1. Support Services Report Template

Report Info

Name of the person completing this report: Nyassa Love
Title of the person completing this report: Associate Vice President
Supervisor/dean reviewing report: Brad Wells
Service: Manage, investigate and respond to discrimination, harassment, and retaliation, equal employment opportunity and whistleblower complaints
Division/College: Admin & Finance / Risk Mgmt

3. Mandated Service

Link to Scoring Rubric

1.1 Please indicate below if any aspect of the service is legally mandated by any of the following and provide the relevant reference.

Federal Law: EEO/AA, ADA, Whistleblower, Dept. of Labor, OFCC
State Law: EEO/AA, ADA, Whistleblower Act, DFEH
Executive Order: EO927, EO928, EO883, EO1074
Title 5: Discrimination

Provide a brief explanation, if necessary, in < 60 words.

The Investigation Unit ensures compliance with Title IX regulations, federal and state Affirmative Action/Equal Employment Opportunity regulations, Americans With Disabilities Act, and the California Whistleblower Act. Complaints are resolved through a well-documented investigative process, dispute resolution, mediation and problem-solving techniques. Consultation and training programs ensure an understanding and appreciation of legislation protecting employees and students against discrimination, harassment and retaliation.

4. Importance of Service

Briefly describe the service in terms of its primary function(s) and purpose(s) using <120 words

The Senior Investigator resolves allegations and complaints of discrimination, harassment and retaliation. Using sound investigative techniques, careful assessment and interpretation of federal and state legislation, detailed documentation and interviewing, the Senior Investigator prepares reports and recommendations concerning the most sensitive matters. The Senior Investigator engages individuals in dispute resolution and remediation and provides testimony regarding cases to outside agencies, working with the CSU Office of General Counsel on complex and difficult issues. Consultation and collaboration with constituent groups enhance adherence with university principles and practices. Education and outreach activities as well as mandatory training programs promote compliance.

Link to Scoring Rubric

2.1 Who are the primary receivers of this service? (Please enter the percentage of each user group that is relevant)

Students: 30%
Faculty: 30%
Administrators/staff: 30%
Community outside University: 10%
2.2 Please indicate the direct or indirect impact of the service on students for each of the three University Action/Student Impact Areas listed below (for example processing financial aid applications would be direct impact on students while managing utility services would be indirect).

<table>
<thead>
<tr>
<th>Direct Impact on Students</th>
<th>Indirect Impact on Students</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pre-college (helping students to enter the system)</td>
<td>[ ]</td>
</tr>
<tr>
<td>During college (helping students succeed while they are at Cal State East Bay)</td>
<td>[ ]</td>
</tr>
<tr>
<td>After college (helping students establish meaningful lifework and be socially responsible contributors to society)</td>
<td>[ ]</td>
</tr>
</tbody>
</table>

Provide a brief narrative (<60 words each) explaining your selection for each area.

<table>
<thead>
<tr>
<th>Pre-college (helping students to enter the system)</th>
<th>Evidence submitted to support the chosen selection (&lt;60 words for each)</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Senior Investigator handles complaints, allegations and emerging issues with regard to incidents occurring on campus. Student applicants must perceive that the University will protect them from any form of discrimination or harassment both during the application process and while attending.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>During college (helping students succeed while they are at Cal State East Bay)</th>
<th>Evidence submitted to support the chosen selection (&lt;60 words for each)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Students must feel safe, protected and secure in order to study, learn and succeed. Students must perceive that the University will take all measures necessary to prevent discrimination and harassment and to quickly and expertly resolve issues if they arise. The Senior Investigator develops and implements a variety of programs, activities and techniques to ensure that any issue is addressed immediately and fully.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>After college (helping students establish meaningful lifework and be socially responsible contributors to society)</th>
<th>Evidence submitted to support the chosen selection (&lt;60 words for each)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Since the Senior Investigator addresses matters as they arise on campus, the impact after college is indirect. Students’ perceptions of fairness, appropriate adjudication, and intolerance for any form of discrimination and harassment provides a good foundation for social responsibility.</td>
<td></td>
</tr>
</tbody>
</table>

2.3 Applying the four choices presented below, please indicate the consequence of NOT having this service on each of the actions in the left hand column.

<table>
<thead>
<tr>
<th>4 - Service provides evidence of direct impact in more than one area</th>
<th>3 - Service provides evidence of direct impact in one area</th>
<th>2 - Service provides evidence of indirect impact in more than one area</th>
<th>1 - Service provides evidence of indirect impact in one area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pre-college (helping students to enter the system)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>During college (helping students succeed while they are at Cal State East Bay)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>After college (helping students establish meaningful lifework and be socially responsible contributors to society)</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Provide a brief narrative (<60 words each) explaining your choice.

<table>
<thead>
<tr>
<th>Evidence submitted to support the chosen selection (&lt;60 words for each selection)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
<tr>
<td>Pre-college (helping students to enter the system)</td>
</tr>
<tr>
<td>During college (helping students succeed while they are at Cal State East Bay)</td>
</tr>
<tr>
<td>After college (helping students establish meaningful lifework and be socially responsible contributors to society)</td>
</tr>
</tbody>
</table>

**Link to Scoring Rubric**

2.4 Alignment with Shared Strategic Commitments

How does this service contribute to or align with any of the eight Shared Strategic Commitments (SSC) listed below?

| Reinforce academic quality through open-minded inquiry, innovative teaching, engaged learning, and distinguished scholarship | The Senior Investigator ensures that the university provides a safe environment in which to report perceived incidents of discrimination, harassment or retaliation. The Senior Investigator is a resource for individuals to freely discuss perceived wrongdoing. By responding immediately, objectively and thoroughly to complaints, the Senior Investigator embodies and reflects values of inclusivity. |
| Enhance our inclusive campus, responding to the backgrounds and interests of our diverse community and promoting their academic, professional and personal development | Compliance with federal, state and CSU regulations prohibiting discrimination, harassment and retaliation is the primary responsibility of the Senior Investigator. Students must feel safe from discrimination and harassment in order to successfully learn and grow. By initiating comprehensive and consistent assessment techniques, the Senior Investigator ensures that students and employees are provided equal access free of discrimination, harassment or retaliation. |
| Serve students first, by expanding access and enhancing each student’s educational experience and prospects for success as a graduate and life-long learner | The Senior Investigator applies dispute resolution, mediation and problem-solving techniques as much as possible in the complaint handling process. Students and employees are encouraged to participate in the evaluation and determination of allegations concerning wrongdoing. |
| Contribute to a sustainable planet through our academic programs, university operations, and individual behavior | In collaboration with other university offices, the Senior Investigator objectively and impartially responds to complaints of wrongdoing. Through the application of specific protocol, the Senior Investigator ensures that all inquiries are handled consistently and thoroughly. |
| Support the civic, cultural, and economic life of all communities in the regions we serve through partnerships that promote education and social responsibility | The Senior Investigator provides advice and consultation regarding complaints of discrimination, harassment or retaliation. Training and education programs are implemented to guide individuals in proper assessment and investigatory practices. Training programs also develop awareness to prevent discrimination, harassment and retaliation. Dispute resolution and mediation activities promote greater awareness and |
Demonstrate our continuing record of leadership and innovation in higher education, focused on 21st century skills, including science, technology, engineering, and mathematics (STEM).

**Link to Scoring Rubric**

2.5 How might the demand for this service change over the next five years? (Please choose one category below).

Likely to increase

Provide a rationale for your choice (assumptions, impact of new policy, etc.) in <120 words.

The role of the Senior Investigator and establishment of the Investigation Unit is new. It developed from a realization that an effective diversity and equity program cannot exist without a deliberate protocol of assessment, investigation, dispute resolution, and remediation. Stated intolerance for discrimination, harassment and retaliation must be accompanied by action and a perception that any violations will be immediately addressed and resolved.

**5. Quality of Service**

**Link to Scoring Rubric**

3.1 Do you assess the quality of the service you provide?

Yes

If “Yes”, what benchmarks, best practices or measures of success, either internal or external, do you use to measure service quality (e.g., timeliness, accuracy, adequacy, meeting deadlines, satisfactory completion of assignment, etc.)? Please describe in <120 words. If no, please explain.

The importance of activities that address issues of fairness and equity, diversity and opportunity, access and accommodation has continued to grow. The university has responded by establishing additional offices of inquiry and activity. The Senior Investigator works closely with the University Diversity Officer and the Student Fairness Committee in a team-oriented, cross-institutional approach. The future challenge will be to assure consistent interaction, collaboration, role definition and accountability among and across diversity and investigative functions. As the Senior Investigator conducts more activities on campus and assists with problem resolution, individual feedback will be solicited and surveys will be conducted to ascertain perceptions of fairness/equity and intolerance regarding discrimination, harassment and retaliation.

**Link to Scoring Rubric**

3.2 During the last three years, have you adopted any measures to improve the quality of this service? Please describe in <120 words.

Yes. Appreciating the importance of both program development/outreach and investigation/documentation/reporting, two positions have been created: one concentrating on program development and the other focusing on mediation and compliance. The new approach emphasizes clarity, definition, and strategy; it is a targeted approach. The Senior Investigator’s role is to focus on observing, assessing, investigating, interpreting, documenting, reporting, mediating and problem-solving. The objective is to implement and maintain a consistent protocol designed to immediately address allegations and/or complaints. The Senior Investigator will equip the campus with observation skills and guide the campus community in early and informal dispute resolution so that issues are not escalated. The goal is to improve the response time, degree of dispute resolution and perception of university commitment.
3.3 What idea(s) do you have for improving the quality of this service within existing resources (e.g. development of benchmarks, surveys, feedback, etc.)? Please describe your plan(s) in <120 words.

Interaction, collaboration and integration with other offices and individuals handling diversity, equity and investigative issues including the University Diversity Officer, Student Fairness Committee, Human Resources and University Police Department is vital to the effectiveness and success of the Senior Investigator. Campus perception of the commitment to diversity as well as intolerance of discrimination, harassment and retaliation is crucial to a thriving campus community and our ability to recruit, retain and graduate students as well as recruit, retain and recognize talented employees, both faculty and staff. Additional attention should be devoted to assessing the role and interdependence of offices with responsibilities in these areas and determine opportunities for collaboration and outreach.

3.4 What ideas do you have for improving the quality of the service if additional resources were provided. Please describe your idea(s) in <120 words.

If additional resources were provided, collaboration with LEEP would facilitate special training programs in problem identification, assessment and documentation, conducting proper investigations, mediation and dispute resolution. Additionally, individuals from outside agencies could be enlisted for advice and training in the area of problem identification, investigations, preparation of reports and testimony, mediation and dispute resolution. The assistance would focus on prevention, managing and coordinating issues as they may arise and remediation.

3.5 Do you use any formal or informal process to assess the level of satisfaction of the service users?

Yes

If yes, describe the process and most recent results in <120 words. If no, please explain.

Individual assessment and feedback have been solicited on a consistent basis. Protocol requires review of investigative reports by the Vice President and CSU Legal Counsel regarding the adequacy of the reports. The satisfaction of the service users has been measured on an informal basis mostly by the degree to which concerns are addressed, problems are solved and individuals perceive the process of complaint handling to be fair and timely.

3.6 The university recently conducted a customer satisfaction survey for some services (results for this service are attached, if applicable). Do you have any comment or response to the results? Please describe in <120 words.

Customer satisfaction surveys are always valuable. They provide data by which programs and practices can be enhanced and improved and they promote a perception of commitment to improvement. The area of discrimination and harassment is very sensitive precisely because individuals are fearful of reprisals and/or retaliation. Perceptions are often ignored or easily distorted and exploited. It is vital to the health of the university community to consistently assess perceptions concerning commitment to fairness and equity, intolerance of discrimination and harassment, safety in making complaints and allegations and timely actions to investigate and remediate issues as they arise.

3.7 Do you have any formal or informal guidelines for personnel in your department regarding how to treat/interact with receivers of this service?

Yes
Federal and state regulations outline procedures and guidelines with regard to addressing individuals and complaints of discrimination, harassment, whistleblowing and retaliation. Information exists on-line and in published documents and posters with regard to treatment of individuals making complaints. CSU Executive Orders provide guidelines for handling informal and formal claims that include communicating with individuals filing claims. The guidelines also require that campuses include as part of our training and orientation programs, information on the Executive Orders and that campuses post the information as well as distribute it to employees on an annual basis. The Office of General Counsel Campus Investigations Handbook provides details with regard to interacting with complainants and interviewing individuals involved.

Link to Scoring Rubric

3.8 Does your service have annual goals (targets) of achievement regarding the quality of the service provided?

No

If yes, describe the annual quality goals (targets) and indicate if the service achieved those goals (targets). Please provide evidence, if possible, in <120 words. If no, please explain.

Since the Senior Investigator position is new, no prior goals exist regarding quality. Future goals will be established addressing a variety of variables ranging from timeliness, accuracy and adequacy of complaint handling to degree of dispute resolution and perceptions of fairness and commitment. Goals in training, communication and collaboration with other campus offices will also be established.

Link to Scoring Rubric

3.9 Does your service have annual goals (targets) of achievement regarding the quantity of service provided?

No

If yes, describe the annual quantity goals (targets) and indicate if the service achieved those goals (targets). Please provide evidence, if possible, in <120 words. If no, please explain.

Since the Senior Investigator position is new, no prior goals exist regarding quantity. Future goals will be established addressing a variety of variables including the creation of an assessment mechanism to measure the number of complaints received, the nature of the complaint and timeliness of response. Once information is gathered and analyzed, remediation tactics will be implemented as appropriate. The expectation is that the Senior Investigator will be active in preventing, identifying and remediating potential individual and institutional problems as well as in investigating and resolving emerging issues.

Link to Scoring Rubric

4.1 Using the spreadsheet provided for all employees in your department, please distribute salaries of individuals across all services provided to reach an educated or reasonable estimate of the cost of providing the service.

168995.

Attach your allocated spreadsheet here.

PFD_AF- Risk Mngmnt 2011-12 Expenses MPG Aug 13.xlsx

Link to Scoring Rubric

4.2 Using the spreadsheet provided, please distribute your department’s annual operating expenses across all services provided to reach an educated or reasonable estimate of the cost of providing the service.
4.3 Using the spreadsheet provided, please distribute the square footage of work space across all services provided to reach an educated or reasonable estimate of the use of this resource.

Attach your allocated spreadsheet here.

PFD - Space AF Risk Mgmt - Sept 6.xlsx

4.4 During the last three years, have you adopted any measures to improve the efficiency (cost effectiveness) of providing this service (e.g. reducing salary costs, operating expenses or use of space, or increased output without increasing cost. Etc.)?

Yes

If yes, please describe the measures in <120 words. If this is a new service introduced over the past three years, please indicate. If no, please explain.

The Senior Investigator is a new position; however, it replaces a previous position that required higher salary costs. By design, the Senior Investigator position is more focused on complaint handling and targeted in investigations, documentation and dispute resolution. The Senior Investigator's emphasis on assessment and remediation should reduce escalation of complaints to outside agencies, thereby lowering overall expenses and reducing campus liability.

4.5 What idea(s) do you have for improving the efficiency (cost effectiveness) of this service within existing resources (e.g. restructuring, merging, outsourcing, ways to cut costs, technology, etc.)? Please describe those ideas in <120 words.

Greater collaboration among related functions on campus including the University Diversity Officer, Student Fairness Committee, Judicial Affairs, University Police Department and LEEP could enhance the efficiency as well as effectiveness of the Senior Investigator. Preparation of interviewing and reporting formats may enhance response time. Future opportunities may exist to merge similar functions, such as Internal Audit and Compliance functions. Opportunities may also exist to support or collaborate with other investigative functions such as University Police, thereby reducing their salary and operating expenses.

4.6 What idea(s) do you have for improving the efficiency (cost effectiveness) of the service if additional resources were provided. Please describe your idea(s) in <120 words.

Additional training and education mechanisms would enhance public and individual awareness and reduce potential problems. Speakers and consultants could assist in the design, production and presentation of training. Relationships on campus could be enhanced with training on early problem detection, assessment and remediation. Prevention is less expensive than adjudication.

4.7 Do you have any plan(s) to improve the efficiency (cost effectiveness) of this service in the next 1-2 years (e.g. reducing costs, increasing productivity, etc.)?

Yes

If yes, please specify whether these plan(s) involve reducing salary costs, operating expenses and/or use of space. Please
describe your plan(s) in <120 words. If no, please explain.

Collaboration with other campus departments, creation of reporting formats, development of training mechanisms will reduce operating expenses. Merging functions of Investigations, Audit, Compliance, etc. will reduce salary costs.

4.8 Please describe the estimated output for this service for fiscal year 2011-12, quantify if possible (e.g. volume, service tickets resolved, people serviced, appointments, etc.) in <120 words.

The estimated output for this service is based on the number of complaints handled, the number of investigations coordinated, the number of problems/disputes resolved, the number of consultations conducted, the number of reports prepared, the number of hearings (internal and external) managed and the number of other forms of communication initiated.

7. Other

Yes

If yes, please provide a list of those departments. How are the services described here similar or different? Please describe in < 60 words.

For students, the Student Fairness Committee and Judicial Affairs conduct assessments and investigations. For staff, the Human Resources office performs assessments concerning fairness and equity as well as allegations of wrongdoing. Additionally, the University Police Department conducts investigations of criminal acts concerning students and staff. The LEEP program creates training and education opportunities for employees.

5.2 Is there anything unique or distinctive about your service? Please describe what is unique or distinctive in <120 words.

The emphasis in resolving complaints of discrimination, harassment and retaliation as well as preventing occurrences is unique to the Senior Investigator. The position and function is crucial to the health and welfare of the university particularly as incidents in related areas such as bullying and violence on campuses continue to rise.

5.3 Are there any additional things about this service that you would like the task group to know? Please describe/explain in <250 words.