TO: The Executive Committee
FROM: The Faculty Diversity and Equity Committee
SUBJECT: 13-14 FDEC 5: Resolution on location of Senior Investigator Position (formerly EEO Officer)
PURPOSE: For approval by the Academic Senate

BACKGROUND:
Recognizing the issues of discrimination, bullying, and harassment requires constant campus wide vigilance; and with this understanding, the location of the person that handles these sensitive matters has both symbolic and practical importance for everyone on the campus. The Office of Investigations and the Senior Investigator is located in the Risk Management Office, which gives the impression that issues of discrimination, harassment, and bullying are being investigated with the intent to protect the university from lawsuits. The placement of this office and the person who handles discrimination related matters is not required to be located in the Risk Management Office and there are different office placements at other CSUs such as in Human Resources or Offices of Diversity and Equity. FDEC studied this issue, exploring many CSU websites and other universities to verify that this position can be, and is, housed in other locations at other universities. Furthermore, the FDEC, in our May 9, 2013 letter to President Morishita requesting the creation of a campus diversity officer, also requested this office be located physically outside of the Risk Management Office; that letter cited FDEC’s research results regarding where the EEO officer was administratively housed. Subsequently, two new positions were created: a University Diversity Officer, with its own Office of University Diversity, and a Senior Investigator position which remained located in the Risk Management office. FDEC was not consulted on the change in title and establishment of the Senior Investigator position, or the search process.

ACTION REQUESTED:
The FDEC recommends to the Senate it request to the President that his office, or a designee, such as the Office of Risk Management, further investigate where the Office of Compliance, Discrimination, and Investigations is located at other CSUs and universities to determine what models exist and to report this information to the Senate and campus community.

The FDEC recommends to the Senate the person who oversee issues of discrimination complaints, investigations, and training be located in a separate location and office not in Risk Management and preferably the office is located away from the SSA Building so students, staff, and faculty who want information or to file a claim can do so in a neutral environment.

Also, the FDEC recommends the person who oversees discrimination investigations should report to someone other than the head of Risk Management so as to maintain the independence of the position. This will build more trust and encourage people to come forward around these sensitive matters.