

DRAFT
MINUTES OF THE SPECIAL MEETING ON SEXUAL HARASSMENT¹
BERKELEY DIVISION OF THE ACADEMIC SENATE
Thursday, April 7, 2016

A special meeting of the Berkeley Division was called to order at 1:10 p.m. on Thursday, April 7, 2016, in Sibley Auditorium, Bechtel Engineering Center, pursuant to call. Professor Robert Powell, chair of the Berkeley Division and professor of political science, presided, and confirmed a quorum of 50 Senate members.

Summary of Business

A special meeting of the Berkeley Division was requested by 28 members of the Division: Elizabeth Abel (English); Wendy Brown (Political Science); Michael Burawoy (Sociology); Catherine Cole (TDPS); Laura Enriquez (Sociology); Mark Goble (English); Steven Goldsmith (English); Gillian Hart (Geography); Heather Haveman (Sociology); Celeste Langan (English); Colleen Lye (English); Mino Moallem (Gender and Women's Studies); Laura Nelson (Sociology / GWS); Kevin Padian (IB); Leslie Salzinger (Gender and Women's Studies); Jeffrey Skoller (Film Studies); Sandra Smith (Sociology); Shannon Steen (TDPS); Elisa Tamarkin (English); James Vernon (History); Leti Volpp (Law); Julia Bryan-Wilson (History of Art); Michael O'Hare (Public Policy); Raka Ray (Sociology); Rebecca McLennan (History); Cori Hayden (Anthropology); Michael Watts (Geography); and Louise Fortmann (ESPM).

Recent high profile cases of sexual harassment at Berkeley have raised serious questions about how the University handles such cases. The meeting was called to consider the following item of business:

An open discussion of administrative and procedural issues and concerns related to the university's handling of sexual harassment.

Division Chair Powell presented an overview of relevant policies and the investigative process. Professor Eric Rakowski (Law) former chair of the Committee on Privilege and Tenure, presented an overview of the faculty disciplinary process.

Division Chair Powell outlined procedures for conduct of the meeting and requested that speakers state their name and departmental affiliation, and limit their comments to three minutes.

First, he called upon two of the organizers of the petition, Professor Michael Burawoy (Sociology) and Professor Celeste Langan (English), to comment on the business item.

¹ Recordings of Divisional Meetings are available online at <http://academic-senate.berkeley.edu/division-meetings>. Contact <acad_sen@berkeley.edu> for more information.

After making brief comments, Professor Langan committed the balance of her allotted time to Professor Lauren Edelman (Law), a researcher of organizational compliance in cases of sexual harassment. Professor Edelman described what she called 'symbolic compliance' by organizations to respond while minimizing risk and without making meaningful changes. She recommends that the campus: support zero tolerance for sexual harassment; establish clear, serious sanctions; and install an advocate outside of the process to ensure that involved parties are fully empowered to exercise their legal rights.

Some of the highlights of the open discussion included the following:

- The campus must commit to zero tolerance for sexual harassment and change the culture of secrecy.
- Trust has been damaged at Berkeley. The Senate and the administration must work together to restore trust and resolve climate issues.
- The handling of sexual harassment complaints must be reworked with faculty in the lead. Improving the timeliness of investigations is a high priority. Greater transparency is also needed, within the limitations of confidentiality.
- Professional advocacy and support for both the complainant and the respondent are highly recommended. The complainant should be protected from retaliation and intimidation during the investigation.
- Sanctions must be clear, consequential, proportionate to the violation, and should be applied consistently (for instance, among different groups of the campus community).
- The current training on prevention of sexual harassment is not effective.
- There are other types of harassment that also need to be addressed. For instance, the Faculty Code of Conduct addresses the treatment of students, but not staff.

Motion presented by Professor Wendy Brown

Professor Wendy Brown (Political Science) proposed a new business item to recognize the former executive assistant of the dean of Law for contributing to the betterment of the University by forcing it to address the handling of sexual harassment complaints through her civil lawsuit against the dean and the University.

Procedural Motion:

Professor Wendy Brown made a motion to amend the agenda by adding a new item of business.

The procedural motion was seconded.

Vote: The procedural motion was approved unanimously.

Main Motion:

Professor Wendy Brown made a motion to grant an ad hoc Senate award for 'Staff Member of the Year' to Tyann Sorrell.

The motion was seconded.

Discussion:

It was clarified that this would not duplicate any existing award.

Motion to call the question:

A motion to call the question was moved and seconded. A two-thirds majority would be required for approval.

Vote: The motion passed unanimously.

Professor Brown then clarified the name of the proposed award to recognize Ms. Sorrell's role as a staff member.

Main Motion, as clarified:

Professor Wendy Brown moved that Tyann Sorrell be given an ad hoc Senate award for 'Outstanding Service to the University by a Staff Member'.

Vote: The motion passed unanimously.

A certificate would be created and presented to Ms. Sorrell.

The open discussion continued, then Chancellor Nicholas Dirks and Executive Vice Chancellor and Provost (EVCP) Claude Steele were invited to address the Senate.

EVCP Steele expressed his appreciation for open discussion of the issues, and his support for shared governance.

Chancellor Dirks commended the faculty for their commitment to Berkeley and indicated his intent to work together to improve campus culture.

In closing, Division Chair Powell commended the signatories for initiating this discussion.

The meeting was adjourned at 3:10 p.m.

Daniel Melia
Secretary, Berkeley Division