



320 STEPHENS HALL  
UNIVERSITY OF CALIFORNIA

September 30, 2016

CARLA HESSE  
BARBARA SPACKMAN  
Co-chairs, Chancellor's Joint Administrative / Senate Committee on Sexual Violence and Sexual Harassment

*Subject: Proposed changes to campus administrative organization and procedures regarding Title IX compliance and campus response to sexual violence and sexual harassment*

Dear Carla and Barbara,

Thank you for briefing Divisional Council (DIVCO) on the work of the Chancellor's Joint Administrative / Senate Committee on Sexual Violence and Sexual Harassment, and plans for the establishment of a campus peer review panel and recruitment of a special advisor to the chancellor. We appreciate the opportunity to provide input at this stage of planning.

There was broad agreement on DIVCO in favor of the approaches described in the proposal. The discussion in DIVCO underscored the following concerns.

**Campus peer review panel**

With respect to the peer review panels, as DIVCO noted during the meeting, the "membership and terms of service" should make clear that each panel convened will be composed of one member each selected from five campus constituencies (i.e., senior administrators, Senate faculty, staff, graduate and undergraduate students).

We reiterate our concern that *all cases*, in which sanctions are proposed or in which early resolution may result in no formal sanction, should be subject to review by the campus peer review panel. This is essential to creating a fair and consistent process.

One way to achieve this might be to say that the panel will review all proposed resolutions in cases where OPHD has found there to be a violation of policy.

**Special advisor**

DIVCO appreciates the reasoning behind appointing a special advisor to the Chancellor to address matters of sexual violence and sexual harassment. We are persuaded that

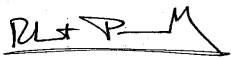
locating the position as a direct report to the chancellor will best serve the campus community as a whole. We note that the duties of the special advisor range from programmatic oversight, to data, metrics and assessment, to policy development and review. Given the scope of the position, we strongly encourage campus administration to provide appropriate resources and support for the special advisor. While we appreciate that the special advisor will have access to the resources of the Chancellor's office, including legal consultation, we believe that inadequate resources could undermine the position's efficacy.

DIVCO was pleased to hear that creation of the new special advisor position will lead to a more streamlined and efficient system to address sexual violence and sexual harassment on campus. Given the concern about the size of campus administration, we believe that demonstrating these efficiencies will promote understanding and acceptance of the position, especially among the faculty.

DIVCO noted that emeritus faculty would be well-positioned to take on this type of responsibility, and encourage you to include them in your recruitment efforts.

Finally, DIVCO would like the position description to explicitly include the expectation that the special advisor will report to the Academic Senate on a regular basis, minimally annually.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Powell', with a horizontal line underneath.

Robert Powell  
Chair, Berkeley Division of the Academic Senate  
Professor of Political Science