions & Wellness](#) program hosts Safe Spring Break and Sex Week (in collaboration with the Pride Center) and hosts modules through eCHECKUP TO GO for students online. The Sexual Violence Prevention module through eCHECKUP TO GO is reportedly used by Athletics and Housing and Residential Life.

Northridge also provides prevention programming for students through peer educator programs including Project D.A.T.E., which is a collaboration between University Counseling Services and StrengthUnited, and is designed to build awareness about sexual violence prevention.

B. Employees

Like all CSU institutions, and consistent with California state law, CSU policy requires all CSU employees to complete the online *CSU Sexual Misconduct Prevention Program Training*, also known as *Gender Equity and Title IX*, on an annual basis (for at least 60 minutes). In addition to this annual requirement for all CSU employees, supervisors and non-supervisors are required to participate in a CSU's *Discrimination Harassment Prevention Program* every two years (for at least 120 minutes).

The systemwide Learning and Development Office in the Chancellor's Office hosts these online modules, which are provided by an external vendor, on its systemwide employee learning management system. The Learning and Development Office tracks employee completion of these required programs. The below chart, provided by the Chancellor's Office, shows the completion percentage for each university in the CSU system for the 2022 calendar year:⁴⁰



⁴⁰ These percentages have been validated by each campus. Please note employees designated by their campus as "on leave" were removed from these final percentages.

Other than the online modules, there is no other regular prevention programming for employees at Northridge. As at other CSU universities, we also noted the need for expanded professional development and training opportunities for faculty and staff.

C. Coordination

As described above, beyond the online modules, prevention work is a collaborative effort at Northridge. Because there is no single university office or person responsible for development and delivery of programming, the effort is distributed across an informal group of partners including OEC, StrengthUnited, Health Promotion & Wellness, and peer educators in programs run by University Counseling Services. In interviews as part of this assessment, we learned that there had been a more formalized Sexual Violence Prevention Committee prior to 2020, but that the committee had gone dormant after the former Title IX Coordinator left the university, and during the COVID-19 pandemic, the committee paused and never resumed its meetings. The current partners who are informally involved in prevention and education consistently described the need for more formal structures, including the reestablishment of the Prevention and Education Oversight Committee and a dedicated Prevention Coordinator with sufficient resources and support to develop and deliver tailored programming across university constituencies. We make that recommendation below.

IX. Other Conduct of Concern

We use the term *other conduct of concern* to refer to conduct that may not rise to the level of protected status discrimination or harassment, but may nonetheless violate other university policies or be disruptive to the learning, living, or working environment. This includes, for example:

- Conduct on the basis of protected status that does not rise to the threshold of a potential policy violation because it is not severe, persistent, or pervasive
- Conduct not based on protected status, but that may implicate other policies (e.g., professionalism)
- Conduct that may not be subject to discipline because of free speech or academic freedom principles.

Currently, OEC reviews all reports of conduct that may violate the Nondiscrimination Policy to assess whether or not it should be addressed through their office or if it should be referred to a partner office. If the conduct is not alleged to be based on protected status — for example, if it is a complaint of unprofessionalism, inappropriate supervisory practices, or mistreatment directed at others regardless of

identity — then the conduct may be referred to the supervisory/disciplinary unit for the respondent based on their status as student, faculty, or staff. Reports of *other conduct of concern* involving student respondents are referred to Student Conduct or, if they occur in the Residence Hall, to Student Housing and Residential Life. Reports of *other conduct of concern* involving faculty or staff are referred to Faculty Affairs or Human Resources, the individual's supervisor, and/or the dean or department chair for faculty. When referrals to other offices are made, OEC sends a Final Statement of Concern to the complainant. The Final Statement of Concern describes the steps that OEC took to evaluate the concern and provides information about next steps. As noted above, this is a practice we recommend OEC continue, and one that we have recommended to other CSU universities.

Other than the definitions in the Nondiscrimination Policy, there are currently no written criteria to guide OEC in evaluating whether conduct constitutes discrimination or harassment on the basis of protected status. This gap is explored more thoroughly in the Systemwide Report. If the conduct is because of a person's protected status, but, upon further evaluation through an investigation, is found not to be sufficiently severe, pervasive, and objectively offensive such that it constituted Sexual Harassment (the Title IX regulatory definition used in Track One cases) or found not to be sufficiently severe or pervasive such that it constituted Harassment; and/or not sufficiently severe, persistent, or pervasive such that it constituted Sexual Harassment (the broader definitions used in Track Three cases), then there is no consistent established process at Northridge for an institutional response. Again, while OEC may refer the matter to another supervisory unit and/or issue a report to the parties that explains the findings, there is no structure to support a coordinated evaluation of next steps, follow-up by OEC or others, or documentation of steps ultimately taken at the university.

In stakeholder interviews and survey responses, many individuals highlighted the need for university-wide tools and processes to address harmful conduct that did not constitute a Nondiscrimination Policy violation. We heard that the tools at the disposal of university offices were inadequate, and communication left something to be desired. Individuals shared that they reported *other conduct of concern* to OEC, but were told there was nothing OEC could do. We commend OEC for its practice of issuing a Formal Statement of Concern letter for cases that do not move forward to a formal investigation, and for taking the time to engage in difficult discussions and learning dialogue, but recognize that some of this significant investment in time is related to concerns that are likely outside of OEC's scope and jurisdiction — hence, the need for a more formalized and coordinated process. Our recommendation is to build upon the current practice by developing additional tools to address *other conduct of concern* that

does not implicate the Nondiscrimination Policy. As discussed more fully below, we recommend implementing a structure to evaluate reports, identify appropriate resolution pathways, and provide impacted parties and university administrators with options through use of a suite of tools and services designed to address *other conduct of concern*.

X. Recommendations

In the Systemwide Report, we provide detailed recommendations for enhanced Chancellor's Office oversight and coordination of university Title IX and DHR programs. The Systemwide Report also highlights the need for collaboration between Chancellor's Office personnel and university-level Title IX and DHR professionals to ensure accountability for the effective implementation of informed and consistent frameworks. These recommendations must be read together with the recommendations set forth in the Systemwide Report.

Unless otherwise specified, the below recommendations are directed toward the university as a whole. We recommend that the Title IX Coordinator/DHR Administrator and the Campus Implementation Team work with the Chancellor's Office to map and calendar an implementation plan.

A. Infrastructure and Resources

We offer the following recommendations to address infrastructure challenges at the campus level:

1. Work with the Chancellor's Office to develop a project plan for addressing gaps and implementing recommendations
2. Share existing budget line information with the Chancellor's Office, including historic and anticipated annual fees for external investigators, hearing officers, and other Title IX/DHR related resources, as well as budget line information related to the confidential campus advocates, prevention and education specialists, and respondent resources (recognizing that these resources are typically outside of the Title IX/DHR budget)
3. Map functions within the Title IX/DHR program to ensure sufficient personnel to cover all core functions, including: intake and outreach, case management, investigations and hearings, informal resolution, sanctions and remedies, prevention and education, training, data entry and analysis, administrative tasks, and additional resources to support legally-compliant, effective Title IX/DHR programs, as well as the essential care side of campus responses
 - 3.1. Consider realignment of personnel to establish a dedicated intake, outreach, and supportive measures position (separate from the investigatory positions)

4. Based on benchmarking and recommendations from the Chancellor's Office, identify recurring baseline (or line item) funding (both source and amount) for the Title IX/DHR program
5. Work with the Chancellor's Office to implement an enterprise-level case management system and develop protocols for consistent collection and retention of data
6. Ensure an adequate supervisory model that includes a routine cadence of supervisory meetings, guidance about how to ensure effective oversight and accountability measures, an appropriate level of detail for review, development, integration and tracking of decision-making frameworks, and balancing implementers' independence and autonomy with the need to identify and elevate critical issues and concerns about safety/risk
 - 6.1. Consider shifting the reporting line to a university administrator whose portfolio is more narrowly focused on equity and compliance issues. This administrator must be able to provide strong guidance to OEC to work with the Assistant Vice President of OEC to identify short- and long-term priorities, internally align roles and responsibilities, develop and strengthen documentation and recordkeeping practices, update informational materials and web resources, formalize information-sharing through a multidisciplinary team, and ensure sufficient resourcing to sustain the office's functioning
7. Commit to the consistent investment in professional development and continuous learning for Title IX and DHR professionals and senior leaders who oversee the Title IX/DHR program (CLEs, conferences, system training, etc.)
8. Identify a sustainable model to provide respondent support services.

B. Strengthening Internal Protocols

We offer the following recommendations to promote accountability and strengthen internal protocols within the Title IX/DHR program:

1. Coordinate with the Regional Director, Systemwide Title IX/Civil Rights Division, and subject matter experts to:
 - 1.1. Map the case resolution process from reporting and intake through to investigation and resolution process
 - 1.1.1. Compare the current process against standard practices and identify any concerns related to timeliness, conflicts, gaps in communication, or gaps in consistent process
 - 1.1.2. Identify, map, and reconcile intersections with faculty/staff grievance and disciplinary processes
 - 1.2. Develop robust intake, outreach, and case management protocols for supportive measures and resources

- 1.2.1. Develop internal protocols and written tools (e.g., templates and checklists) for intake and outreach, oversight of supportive measures, and decision-making regarding emergency removal or administrative leave
- 1.2.2. Seek to hold an intake meeting with all individuals who make a report of conduct that would potentially violate the Nondiscrimination Policy
- 1.2.3. Develop protocols for notifying and coordinating with the confidential advocate at the intake meeting, if possible
- 1.2.4. Develop or update protocols for information sharing to ensure that the Title IX/DHR Office can fulfill its responsibility of documenting all supportive measures offered, requested, implemented, and if denied, the reasons for the denial
- 1.2.5. Create a feedback loop to acknowledge responsible employee reports and confirm receipt of the report and next steps
- 1.2.6. Establish standardized protocols for outreach to complainants that involve multiple modalities, systems to document outreach, and a protocol for how and when to make additional outreach in cases with non-responsive complainants, including the potential for outreach through a third-party or a responsible employee
- 1.3. Develop integrated, written processes for initial assessment designed to evaluate known facts and circumstances, assess and implement supportive measures, facilitate compliance with Title IX and Clery responsibilities, and identify the appropriate institutional response after triaging the available and relevant information; as part of the initial assessment, the Title IX Coordinator/DHR Administrator should:
 - 1.3.1. Take steps to respond to any immediate health or safety concerns raised by the report
 - 1.3.2. Assess the nature and circumstances of the report to determine whether the reported conduct raises a potential policy violation and the appropriate manner of resolution under the Nondiscrimination Policy
 - 1.3.3. Assess the nature and circumstances of the report, including whether it provides the names and/or any other information that identifies the complainant, the respondent, any witness and/or any other individual with knowledge of the reported incident
 - 1.3.4. Provide the complainant with both oral and written information about on- and off-campus resources (including confidential resources), supportive measures, the right to contact (or decline to contact) law enforcement or seek a civil protection order, the right to seek medical treatment, the importance of preservation of evidence, the right to be accompanied at any meeting by an advisor of choice, and an explanation of the procedural options available
 - 1.3.5. Refer the report to appropriate campus officials to assess the reported conduct and determine the need for a timely warning or other action under the Clery Act
 - 1.3.6. Assess the available information for any pattern of conduct by respondent

- 1.3.7. Discuss the complainant's expressed preference for manner of resolution and any barriers to proceeding (e.g., confidentiality concerns)
- 1.3.8. Explain the policy prohibiting retaliation and how to report acts of retaliation
- 1.3.9. Determine the age of the complainant, and if the complainant is a minor, make the appropriate report of suspected abuse consistent with state law
- 1.3.10. Evaluate other external reporting requirements under federal or state law or memoranda of understanding
- 1.3.11. Develop, and follow, a comprehensive written checklist/form to ensure that all required actions are taken under state and federal law
- 1.3.12. Develop checklist of factors to consider in determining whether to move forward without a complainant or whether informal resolution is appropriate and ensure sufficient documentation of the determination
- 1.3.13. Continue to provide a written statement of concern at the conclusion of the initial assessment to ensure that the complainant (and as appropriate, the respondent) have a clear understanding of the nature of the report and the proposed resolution path
- 1.4. Separate support/advocacy functions from investigation to avoid role confusion and ensure clear demarcation between the individuals who provide supportive measures to a complainant, respondent or other individual in need of assistance, and the investigator
- 1.5. Strengthen campus collaboration and information-sharing through a multidisciplinary team (MDT) model
 - 1.5.1. The Title IX Coordinator/DHR Administrator, in conjunction with the Chancellor's Office, should identify essential university partners to serve on the MDT and set standards for meeting goals and sharing real time information. MDT members may include representatives from Student Affairs/Student Conduct, Faculty/Academic Affairs, Human Resources, UPD, Title IX Coordinator, DHR Administrator, Clery Coordinator, and University Counsel
 - 1.5.2. The MDT should meet regularly and at a minimum, weekly, to review all new reports
 - 1.5.3. The MDT should ensure that all known and available information about the parties and the reported incident is shared with TIX/DHR to inform TIX/DHR's initial assessment and any steps it determines to take in response (including information maintained outside of Title IX/DHR's recordkeeping systems and information that may only be known to another unit or individual)
 - 1.5.4. The Title IX Coordinator/DHR Administrator should follow a protocol for securely sharing parties' university ID numbers or names and basic information about the reported incident in advance of MDT meetings to enable all participants to query their records systems and bring forward any relevant information

- 1.5.5. The Title IX Coordinator/DHR Administrator should ensure that the MDT is trained to treat information confidentially, with sensitivity, and consistent with state and federal privacy laws
 - 1.5.6. The MDT should engage in consultation to inform decisions, including those about emergency removal, administrative leave, the reasonable availability of supportive measures, and questions about the scope of the university's education program or activity
 - 1.5.7. The MDT meetings should serve as natural opportunities for documenting the factors considered in reaching key decisions and documenting what information was known, when it was known, by whom it was known, and what impact it had on the Title IX Coordinator/DHR Administrator's analysis
 - 1.5.8. The MDT should facilitate the development of shared fluency and knowledge among key university partners related to the legal and regulatory requirements, policy frameworks, and considerations related to care and informed and equitable processes
- 1.6. Develop tools for consistent, informed, effective documentation and case management
 - 1.6.1. For quality control, develop a case opening and closing checklist to ensure that all relevant documents, correspondence, and information are captured and preserved electronically
 - 1.6.2. To the extent feasible, seek to maintain data in a usable and searchable electronic format for efficient decision making, analysis and review
 - 1.6.3. Migrate all historical DHR reports and Title IX reports into the enterprise-level case management system, if not already included
 - 1.6.4. Develop periodic reviews for quality assurance
 - 1.7. Oversee investigations for quality and consistency of prompt and equitable processes
 - 1.7.1. Establish a protocol to ensure the timeliness of investigations, with routine quality control mechanisms throughout investigation process
 - 1.7.2. Develop quality control processes for monitoring active investigations for thoroughness and timeliness and ensure timely communications to parties throughout the investigative process (e.g., calendar internal 30-day, 60-day and 90-day alerts to prompt the investigator or case manager to make outreach to the parties)
 - 1.7.3. Ensure each report has sufficient review by the Title IX Coordinator/DHR Administrator and University Counsel (for legal review of sufficiency and adherence to policy)
2. Continue to evaluate barriers to reporting and engagement at the university level, with aggregation of data and advice and guidance by the Chancellor's Office
 3. Review and revise tone, content, and format of reporting forms and other template communications

4. Review the current post-Title IX/DHR disciplinary processes for faculty and staff to ensure promptness, equity, and informed communication
 - 4.1. Ensure the Title IX Coordinator/DHR Administrator remains engaged in any disciplinary processes, including sanctions and appeals, until final
 - 4.2. Ensure that decisions about negotiated settlements are supported by a careful and coordinated review by all relevant campus and system level administrators
5. Develop and implement a process to routinely collect post-resolution feedback from the parties and all impacted individuals.

C. Communications

We offer the following recommendations to improve awareness of the Title IX/DHR Office, strengthen campus communications, and address the trust gap:

1. Ensure distribution of a clear and consistent communication plan each semester that includes, at a minimum:
 - 1.1. Dissemination of the Notice of Non-Discrimination
 - 1.2. Dissemination of the Nondiscrimination Policy
 - 1.3. Information about reporting and resources
2. Develop an intentional marketing campaign to raise awareness about the role of the Title IX/DHR program, available resources, and resolution options
 - 2.1. Prioritize the messages of care, supportive measures, and resources
 - 2.2. Differentiate and educate about the difference between confidential resources and reporting options
 - 2.3. Partner with campus communications professionals to create and promote effective marketing materials, including through the use of professional branding that can be used across platforms (print, web, social media, imprinted on giveaway products)
 - 2.4. Conform the OEC website to the newly developed branding
3. Improve the Title IX/DHR website and other external-facing communications
 - 3.1. Review and revise web content, across all relevant webpages, for clarity, accuracy, and accessibility
 - 3.2. Ensure that web content includes: photographs and contact information for Title IX/DHR staff, notice of non-discrimination, a link to the Nondiscrimination Policy, an overview of procedural and resolution options (with accessible graphics), how to make a report (to Title IX/DHR or UPD),

on and off campus confidential resources, the difference between confidentiality and privacy, supportive measures, employee reporting responsibilities, an FAQ, prevention and education programming

- 3.3. We recommend the following with respect to improving the OEC website and other external-facing communications:
 - 3.3.1. Map the current OEC website including all sub-pages and linked resources (PDFs, flowcharts)
 - 3.3.2. Streamline and update the website's [landing page](#). The current page refers to OEC both by its current name and by its former name, "Equity & Diversity." The banner at the top of the website provides information about the "It's on Us" campaign, which is an important resource but is unlikely to be the reason a person visits the website. Under the It's on Us banner, there are graphics that link to subpages about Diversity & Inclusion; Title IX; DHR; Disability Accommodations; Faculty Hiring; Accessibility & Technology; Campus Partners & Resources; and Training & Education. Some of those links are unhelpful (for example, the link labeled "Disability Accommodations" goes to the [ADA Reasonable Accommodations page in HR](#), which only serves employees; the link labeled "Training & Education" simply reloads the landing page; and the link labeled "Diversity & Inclusion" goes to a [site](#) with broken or missing links and outdated resources).
 - 3.3.3. Evaluate navigation of the website so that it is more intuitive and user-friendly. At present, information is not always included under self-explanatory headings/tabs. For instance, as noted above, online reporting forms can be found on the [DHR page](#), even though the reporting forms are designed to allow reports of Title IX conduct along with DHR conduct.
 - 3.3.4. Create online reporting tools to allow for individuals to make reports online
 - 3.3.5. Create an internal list of all places on the website (and in linked PDFs and documents) that share names and contact information for the Campus Care Advocates. Ensure that each of those places has updated information.
 - 3.3.6. Remove broken website links and update outdated information
 - 3.3.7. Create process flowcharts and visual aids to educate the university about the Nondiscrimination Policy, available resolution options, and procedural steps
 - 3.3.8. Consider a FAQ webpage on the OEC site that provides information about Responsible Employee reporting, availability of supportive measures, what happens after a Responsible Employee reports a matter to OEC, differences between a report and formal complaint, differences between formal and informal resolution, and so on. San José State University's Title IX and Gender Equity Office website contains a general [Frequently Asked Questions](#) page, information about [supportive measures](#), information for [Responsible Employees](#), and [tips for responding to a disclosure](#). We recommend that OEC review and consider adopting similar materials tailored to its community.

- 3.3.9. Ensure that the Athletics website links to the Notice of Nondiscrimination and that it provides a portal into OEC, as do all university-based websites
- 3.4. Gather, evaluate, and update all existing informational materials, web resources, posters/flyers, social media information, and other public-facing communications about the Title IX/DHR program to ensure that those materials:
 - 3.4.1. Reflect the current staffing and structure of the office, the current CSU Nondiscrimination Policy and resolution processes, and current information about on- and off-campus resources including confidential resources
 - 3.4.2. Are written in clear language, accessible (from both a disability perspective and a reading comprehension perspective), and consider strategic placement of newly developed print materials in areas frequented by students, staff, and faculty
- 3.5. Use standardized email addresses and/or materials that are able to be updated quickly (e.g., use of QR codes that point to dynamic webpages that can be updated; using, for example, "[TitleIX@\[name of university\].edu](mailto:TitleIX@[name of university].edu)," so that print materials do not become outdated if there is a personnel change, etc.)
4. Develop an expanded annual report with meaningful information/data
5. Develop standing committee of representative student, faculty and staff ambassadors to support and facilitate institutional efforts to more effectively communicate with campus constituents
6. Identify and prioritize opportunities for in-person engagement with Title IX/DHR staff (e.g., pop-up events, tabling at an information fair, open houses in various central locations, routine scheduled short presentations to key audiences, and/or sponsored or co-sponsored events)

D. Prevention, Education, Professional Development, Training and Awareness

We offer the following recommendations to promote legal compliance with the VAWA provisions of the Clery Act and consistent attention to prevention and education programming, training, professional development and awareness:

1. Allot sufficient budget lines to ensure consistent, baseline funding for personnel, legally-required programming, and technology/learning management systems
2. Proactively coordinate with system-level subject matter experts to assist with education, training, materials and communications related to complex and difficult issues facing all CSU institutions
3. Designate one individual with specific oversight of all university prevention and education planning and programming, preferably a full-time role without other job responsibilities
 - 3.1. This coordinator should be tasked with oversight of and responsibility for all legally-required programming under Title IX, the Clery Act, and California law

4. Convene a university-wide Prevention and Education Oversight Committee to coordinate and align programming across the university
 - 4.1. The Committee should include all departments who provide training, prevention and education, including, at a minimum, representatives from the Title IX/DHR program, the confidential advocate, student affairs, student health, counseling, DPS, athletics, fraternity and sorority life, residential life, human resources and employee labor relations, academic/faculty affairs, DEI professionals, identity-based affinity centers, university subject-matter experts, and staff, faculty, and student representatives
 - 4.2. The Committee should include subcommittees, as determined by the Committee. Subcommittees may focus on the needs of various constituencies (undergraduate students, graduate students, staff, administrators, and faculty) or the types of programming (compliance, professional development, prevention and education, bystander intervention, etc.)
 - 4.3. The Committee should be charged with reviewing prevention program content, evaluating proposed programming or speakers, ensuring that prevention-related communications are reaching all constituents, and developing and implementing a mechanism for assessing effectiveness including by monitoring participation levels and measuring learning outcomes
5. With assistance from the Chancellor's Office, develop a strategic plan for university programming that identifies all training requirements under federal and state law and CSU policy, all constituencies and constituent groups in need of training, and all potential university partners that can collaborate to deliver content
 - 5.1. Constituent groups subject to required training should include students (undergraduate and graduate); targeted student populations (athletes, fraternity and sorority life, residential students, residence life student staff, international students, student leaders); senior leadership; faculty (deans, department chairs, leads, lecturers); staff (managers, supervisors); and campus partners who assist in the implementation of Title IX/DHR
 - 5.2. Identify all university partners who provide programming, including affinity and identity-based centers and student affairs personnel
 - 5.3. Identify opportunities for virtual and in-person engagement
 - 5.4. Develop core principles and standards for content development
 - 5.5. Build a university calendar that includes online modules, social norm campaigns, orientation for students and employees, recurring opportunities for programming, and awareness events
6. Facilitate a consistent communication plan each semester that includes dissemination of the policy, notice of nondiscrimination, reporting options and resources
7. Ensure that programming is coordinated, communicated and tracked

8. Develop a university website dedicated to prevention and campus programming that is kept current, facilitates distribution of prevention and education materials, and incorporates the opportunity for feedback and recommendations
9. Identify social media platforms and other vehicles for distributing programming information on a regular basis
10. In conjunction with the Chancellor's Office, expand professional development and training for faculty and staff, including senior leadership, deans, department chairs, managers and leads on Title IX and DHR; respectful and inclusive environments; conflict resolution; bystander intervention strategies; effective leadership and supervision; and, reporting responsibilities under Title IX, the Clery Act, and CANRA
 - 10.1. Ensure the training includes information about prohibited consensual relationships given the significant overlap of prohibited consensual relationships with Title IX, DHR and *other conduct of concern*
11. Create routine training, education, and professional development opportunities to cultivate competencies in navigating difficult conversations, bridging differences, and modeling respect and civility
12. Evaluate the potential opportunities for curricular or course-based programming credential-based options
13. Incorporate information about the Nondiscrimination Policy, reporting options, and confidential resources in syllabi statements
14. Commit to providing programming regarding bystander engagement
15. Participate in national conferences, listservs, networking events and other opportunities to coordinate with other professionals dedicated to prevention
16. Engage students in the development and delivery of programming through peer educator/peer advocate programs
17. Identify student leaders who can serve as ambassadors/promoters of this work
18. Develop consistent on-campus opportunities to be visible and present in the community.

E. Responding to Other Conduct of Concern

We offer the following recommendations to develop policy, infrastructure, systems, and training to address *other conduct of concern*:

1. In conjunction with the Chancellor's Office and CSU's Office of General Counsel, develop a written policy, document, or statement by senior leadership to establish expectations, guidelines, and/or definitions of conduct

- 1.1. The written framework should address unprofessional conduct, abusive conduct, microaggressions, acts of intolerance, and other disruptive behavior in the living, learning and working environment
- 1.2. The written framework must also address intersections with free speech and academic freedom, including the explicit recognition that the CSU cannot discipline for protected speech
2. Reinforce CSU values and expectations about respect, tolerance, and professionalism through programming and opportunities for in-person engagement
3. Strengthen and expand available competencies regarding conflict resolution, navigating interpersonal conflict, restorative justice, and other forms of remedial responses
 - 3.1. Strengthen traditional employee relations functions within human resources to assist in responding to concerns involving faculty and staff
 - 3.2. Strengthen competencies of managers, supervisors, deans and department chairs by providing expanded training and professional development to meet the needs of assigned roles
 - 3.3. Consider the need for additional personnel, such as an ombudsperson or a conflict resolution professional, including those with expertise in restorative justice and mediation
 - 3.4. Develop communications competencies to embrace the tension of difficult issues including the intersections of speech in the contexts of politically and socially-charged events and issues
 - 3.5. Communicate the new and available conflict resolution suite of resources through web content, annual training, and awareness campaigns
 - 3.6. Invest in education and training about conflict resolution
4. Create a centralized reporting mechanism that includes the option for online and anonymous reporting
 - 4.1. Ensure that the landing page for the anonymous reporting option includes appropriate caveats about the university's limited ability to respond to an anonymous report
5. Build a triage model/review process to ensure that all reports are assessed by Title IX and DHR professionals (and a subset of the Title IX/DHR MDT) and evaluate potential avenues for resolution that include the following:
 - 5.1. Identify potential policy violation and investigative response, if any
 - 5.2. Refer to the appropriate administrator/department to coordinate/lead the response
 - 5.3. Identify reasonably available individual supportive measures, if any, and
 - 5.4. Identify appropriate community remedies, if any

6. The reporting and resolution processes must ensure sufficient documentation system to track responsiveness, patterns and trends
7. This information should be tracked and analyzed on at least an annual basis to inform the need for remedial actions regarding culture and climate, targeted prevention and education programming, and ongoing issues of concern.

Appendix I
Metrics: Campus Demographics and Population⁴¹

The below chart reflects key metrics and demographic information for Northridge.

California State University Northridge			
Location Information			
Location: Los Angeles, CA (pop. 3,849,297) ⁴²	County: Los Angeles County (pop. 9,811,842) ⁴³	Locale Classification: Large City ⁴⁴	
University Information			
President: Erika D. Beck, Ph.D. (January 2011-present)			
Designations: Hispanic Serving Institution (HSI) ⁴⁵ Asian American and Native American Pacific Islander-Serving Institution (AANAPISI) ⁴⁶			
Students – Enrollment Data ⁴⁷			
Total Number of Students		37,583	
State-Supported		Self-Supported	
Undergraduates	31,957	Undergraduates	100
Grad & Post Bac Students	4166	Grad & Post Bac Students	1360
Student Ethnicity ⁴⁸			
Overall (includes State- and Self-Supported)			
Hispanic/Latino		54%	
White		20%	
Asian		9%	
Race and Ethnicity Unknown		5%	
Black / African American		5%	
International Student		4%	
Two or More Races		3%	
Native Hawaiian / Other Pacific Islander		<1%	

⁴¹Unless otherwise noted, Cozen O'Connor obtained data concerning California State, Northridge's demographics, populations, Title IX and DHR staffing, operations and caseload from California State University and Northridge sources. This report will be updated to reflect material inaccuracies brought to our attention on or before September 15, 2023.

⁴² United States Census Bureau, <https://www.census.gov/quickfacts/fact/table/losangelescitycalifornia/PST045221>, population estimate as of July 1, 2021.

⁴³ United States Census Bureau, <https://www.census.gov/quickfacts/fact/table/losangelescountycalifornia/PST045221>, population estimate as of July 1, 2021.

⁴⁴ Defined as a territory inside an urbanized area and inside a principal city with a population of 250,000 or more. See National Center for Education Statistics, <https://nces.ed.gov/programs/edge/Geographic/LocaleBoundaries> and <https://nces.ed.gov/surveys/annualreports/topical-studies/locale/definitions>.

⁴⁵ HSIs are defined under the Higher Education Act as colleges or universities where at least 25% of the undergraduate, full-time enrollment is Hispanic; and at least half of the university's degree-seeking students must be low-income. See <https://www2.ed.gov/about/offices/list/ope/itudes/eligibility.html>

⁴⁶ AANAPISIs are defined under the Higher Education Act as colleges or universities with an undergraduate enrollment that is at least 10% Asian American and Native American Pacific Islander. Additionally, at least half of the university's degree-seeking students must be low-income. See <https://www2.ed.gov/programs/aanapi/eligibility.html>

⁴⁷ California State University Enrollment Data, Fall 2022, Cal State Northridge: https://tableau.calstate.edu/views/SelfEnrollmentDashboard/EnrollmentSummary?iframeSizedToWindow=true&%3Aembed=y&%3AshowAppBanner=false&%3Adisplay_count=no&%3AshowVizHome=no For purposes of this table, "state-supported" refers to students for whom the State of California underwrites some or all of their educational expenses and "self-supported" refers to students whose educational expenses are not underwritten by the state. Across the California State University system, with some exceptions, self-supported degree seeking students are generally those enrolled in programs administered by professional and continuing education programs.

⁴⁸ *Id.* This data includes students at the undergraduate, graduate, and post-baccalaureate levels.

American Indian / Alaskan Native		<1%	
State-Supported (36,113 students)		Self-Supported (1448 students)	
Hispanic/Latino	55%	Race or Ethnicity Unknown	57%
White	20%	Hispanic/Latino	21%
Asian	9%	White	11%
Black / African American	5%	Asian	5%
International Student	4%	Black / African American	3%
Race and Ethnicity Unknown	3%	Two or More Races	2%
Two or More Races	3%	International Student	1%
Native Hawaiian / Other Pacific Islander	<1%	Native Hawaiian / Other Pacific Islander	<1%
American Indian / Alaskan Native	<1%	American Indian / Alaska Native	<1%
Other Student Demographics⁴⁹			
Overall (includes State- and Self-Supported)			
First in Family to Attend College		35%	
% students who are traditionally underrepresented ⁵⁰		58%	
% of undergrads who were Pell Grant recipients ⁵¹		59%	
% of students who live on campus ⁵²		6%	
% undergrads who are in a fraternity or sorority ⁵³		6%	
4-year graduation rate for first-time FT freshmen ⁵⁴		27.8%	
State-Supported (36,113 students)		Self-Supported (1448 students)	
Average Age	23	Average Age	34
Sex ⁵⁵	55% F; 45% M	Sex ⁵⁶	75%F; 25% M
First in Family to Attend College	36%	First in Family to Attend College	12%
% traditionally underrepresented ⁵⁷	60%	% traditionally underrepresented ⁵⁸	25%
Instructional Faculty⁵⁹			
Total # of faculty		2037	
Tenure-track		39%	
Lecturer		61%	
% full-time ⁶⁰		47%	
% part-time		53%	
Leadership body		Faculty Senate ⁶¹	

⁴⁹ *Id.*, except where noted otherwise. This data includes students at the undergraduate, graduate, and post-baccalaureate levels.

⁵⁰ For purposes of this table, “traditionally underrepresented” refers to students with ethnicity of Hispanic, Black/African American, or Native American/Alaska Native.

⁵¹ Pell Grants are federal grants that are usually awarded only to undergraduate students who display exceptional financial need. See U.S. Department of Education, Federal Student Aid, <https://studentaid.gov/understand-aid/types/grants/pell>. This data is for 2021 as 2022 data is not yet available.

⁵² California State University, 2022 Systemwide Housing Plan, Figure 7, p. 20: <https://www.calstate.edu/impact-of-the-csu/government/Advocacy-and-State-Relations/legislative-reports1/Legislative-Report-CSU-Systemwide-Housing-Plan.pdf>

⁵³ See <https://www.csun.edu/mic/northridge-residential-community> (last visited May 14, 2023).

⁵⁴ California State University, Graduation & Success Dashboards, with link to Graduation Dashboard, selecting the Summary Overview tab, and with Northridge selected in drop-down menu. See <https://www.calstate.edu/data-center/institutional-research-analyses/Pages/graduation-and-success.aspx>. This data reflects the four-year graduation rate for first-time full-time freshmen entering Northridge during the Fall 2018 (most recent complete 4-year term available).

⁵⁵ Data does not capture number of students who do not identify on the sex/gender binary.

⁵⁶ *Id.*

⁵⁷ For purposes of this table, “traditionally underrepresented” refers to students with ethnicity of Hispanic, Black/African American, or Native American/Alaska Native.

⁵⁸ *Id.*

⁵⁹ California State University, CSU Faculty, Fall 2022. See <https://www.calstate.edu/csu-system/faculty-staff/employee-profile/csu-faculty>, except where noted otherwise.

⁶⁰ California State University, CSU Workforce, Fall 2022. See <https://www.calstate.edu/csu-system/faculty-staff/employee-profile/csu-workforce/Pages/default.aspx>

⁶¹ Northridge Faculty Senate. See <https://www.csun.edu/faculty-senate>

Staff⁶²	
Total # of staff	1598
% full-time	95%
% part-time	5%
Collective Bargaining Units	
Unit 1	Cal. Fed. of American Physicians and Dentists (UAPD)
Units 2, 5, 7, 9	California State University Employees' Union (CSUEU)
Unit 3	California Faculty Association (CFA)
Unit 4	Academic Professionals of California (APC)
Unit 6	Teamsters, Local 2010 – Skilled Trades
Unit 8	Statewide University Police Association (SUPA)
Unit 11	Academic Student Employees (UAW)
Athletics⁶³	
NCAA Division	I
NCAA Conference	Big West ⁶⁴
Number of sponsored sports for '22-'23 academic year	19
Number of student athletes ⁶⁵	358

⁶² California State University, CSU Workforce, Fall 2022. See <https://www.calstate.edu/csu-system/faculty-staff/employee-profile/csu-workforce/Pages/default.aspx>

⁶³ NCAA Directory, <https://web3.ncaa.org/directory/orgDetail?id=101>, except where noted otherwise.

⁶⁴ All sports are in the Big West Conference except Men's and Women's Indoor Track, which are part of the Mountain Pacific Sports Federation.

⁶⁵ See U.S. Department of Education, Equity in Athletics Data Analysis, at <https://ope.ed.gov/athletics/#/>, data for California State University Northridge. Number of student athletes equals the sum of the Unduplicated Count of Participants for Men's Teams plus the Unduplicated Count of Participants for Women's Teams.

Appendix II Feedback from Survey

In December 2022, we asked each campus President and the Chancellor's Office to disseminate an invitation to participate in an online survey meant to provide a platform for all community members to share their experiences, perspectives, and insights. Nearly 18,000 students, staff and faculty across the system participated in the survey. We used a third-party vendor to host the survey, which was designed by Cozen O'Connor.

As a foundational matter, the surveys were meant to be qualitative, not quantitative. We sought qualitative information to assess perceptions and provide insights into complex issues, not quantitative data for measurement of rates of incidence or prevalence. The purpose of the surveys was to ensure that all campus community members had the opportunity to participate in the review, and to do so in a manner that reduced barriers and allowed for candid participation without fear of retaliation. We do not view the extrapolated themes from the comments as representative of the entire campus community. Rather, the qualitative feedback requested through the survey was to gather community input and understand how stakeholders interact with, and perceive, their individual university and the system as a whole.

The systemwide survey, which was customized for each university, provided the opportunity to share anonymous responses to questions with respect to the following areas:

- Physical Safety and Security. Survey respondents were asked to rate their physical safety on campus, including locations in which they felt more or less safe.
- Culture of Inclusivity and Respect. Survey respondents provided feedback with respect to the culture of inclusivity and respect in their working, living, and classroom environments.
- Training Programs. Survey respondents were asked to rate the quality of the training programs provided by the university.
- Interactions with Title IX/ DHR. We asked survey respondents to describe their interactions with Title IX and DHR, address whether complaints were handled properly, and to provide any recommendations they had as community members for fostering reporting and building trust in these resources.
- Barriers to Reporting. Finally, we asked survey respondents about their inclinations to use university confidential resources, and whether any barriers existed to their reporting, such as fear of retaliation, concern regarding reactions to complaints, or ineffective investigative procedures.

At Cal State Northridge, we received 1,895 responses⁶⁶ from students, faculty, staff, administrators, and others as follows:

Constituency	Number of Responses
Undergraduate Student	997
Graduate Students	271
Staff	315
Faculty	292
Administrator or Manager	64
Other	50

An important part of this engagement was to provide the opportunity for community voices to be heard, as is, and we share that aggregate feedback here. We recognize that the information, perceptions, and insights shared by university constituents and stakeholders reflect individual perspectives and experiences that may not be universally held, or in some instances, supported by objective review of specific cases or incidents. We accept those perceptions as valid and do not seek to test the foundation of the perceptions. Our goal in seeking broad feedback was to identify aggregate themes by synthesizing information gathered, which we could then review and factor into the context of our own observations of policies, procedures and practices. The aggregate themes from the survey are as follows:

- Communications about Process and Outcomes. Faculty survey respondents stated that, after making a report to OEC on behalf of a student, they were not updated as to the status of their report or the outcome. Faculty expressed specific concern about not knowing the outcomes of cases related to faculty respondents.
- Confusion or Unfamiliarity about the Office of Equity and Compliance. Many respondents across survey questions stated they were not sure what the roles of various departments were, and requested more information and training to locate the proper resources for a given issue. Many responses suggested that survey participants did not know that OEC addressed Title IX and DHR concerns.
- Investigation Timeliness. Survey respondents frequently expressed concern about the timeliness of investigations. Survey respondents stated that OEC took too long to resolve complaints, and sometimes did not respond to complaints at all.
- Empathetic Communication with Stakeholders. In some instances, survey respondents felt as though the tools at the disposal of these offices were inadequate, and communication was lacking. For example, a survey respondent noted that they filed reports about harassment or

⁶⁶ Some survey respondents identified as belonging to multiple constituencies; hence, the number listed here is smaller than the sum total in the chart below.

inappropriate behavior, but were told that there was nothing that OEC could do because the accused was an “equal opportunity harasser.”

- Concerns about Confidentiality. Throughout the survey, survey respondents expressed doubts that purportedly confidential resources would, in fact, remain confidentiality.
- Roles and responsibilities of mandatory reporters. One survey respondent noted that they did not report harassment or violence because their workload was already too high, and other responsible employees expressed taking different avenues to report rather than following required pathways to report to OEC.
- Campus Safety. Some survey respondents noted that they felt unsafe on campus recently, in light of a recent shooting. They also noted that the presence of individuals on campus who were unaffiliated with the university impacted their feelings of safety.
- Perception of Institutional Bias toward Faculty. Some survey respondents shared their perspective that faculty are often permitted to resign rather than face termination as a result of Title IX complaints, and that allowing them to collect a pension after being found responsible feels inappropriate.

Appendix III Title IX Metrics (Title IX Annual Reports)

I. Approach to Metrics: Review of Annual Title IX Reports

As part of our review of the Title IX program at California State University Northridge, we reviewed the university's annual Title IX reports for years 2018-2019 through 2021-2022. These annual reports were provided by the OEC but could not be located on the OEC website.⁶⁷ The annual reports provide data regarding the reports of Sexual Misconduct/Sexual Assault, Dating and Domestic Violence, Stalking, and – in 2021-2022, Sexual Exploitation and Sexual Harassment – made to OEC each year. The annual reports reflect the number of reports received, disaggregated by the type of conduct and whether the respondent was a student, employee, or third-party, unknown, or unidentified. Beginning in 2019-2020, the annual reports also reflect procedural outcomes, including:

- the number of reports that resulted in investigations with findings of a policy violation or no policy violation
- informal resolutions reached before or during an investigation
- requests from the complainant for resources supportive measures only
- no response from the complainant to the Title IX Office's outreach and insufficient information to move forward
- insufficient information to move forward with an investigation but sufficient information to take other remedial action
- an inability to send outreach to the complainant because the Title IX Office did not know their identity, and
- other types of outcomes as specified by the campus.

The annual reports provide information about sanctions imposed upon findings of responsibility and as a result of informal resolution. Finally, the annual reports also provide information about the number of open reported matters as of the beginning and end of the reporting period.

II. Caveats Regarding Interpretation of Data

In evaluating this data, we note that the CSU system currently lacks sufficient tools, processes, and practices to support consistent and reliable data-gathering across universities. As currently structured, the data-gathering system has significant challenges: it is reliant on self-reporting by Title IX staff at the university level based on the nature and manner in which they keep documentation; across the system,

⁶⁷ <https://www.csun.edu/eqd/title-ix> (last visited May 31, 2023).

the universities do not use consistent documentation and recordkeeping systems and practices to maintain their university's data; the structure and questions posed by the Chancellor's Office to request data for the annual Title IX report have changed over time and not all universities use the same report structure; some data requests and questions may be unclear and therefore subject to interpretation; and the annual Title IX reports do not capture foundational data that would enable an informed comparison between institutions, such as number of students and employees and number of residential versus commuter students.

Importantly, the annual Title IX reports do not reflect the full breadth of work being performed by Title IX Offices, which is most often concentrated in university outreach, prevention and education programming and training; responding to reports, conducting intake meetings, overseeing supportive measures, and conducting initial assessments; overseeing informal resolutions; coordinating with partner offices; responding to information requests in a variety of capacities; ensuring accurate and contemporaneous documentation; and strategic leadership on Title IX issues more broadly. The data currently requested also does not capture key metrics such as the numbers and types of reports of Sex- or Gender-based Discrimination, Retaliation, and Discrimination or Harassment on the basis of other protected statuses covered by the Nondiscrimination Policy. In addition, as noted above, until the 2021-2022 academic year, the annual Title IX reports did not include data regarding reports of Sexual Exploitation or Sexual Harassment. For the above reasons, under the current process for systemwide data-gathering, it is difficult to draw precise conclusions about university Title IX functions or make meaningful comparisons with other CSU institutions from the data alone. That being said, we have confidence that the data, while imperfect, provides sufficient reliability to extrapolate key themes and observations.

In presenting the below data, we note that some universities identified challenges with accuracy or completeness in their data. We have attempted to reconcile that data where possible, recognizing that some CSU institutions have provided data prepared by individuals who are no longer employed by the institution. Before publishing this report, we sent outreach to all Title IX Coordinators to request that they verify the accuracy of their 2021-2022 annual Title IX report. CSU Northridge verified the accuracy of the 2021-2022 annual Title IX report via email on April 27, 2023.

Finally, we recognize the significant impact of the global pandemic on colleges and universities across the country, including Northridge. While we cannot know the precise impact that the pandemic had on incidence rates, awareness of university resources, barriers to reporting and other relevant factors, we

are careful not to draw firm conclusions about trends over the past three years due to the obvious but unquantifiable differences in pre- versus post-pandemic conditions.

III. Historical Data: Annual Title IX Reports (2018-2019 through 2021-2022)

The below charts reflect the number of reports of Sexual Misconduct/Sexual Assault, Dating/Domestic Violence, and Stalking that the Office of Equity and Compliance received each per year; the procedural outcomes of those reports; and the number of reports involving student respondents, employee respondents, third-party respondents, and unknown or unidentified respondents.

A. Types of Reported Conduct⁶⁸

	2018-2019	2019-2020	2020-2021	2021-2022
Reports of Sexual Misconduct/Sexual Assault	87	96	38	48
Reports of Dating/Domestic Violence	37	31	15	34
Reports of Stalking	48	41	12	9
Sexual Exploitation*	-	-	-	0
Sexual Harassment*	-	-	-	21
Total # of Reports in Above Categories	166	168	65	112
* This data was not requested by the Chancellor’s Office prior to the 2021-2022 academic year.				

⁶⁸ This data does not include reports of incidents that fail to meet the threshold of Title IX misconduct.

B. Respondents' Roles⁶⁹

The below data, prior to the 2021-2022 Academic Year, relate to the numbers of reports of Sexual Misconduct/Sexual Assault, Dating/Domestic Violence, and Stalking only. Sexual Exploitation and Sexual Harassment Claims are included in 2021-2022.

	2018-2019	2019-2020	2020-2021	2021-2022
Reports in which the Respondent is a student	82	60	16	29
Reports in which the Respondent is an employee	7 (S) 2(F) ⁷⁰	3	6	11
Reports in which the Respondent is a third-party	43	46	23	68
Reports in which the Respondent is unknown	32	57	20	2
Reports in which the Respondent is unidentified	-			2
Total # of Reports in Above Categories	166	166	65	112

⁶⁹ Respondent Role totals may differ from Reported Conduct totals due to multiple allegations for one respondent.

⁷⁰ In the 2018-2019 annual Title IX report, the employee respondent category was further disaggregated into reports in which the respondent was a staff member and reports in which the respondent was a faculty member, this is denoted by (S) for staff and (F) for faculty.

C. Case Outcomes⁷¹

The below data reflect the collective outcomes of reports to the Office of Equity and Compliance.⁷²

	2018-2019	2019-2020	2020-2021	2021-2022
Reports in which the Complainant did not respond to outreach and there was insufficient information to move forward	155	61	16	9
Reports in which the Complainant’s identity was unknown to the Title IX Office		0	0	0
Reports in which the Complainant requested supportive measures or resources only		No Data Available	31	28
Reports that resulted in other outcomes (except formal investigation)		64	16	6
Reports that resulted in a formal investigation*	14	1	2	2
* We learned through this review that this category is not an accurate indicator of the total number of investigations, in part because of how the question was narrowly framed by the Chancellor’s Office. This number does not capture investigations that were open at the end of the reporting period. It also doesn’t capture investigations that were substantially completed, but discontinued at the request of the complainant, because the case was otherwise resolved, or because the matter was dismissed based on mandatory/discretionary grounds under Title IX and university policy.				

⁷¹ Case Outcome totals may differ from Reported Conduct totals depending on exclusion of pending cases at the time of the annual report and inclusion of resolved open cases from previous years.

⁷² As a reminder, in 2021-2022, the data included Sexual Exploitation and Sexual Harassment, which were not included in earlier years. Because of the manner in which data was gathered by the Chancellor’s Office, it is unclear how the addition of these two categories of conduct impacted the percentage of outcomes.