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The University of California

It Must Take Additional Steps to Address Long-Standing Issues With Its Response to Sexual Harassment Complaints

Background

Federal law, commonly known as Title IX, requires universities to prohibit discrimination on the basis of sex, including sexual harassment. To comply with Title IX, universities are required to establish procedures to promptly and equitably resolve complaints of sexual misconduct on their campuses and must undertake specific actions to prevent and address sexual harassment. The University of California—with its Office of the President, 10 campuses, five medical centers, and numerous auxiliary organizations—has policies that include procedures to stop, prevent, and remedy instances of sexual harassment (university policy). In most cases, the campus Title IX office resolves these incidents through an informal process—in other cases, a formal process with an investigation is used. Each of the campuses we examined—Berkeley, Davis, and Los Angeles—receive and resolve complaints involving sexual harassment.

Key Recommendations

- To ensure sexual harassment complaints against faculty are resolved promptly, the Board of Regents of the University of California should ensure time frames are established for disciplinary decisions.
- The Office of the President should do the following:
 - Require campus coordinators and campus officials to consult when disciplining individuals who are found to have violated university policy.
 - Ensure campuses administer the informal process correctly and obtain agreement to use this process from both complainants and respondents.
 - Modify policies to clarify when it is appropriate to grant time extensions to complete formal process investigations.
 - Develop a strategic plan that delineates how its systemwide Title IX office will achieve consistency throughout its campuses and offices.

Key Findings

- Since 2014 numerous internal and external reviews have recommended improvements the university needed in protocols related to responding to sexual harassment complaints.
- All three campuses had issues with disciplining faculty respondents.
 - Campuses took much longer to discipline faculty—professors, assistant professors, and lecturers—than it did staff. On average, staff received discipline in 43 days while certain faculty in 220 days.
 - Campuses imposed discipline inconsistently in comparable cases of faculty misconduct particularly in cases of faculty accused multiple times of sexual harassment.
 - Although campus Title IX coordinators are responsible for overall efforts to stop, prevent, and remedy sexual harassment, campus officials responsible for discipline often do not inform the coordinators about the discipline they are imposing.
- Campuses used the informal process twice as often as they used the formal process and often did not obtain agreement from both parties to use the informal process. Two campuses frequently took longer than the 60 business-days time frame to investigate complaints through the formal process and did not receive extensions for taking longer.
- The systemwide Title IX office’s mission needs to be clarified to ensure that the university’s response to sexual harassment is coordinated and consistent. Additionally, the university policy does not fully align with federal regulations and best practices.

Sexual Harassment Complaints by University Students Against Faculty and Staff Have Increased Over the Last Ten Years

