

Report  
of the Task Force on  
Misogyny, Sexism and Homophobia  
in Dalhousie University  
Faculty of Dentistry

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## Members of the Task Force

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## Executive Summary

In December 2014, it came to light that a significant number of male fourth-year students in Dalhousie University's Faculty of Dentistry had posted sexist, misogynist, and homophobic remarks and images on Facebook. Some of the posts focused on their female classmates, using derogatory, demeaning, and sexually violent terms.

A group of dental students had formed a male-only Facebook group in their first year at the dental school. It remained a closed group, with membership by invitation only. One member showed a highly disturbing post to a classmate because she was one of the female dental students mentioned in it by name. He let her take a screenshot of the post on his computer.

The young woman contacted University authorities, intending to lodge a complaint. She also showed the screenshot to other women named in the post. Meanwhile, the University tried to contain the crisis within its walls using its own policies.

Within a week, someone had leaked more than 50 screenshots of the Facebook group to the press. Shocking, nauseating, and deeply unsettling, the content and speculation about what it meant dominated the news for weeks. And there were other troubling revelations. For years, dental students had been adding layers of sexist, misogynistic, homophobic graffiti to the wall behind the bar in "The Cavity," a dental students' lounge. Requests to have it painted over had been brushed aside. Female dental students had complained to authorities about some professors' behaviour in class and were never told what action the Faculty or University took, if any.

The Faculty of Dentistry and the University came under heavy fire as traumatized students, worried parents, and an outraged public demanded action, demanded names, demanded expulsions and resignations, and above all, demanded answers.

Many others called the furore a tempest in a teacup—the Facebook posts were just locker-room talk that meant nothing. Voices were raised in variations on the "boys will be boys" theme. But it soon became clear that the Facebook posts, and the institutional response to them, did real and lasting harm.

Before the school year came to an end, 13 Facebook posters had been suspended for two months from working in the dental clinic, putting their ability to graduate in jeopardy. Twelve had spent over 150 hours in an array of sessions with facilitators, faculty members, and experts as part of a restorative justice process. A large number of their classmates, both female and male, had joined them. They preferred to give the 12 a chance to learn from their actions rather than see angry men leave without graduating. In the end, all of the Facebook posters graduated. But with licensing bodies reviewing their applications very closely, their professional future remains uncertain.

The President of Dalhousie appointed the three members of this Task Force to examine these events independently; the Senate endorsed the appointment. We did not have the power to make findings of fact in a legal sense or to reach conclusions of law. Our task was to inquire into specific equity issues inside the Faculty of Dentistry, review University policies and processes around its response to the crisis, and consider the broader social context to provide insight into the meaning of these events.

Throughout our work, our objective was to see what we could learn that could help efforts to dismantle discrimination and harassment in the future. We knew that this was possible because crises usually ignite in settings that are on the cusp of change. The eruption comes from the courage and energy of people who protest because they think they might actually be heard. No institution wants to find itself at the centre of the storm, but storms signal the potential for change. There is strength on the ground, and those in charge are perceived as good people who can and might do something positive.

The Task Force did not begin with a blank canvas. We knew some things from the outset:

- **Dalhousie does not stand in isolation.** Universities, and everyone associated with them, live within a wider culture that increasingly glorifies sexual violence and exploitation. Soon after the story broke, Facebook posts at other universities quietly disappeared. Their faculties heaved sighs of relief that the scandal had not erupted in their backyards.
- **Incidents of sexism, misogyny, and homophobia do real and lasting harm,** in this case, to a wide-ranging and diverse group of people: female and male students; Faculty of Dentistry administrators, professors, clinical instructors, staff, and clinic patients; University administrators; the larger Dalhousie community and Dalhousie alumni; dentists, the profession's associations and regulatory bodies; and the broader public.
- **Equity issues raise complex problems that cannot be resolved easily.** Like other institutions, Dalhousie is divided on equity issues. In this case, people disagreed about what happened, why it happened, and what it meant. They will probably disagree about which strategies would promote positive change, but progress needs diverse perspectives—and a commitment to working collaboratively across differences.
- **There are no obvious right answers, but there are some wrong ones.** Minimizing what happened would be wrong. We heard of many incidents of misogyny, racism, and homophobia in Dentistry and throughout the campus. This was not an isolated incident or a case of some “bad apples.” And in any case, it is an illusion to think that ridding the University of bad apples would cleanse it of inequity. Being defensive when challenged on sexism, heterosexism, and racism is also unhelpful. We must recognize that we all live a sexist, racist, and heterosexist culture to lay the groundwork for change. The status quo is unacceptable.

After meeting with some 150 students, faculty, staff, administrators, and members of the broader University and public community, receiving written submissions, and analyzing University policies, five main themes emerged:

1. **The culture within the Faculty of Dentistry permits incidents of sexism, misogyny, homophobia and racism.** People described those incidents as anything from “isolated” to “rampant,” and as affecting both staff and students. Given the number, the duration, and the range of people who told us about them, they cannot be dismissed as isolated. One alumnus said that Dentistry lived in a “time warp,” oblivious to social progress that has rendered some behaviour unacceptable.
2. **There is distrust and suspicion about the University’s response to reports of discrimination.** “Swept under the rug” was a phrase we heard over and over again. The Faculty of Dentistry has no formal complaints process, and most people seem afraid to complain informally for fear of retaliation. They had little confidence that anything would be done anyway. Within the University, racist graffiti are simply painted over and most complaints are handled confidentially.
3. **On the whole, the University’s policies and processes for dealing with equity issues are as good as or better than other Canadian universities.** We do not see a need to redraft them. We do suggest making the University community more familiar with how and when to use them and what the options are. We think whistleblowers and others who lodge complaints need more support and protection from retaliation. We make some recommendations on how the University might handle cases like the Facebook incident in the future, including acting on its own initiative to take carriage of the matter and improving some aspects of the restorative justice process.
4. **The best route for the future is to focus on systemic change.** Recognizing the connections between a group of complaints holds more promise than dealing with each incident in isolation. There are tools and approaches to shift the focus to structural change that can transform the culture.
5. **Education and research is the key to significant and lasting change.** As a respected centre of learning and research, Dalhousie is particularly well suited to explore the problems, develop innovative world-class resources, and foster teaching and activism to dismantle inequalities of all kinds.

In this Report, we make recommendations directed to the Faculty of Dentistry, the University administration, and the wider context of the University community. Neither this Report nor our recommendations are intended to assign blame, or to suggest that anyone failed to act in good faith or did not act in what they believed to be the best interests of the University and the students involved. The evidence received gave us no cause to cast aspersions on the motives or intentions of any of the decision-makers.

The University and Dentistry administrators had to deal with the Facebook group events while under intense public scrutiny and pressure for immediate response. By contrast, we had the benefit of hindsight and reflection, and the opportunity to hear the observations of students, faculty members, staff, administrators and members of the broader public. They all added depth to our understanding. One of the most positive messages we took away from our communications with them is the virtually unanimous agreement on goals and objectives.

Everyone wants a safe campus—a non-discriminatory institution that is inclusive and respectful of a diverse community. Many people told us that they would like to see Dalhousie become a recognized leader, positioned at the forefront of equity issues. We believe that it is entirely possible to achieve that vision. We were left with an impression of enormous talent and capacity, a surfeit of goodwill, and a collective desire to improve equity in every aspect of university life.

We hope that this Report will help Dalhousie move toward that goal.

## Chapter 1. Background to the Task Force and This Report

In early December 2014, it came to light that some fourth-year students at Dalhousie University's Faculty of Dentistry (Dentistry) had been posting misogynistic, sexist, and homophobic comments and images to a closed Facebook group. In January 2015, Dalhousie's President and Senate approved the creation of an external Task Force to investigate what happened and why, investigate the culture within Dentistry, assess what can be learned, and make recommendations for how Dalhousie and other institutions might address similar issues in the future.

The Task Force operated entirely independently from the University, but we had administrative help from University staff. We want to thank Kim Thomson and Courtney Eisner for their unflinching support in coordinating our work.

The terms of reference asked us for two separate reports; one with recommendations for Dentistry and the other with recommendations for the wider University. With the University's consent, we have combined both sets of recommendations in this Report.

This is not a report on a formal investigation. The Task Force did not conduct hearings and had no other way to compel people to speak to us. We did not have the power to gather *all* potentially relevant information. For example, we only saw the Facebook posts captured in a series of screenshots; we did not see any other posts to that Facebook group.

Over the course of three months, we met with some 150 students, faculty, staff, administrators, and members of the broader University and public community. They talked to us about the Facebook posts, and about the culture, practices, and policies within Dentistry and the University. We also received confidential written submissions.

We found that a great many individuals cared deeply about resolving the problems we were examining. We benefitted greatly from their information and thoughtful suggestions. Early on, however, we realized that many people who had important things to say were worried about the repercussions of talking to us. We decided to communicate with people in confidence. In this Report, we do not attribute anything to identifiable individuals unless that information is already public or unless an individual specifically authorized us to do so.

Looked at objectively, there is no question that the Facebook posts we saw were sexist, misogynistic, and homophobic. The reactions to them ranged from dismissive to harshly judgmental. In this Report, we have tried to show the wide range of interpretations of what happened and why, as well as the breadth and depth of the harm these events caused. We have sought to show respect for all views held and compassion for all harm experienced. We have told the story as simply and directly as possible, without editorializing.

The events we describe in this Report sparked heated debate and fuelled intense public interest. Dalhousie's response drew heavy criticism in some quarters. The University asked the Task Force to make recommendations on institutional responses to situations like this, but we have also tried to shed light on the complexity of the underlying environment. We believe that understanding



these events is essential if there is to be progress in the future. However, in writing this report, we do not purport to reach definitive conclusions on matters over which there is controversy.

## Chapter 2. What Happened?

### (a) A private Facebook group is revealed

#### A poll on the day of remembrance for the Montreal Massacre

On December 6<sup>th</sup>, 1989, a gunman entered L'École Polytechnique in Montreal and murdered 14 female engineering students. His goal was to prevent women from entering a male profession. The killer's suicide note blamed feminists for ruining his life. Women's organizations across Canada commemorate the date every year, calling for national action to eliminate violence against women.

On December 6<sup>th</sup>, 2014, 25 years to the day after the Montreal Massacre, a fourth-year dentistry student at Dalhousie posted a question about his female classmates, in the form of a poll, on an all-male Facebook group called the "Class of DDS 2015 Gentlemen": "Who would you hate fuck?" He also invited members to vote on which classmates they would like to "sport fuck."

To suggest that the Facebook incident is on an order of atrocity comparable with the tragedy in Montreal would insult the memories of the women who died in 1989. It would also be grossly unfair to the men of the Facebook group. Yet several media outlets, along with many people who spoke with our Task Force, drew attention to an undeniable parallel: On December 6<sup>th</sup>, 25 years apart, young women pursuing careers in professions once reserved for men became targets.

#### The poll proves to be the tip of the iceberg

Several members voted in the Facebook poll, but at least one tried to put a stop to it. Later dubbed "the Whistleblower," he showed the post to a female classmate who was mentioned by name in the "hate fuck" poll. We call her Student A. "The Whistleblower" (or Student B) let Student A use his laptop to take a screenshot of that poll. Later, he would let her take screenshots of other offensive posts going back four years to the fall of 2011, when sixteen "Gentlemen" created the Facebook group in the first year of their dental studies." We have no way of knowing whether the posts she did not capture were innocuous or disturbing in other ways. Here are some examples of captured posts and comments.

- A photo of a bikini-clad woman bears the caption "Bang until stress is relieved or unconscious (girl)." Comments below the post include "Can you tell me what this chloroform smells like?" and "Does this mask smell like nitrous oxide to you?"
- "Penis" is defined as "the tool used to wean and convert lesbians and virgins into useful, productive members of society." A member comments, "and by productive I'm assuming you mean it inspires them to become chefs, housekeepers, babysitters, etc."
- One member describes himself as an "ass man" and another as "a boob man."
- Photos of fat women in bathing suits draw many laughs.

- A photo of a young woman posed with legs partially raised while sitting on top of a “public entrance” sign, receives many “Likes” and the comment that “She’s open for business.”

There are several examples of dentistry-related comments and sexual innuendo:

- Female classmates are said to “casually flirt with instructors and lure them to their cubicle” while “talking with a sexy voice.” A comment calling them “damn honey traps” attracts 20 Likes.
- The caption for a cropped picture of one man behind four women wearing dental lab coats says he is a man “beating off” on his classmates.
- Someone says, “Two reasons why I like girls in Dentistry: 1 mm looks big to them and it normally only takes less than 10 mm to enter a canal!”
- Endodontics inspires comments about the need to “scout a canal first before entering it,” to ensure that it is “moist/wet when working on it,” and cautioning that “entering a dry canal can cause your plugger to break.” A female classmate is imagined complaining to a male faculty member that her “canal” is “too tight.” The “blushing” male professor explains, “You gotta get the 10 in there before to make room for the 15... you have to finger a girl before you put your dick in.”
- A female faculty member is described as a “crazy bitch,” a male faculty member as looking “like a pornstar,” and another as “under more heat for sexual harassment than anyone since [a previous faculty member] and gives a final with 69 questions. What a boss.”

### Mixed reactions to learning that female classmates have seen the page

The screenshots also capture some posts after the members learned that some of their female classmates had seen their sex poll. One laments that “the guys group has always been a place for everyone to cut loose.” Another adds, “Lockerroom (sic) talk if you will. Should stay in the locker room.” Someone suggests that “from this day forward” the group should “abbreviate certain terms.”

“Like SP for sportfucking!!!” suggests someone else.

Most do not seem worried about repercussions, and they are angry with the (unknown) whistleblower:

Boys what are they going to do? honestly. Kick every guy out of 4th year? Tell us you guys are mean for saying those things? I think the bigger issue is who in the fuck is showing the girls. But I also want to know I can say whoever I want to HATEFUCK and know some guy isn’t going to go running and tell the girls.

Someone adds, “We should hang the leak from his balls. If he has balls.”

At least one poster does seem worried: “RED ALERT!!!! RED FUCKING ALERT!!!! We have to get rid of the evidence.” But another says it is “Not like its (sic) anything (sic) serious lol.” A few

suggest that it is not a laughing matter, and that an apology might be in order, but others disagree: “fuck an appology (sic).”

Shortly after these comments, the Facebook page came down.

## **(b) Events escalate**

### **Attempts to contain the crisis with internal policies**

First thing Monday morning (December 8<sup>th</sup>), Student A went to the University’s central administration (or upper campus) student affairs office. She showed the screenshot of the “hate fuck” poll to the senior administrator in charge and asked that a formal complaint be laid under the University’s Code of Student Conduct. The administrator explained that the campus was about to shut down for the holidays, but that she would look into it and get back to Student A.

By then, Student A had shown the poll screenshot to some female classmates who had been mentioned in the post. Later that morning, they met with a female Dentistry administrator. They voiced their concerns about broader problems within Dentistry, including lack of professionalism and the culture and climate.

The same day, University security staff identified nine men and five women who figured in the “hate fuck” poll screenshot. The University assembled a student-in-crisis team to determine whether there was a safety risk. The team concluded that there was not. The senior administrator who had met with Student A that morning decided that there was no basis for ordering the interim suspension of the men involved. The next day (December 9<sup>th</sup>), the administrator told four of the women who had come forward that the Sexual Harassment Policy was the appropriate complaint mechanism. She advised them to contact the University’s Human Rights, Equity and Harassment Prevention (HREHP) office to explore further action.

Upper campus wanted to handle this serious matter centrally, but asked Dentistry to support the female students. As word spread and more female students came forward, Dentistry’s administrators felt increasingly frustrated. The situation seemed to be spiralling out of control, with no clear response from upper campus. One administrator said, “If we could have dealt with it inside the faculty, got ahead of it, we might have dealt with it more quickly.” That sentiment would grow over the next months. Some within Dentistry wanted to demonstrate decisive action, but upper campus insisted that they wait for the other processes to unfold. Senior University officials continued to believe that the crisis called for central control.

Based on the poll screenshot, and advised that interim accommodations and support had been arranged for Student A through Dentistry, the HREHP Office did not designate the incident as an emergency or as a high risk. Scheduling conflicts meant that Student A did not have her first session at the HREHP office until Friday afternoon, December 12<sup>th</sup>.

Having just finished her fifth exam in one week, Student A was stressed and exhausted as she sat through the two-hour meeting. Two HREHP staff, one campus security officer, and a female dental

school administrator were there to explain the formal and informal procedures available under the Sexual Harassment Policy. Student A would later recall that the discussion about formal procedures lasted five minutes, but the discussion about the informal process went on for about an hour, with staff emphasizing restorative justice (RJ) among the informal options.

Student A told the meeting that she was not interested in resolving the complaint informally. Given the seriousness of the incident, the ramifications went well beyond harm to one individual. She said that it was the University's responsibility to take charge. She requested a "no contact" order related to three male classmates, and the campus security officer agreed. He told her that if there was evidence other than the poll screenshot, it would be helpful to get it. She did not want to identify her source, but Student B agreed to let her access the Facebook group from his computer and take more screenshots. She took 54 screenshots and turned them over to University authorities that evening. According to Student A, "that's what seemed to blow up this whole thing."

Over the weekend, Student A's parents contacted the President of the University, the Dean of Dentistry, and other University officials. They were not satisfied with Dentistry's offer to isolate her from her classmates. They saw this as penalizing her while the abusers maintained their normal routine. Instead, the abusers should be the ones to be moved.

Student A had been told that the no-contact orders would not be served on her classmates until she signed them. While she was considering what to do, through some miscommunication, the orders were issued without her signature or knowledge. This upset her greatly. Even some long-term male friends who had not received a no contact order were refusing to talk to her: "Why would anyone want to talk to you? You sent these orders to people to not talk to you." Student A said, "I felt like things kept playing out, targeting me, separating me from the group, which just made it worse."

Soon, all of her classmates had figured out that she must have sent the Facebook posts to the University. She was writing her exams in a separate room, isolated from the class—a dead giveaway. Meanwhile, her parents urged the University to follow its Sexual Harassment Policy. They demanded a satisfactory resolution by the end of the day on Monday (December 15<sup>th</sup>).

On Monday morning, HREHP staff offered to meet with Student A to discuss options for moving forward. Student A explained that she was in the middle of exams and under severe emotional stress, worse now because her fellow students blamed her for filing a complaint. Alarmed by the growing intensity of the situation, she did not feel comfortable continuing to meet with the HREHP office. Some people within the University seem to have understood this to mean that Student A wanted the University to proceed without her involvement. This was not Student A's view. Although she had been told that she had to proceed under the Sexual Harassment Policy, she continued ask the University to launch a full investigation using its powers under the Code of Student Conduct.

That day, Student A retained a lawyer to advise her on further dealings with the University.

## The media storm sparks both fury and backlash

For a whole week after Student A first went to the upper campus with the poll screenshot, the situation was contained within Dalhousie's walls. That was about to change.

At noon on December 15<sup>th</sup>, CBC reported that it had received 45 pages of screenshots from an unidentified source. The content was "sexually explicit" and "disturbing" and the Facebook group was called "misogynistic." Who leaked the screenshots? Student A was widely suspected. She strenuously denied it then, and continues to do so, but she was even more frightened. She feared she would be blamed for disrupting the whole school.

Two days later (December 17<sup>th</sup>), CBC aired a related story. In the spring, a Dalhousie dentistry professor showed his students a video featuring scantily clad women to "wake up" the early morning class. The video was based on an Air New Zealand safety clip featuring *Sports Illustrated* swimsuit models. Two unnamed fourth-year female dental students had complained to the dean of dentistry. The professor was asked to email an apology to all members of the class, and he had done so.

The media storm put the dental students under the national microscope. Reporters chased both female and male students, as well as some of their families and neighbours, to ask for comments. They followed them from school to their homes and workplaces. Students were harassed on social media. Day after day, the scandal dominated the front pages of newspapers, and was the lead story on radio, TV, and internet news across the country. An online petition to expel the students picked up over a thousand signatures in an afternoon, forty thousand within a week, and fifty thousand by mid-January. A #dalhateswomen Twitter campaign amassed more than 60,000 tweets.

The *Chronicle Herald* reported that fear of sitting in a classroom with men who threaten to drug and rape women was spreading like a virus across the Dalhousie campus. Some began to question whether parents should send their daughters to Dalhousie.

It was, as one observer said, "one of if not the most far reaching scandals in Dalhousie University's 200 year history." Dalhousie's communications department was receiving 40 media requests a day, and the report count would soon top 3,000. As one reporter said,

[This] scandal has captured public attention in a way rarely seen. This is a story with staying power. We're a month into it...and still every day brings fresh news. Website comments and letters to the editor abound. It's the talk of the province and indeed the country.

A crowd of 200 rallied in front of the dentistry building waving signs with "#DalhousieHatesWomen," "Expel Rape Culture," and "We Want Names."

Three hundred members of the Dalhousie community, including people employed at all 12 faculties, signed a Statement Against Misogyny and Gendered Violence. Three parents of women

in the dental class wrote to the authors supporting the statement and expressing concern about harm to their daughters. By December 28<sup>th</sup>, over 45,000 people had supported a petition demanding a transparent and independent investigation. The Nova Scotia government declared that it was “closely monitoring the situation.”

By this point, the University had identified 13 male students as active in the Facebook group at the time the screenshots of the offending posts were taken. Provincial dentistry licensing bodies in Ontario and Alberta demanded the names of the 13, calling their behaviour incompatible with professional accreditation. The University refused to supply them, saying that this would be an unlawful violation of student privacy. Dentistry regulatory bodies in Nova Scotia and British Columbia announced that male students from the Dalhousie 2015 class would be “scrutinized for good character.”

In hundreds of social media posts, people vowed to boycott all male dentists from the 2015 Dalhousie class unless the names of the 13 were released. The internet group Anonymous threatened to expose their names, as well as the names of Dalhousie employees who failed to act on the complaints. Instead, however, Anonymous sent the media the email addresses of every fourth-year male dental student at Dalhousie. “Our main goal,” an Anonymous representative told the press, “is to expose Dal’s systemic suppression of complaints.”

A Dalhousie-trained doctor in Ottawa was reported to be shocked to hear his alma mater casually referred to as “the rape school.” Some dental school alumni removed their Dalhousie diplomas from their office walls and said they would cut ties with the University. Some threatened to withdraw donor funding.

Meanwhile, there was backlash against all of this fury. Some critics called the situation a tempest in a teapot. They cautioned the University against expelling students for free speech and argued that low-brow humour did not warrant ruining the lives of men who had worked hard and spent thousands of dollars on their education. Some believed that the dental students’ belief that their Facebook page was private was a mitigating factor. Others insisted that the content of the posts was no worse than the content found on general internet sites. The 13 students had committed no crime other than stupidity and thoughtlessness, many said. The old “boys will be boys” refrain was often repeated. One individual even accused Dalhousie of “self-justified misandry [hatred of men] in the name of fighting misogyny.”

A 40-minute video, “Hallowed Halls, Dalhousie University,” appeared on YouTube. The male presenter asserted that “dumb jokes” should not have launched a “Dalhousie shitstorm.” He likened the protests to urging women, if their dentist made a joke, to call the police because he was a rapist. The video received close to 5,000 Likes.

A male dental student described the atmosphere around the school as “absolutely a circus” where “certain people are offended about everything that is said.” Letters to the editor of the *Chronicle Herald* compared calls to expel the male students with a “witch hunt from the Middle Ages” or “a

lynch mob.” One said that “ugly calls for the heads of the 13 students” were “reminiscent of the French Revolution.”

### **A path seems chosen, but there is more anxiety to follow**

In a press release on the day the story broke, Dalhousie’s President asked for 48 hours to consider the “full range of options available to us to address these serious allegations.” For the next two days, he met with colleagues and advisers to explore the possible University responses. He heard many conflicting perspectives. He spoke with some of the women dental students who had been named in the Facebook posts. It would eventually emerge that 10 female students were named in the Facebook posts (nine from fourth year and one from third year). He wanted to meet with all of them, but the students’ holiday travel schedules and other pressures of time meant that he could only meet with some.

On December 16<sup>th</sup>, HREHP staff met with four of the female dentistry students named in the Facebook posts (Student A was not one of them). They outlined the various formal and informal complaint procedures they had described to Student A, including RJ. The University concluded from this meeting that these students wanted to pursue an informal complaint under the Sexual Harassment Policy and preferred an RJ process.

On the same day, HREHP staff met with 12 of the 13 men the University had identified as active in the Facebook group at the time of the offending posts. The men also agreed to an RJ process. HREHP staff met separately with the 13<sup>th</sup> student, “the Whistleblower,” Student B. He also agreed to the RJ process based on what he knew about it at the time. In an email from an administrator, the entire fourth-year dentistry class was invited to meet to discuss the situation the same day. Neither Student A nor Student B attended.

The following evening (December 17<sup>th</sup>), Dalhousie’s President announced that “many” of the women had come forward and “a number” had selected the restorative justice route under the University’s Sexual Harassment Policy. He said that this was already under way. He left the door open for women to lodge a formal complaint, and said that a formal complaint process that included “appropriate disciplinary action” could also begin if the RJ process failed. To clarify, he stated that “The restorative justice process at Dalhousie does not preclude future action on the part of the University, nor is this process a straitjacket or a one-way street. A wide range of disciplinary action is available to us if the informal process breaks down for any reason.”

Asked by the press about why he was not starting an investigation in tandem with the RJ process, the President said that he would not launch “a parallel process” against the wishes of the female students who wanted RJ. The RJ facilitators would later assert that it was anticipated that a wider investigation would proceed within the RJ process itself. This was not apparent to the many observers who continued to call for a full investigation.

On December 18<sup>th</sup>, Student B circulated a personal apology to the whole class and to the President. He said that he had not had “a direct involvement in the hurtful comments brought forth,” but regretted having been a member of the Facebook group. Depicting himself as a



bystander, he added that it was “something I am not proud of and will regret for the rest of my life.” His letter appeared in the press on December 22<sup>nd</sup>.

Meanwhile, the anxiety level inside the dental school continued to escalate. An administrator said that “there was palpable stress. It just seemed frantic. It’s hard to describe but you could just feel the tension and paranoia.” On December 15<sup>th</sup>, the University postponed the remaining fourth-year exams until January. Some students may have been relieved, but others were furious at the disruption of their study schedule. On December 22<sup>nd</sup>, the University announced that dental classes, and the public dental clinic (the Clinic) where all third-year and fourth-year students practised, would shut down until January 12<sup>th</sup>.

### **Returning from the holidays to another storm**

On January 5<sup>th</sup>, the day the University reopened after the holiday break, the President announced that the clinic privileges of all 13 Facebook group posters had been suspended as of December 22<sup>nd</sup>. Since the Clinic accounted for the majority of their instruction in fourth year, this would halt their academic progress. The suspension was based on a ruling of Dentistry’s Assistant Dean Clinics and Building Services (the Clinic Assistant Dean) and carried out under the Clinical Policy Manual. The reasons for the suspension were “unprofessionalism,” “concerns for patient safety,” and the “safety of those working in the Clinic.” Dentistry’s Academic Standards Class Committee (ASCC) confirmed the interim suspension the next day. The ASCC said it would consider whether the 13 students had violated their “professionalism requirements,” assessing if and when the suspensions could be lifted, and deciding “to what extent remediation is possible.”

On January 9<sup>th</sup>, the President announced that the matter was now before the ASCC. He also said that that the thirteen would no longer be permitted to sit alongside their fellow students in classes but could attend by electronic means. He summed up the situation at a press conference:

This past month has been especially challenging for our university and our community. All of us continue to be shaken by the misogynistic and completely unacceptable comments made by male members of our fourth-year Dentistry class. ... From the outset we stated that this behaviour is completely unacceptable and there must be consequences. The consequences must be based on a just process that complies with the law, university policy and the rights of those involved. We also stated the need to look at issues of sexism and misogyny on campus more deeply. We won’t rush to judgment nor will we sweep this under the rug.

The decision to give jurisdiction over the suspensions to the ASCC, a body internal to Dentistry, provoked an immediate outcry. Who were the members of the ASCC? Did the membership include the professors mentioned in the Facebook posts?

Regarding the delay in announcing the suspensions, the University explained that some of the men in the group had made “credible threats of self-harm.” The University chose to delay the

announcement until the students were back from their holiday break so that they could access counselling services on campus.

Critics complained that the 13 had only been banished from the classrooms and Clinic. They would still be in the halls, the library, the dental building, and the wider campus. Some pointed out that because there had been no investigation, the University had no way of knowing whether other posters had escaped detection by dropping out of Facebook before the scandal broke. At the same time, they said, some of the suspended students might have had a relatively minor role in the postings or could have been innocent bystanders. Critics also noted that the suspensions trained the spotlight solely on the students. What about investigating the professors implicated in the Facebook posts? For different reasons, critics seemed to agree that suspensions were inadequate to address the situation. The *Chronicle-Herald* reported that the suspensions, following on the heels of the “pre-Christmas promise of restorative justice...just seemed to fan the fury in many quarters.”

### Views and critical reviews on restorative justice

On January 5<sup>th</sup>, the first day back from the holiday break, an RJ advisor (a Dalhousie law professor with RJ expertise) and two RJ facilitators (an HREHP staff member and a campus security officer) briefed the whole 2015 dentistry class. Based on a preliminary assessment that had continued over the break, the facilitators invited the entire class to take part in the process. Students were told that their participation was voluntary and that they could withdraw at any time. By signing the written consent form, participants agreed to disclose “all information that is relevant to the issues raised.” The information would be received in confidence and could not be used in any other Dalhousie process without their agreement. The RJ process would not interfere with the freedom of other individuals to proceed with complaints under other processes. The facilitators distributed information about alternative options. They encouraged the men to consult their lawyers if they were represented.

Student A attended the January 5<sup>th</sup> meeting but did not sign the consent form because, she said, she did not wish to sit in a room with men who had bullied her. Her decision not to participate in RJ marked a point of separation from the rest of her class. Thereafter, she felt that she was living in something akin to a “black box.” In a move that was undoubtedly intended for her safety, she was assigned a separate room to do her remaining clinic work, increasing her feeling of isolation. She also perceived a shift in the mood at the dental school. The anger initially focused on the Facebook group seemed to have spread to her and Student B. Both of them began to feel like the new scapegoats of the crisis.

Out of a class of 46 (25 men and 21 women), 15 male students (12 of the 13 Facebook posters and three other male dental students) and 14 female students decided to participate in the RJ process—a 63 per cent participation rate. Subtracting the eight international qualifying program students (known as QPs) who were treated as a separate group, the participation rate was 76 per cent. Six of the nine fourth-year women directly targeted on Facebook participated. Speaking to a Global News reporter several months later about their choice, one said, “We wanted a shot at

least of graduating alongside 13 much more thoughtful” men, rather than expelling “thirteen angry men.”

Several students joined Student A in choosing not to participate in the RJ process. On January 6<sup>th</sup>, the CBC published an open letter to Dalhousie’s President that it said was from four unnamed female dental students. They wrote that the informal Sexual Harassment Policy was the wrong process to resolve the scandal and that RJ was “an inappropriate solution.”

Some observers questioned whether the women who had opted for RJ had been given enough information to make an informed decision. At least one female student contacted the press to say that she was not comfortable with the RJ process but was not coming forward publicly or with a formal complaint for fear that it would “affect her academic standing and career.” One fourth-year female dental student told the CBC that RJ was unacceptable because it felt “shocking to be asked to discipline my own peers.” A former Dalhousie employee, quoted on the Anonymous Twitter account, accused the University of systematically suppressing human rights complaints and using RJ to “sweep things under the rug.” In response to these views, the 29 participants in the RJ process wrote a joint, confidential letter to the President in support of RJ.

Another rally of about 300 angry students, staff, and members of the public protested that the University’s whole response was insufficient. The Gender and Women’s Studies Program organized a “Forum on Misogyny” on January 15<sup>th</sup> to try to bring expertise to bear upon the crisis. It attracted a live audience of 700, with 6,000 following on line. Social media postings remained primarily negative, with bloggers calling the University’s actions a “seemingly lackadaisical approach to justice.” Still others called for the President to resign.

The University made a significant effort to explain the length, depth, and substance of RJ to the public, but to no avail. Lacking understanding of the process, critics painted a picture of students sitting in a circle “singing Kumbaya.”

### **Student B gets a closed hearing**

Although he had been publicly identified as “the Whistleblower,” Dentistry included Student B in the interim suspension order of January 5<sup>th</sup>. He felt that since he had tried to intervene to stop the objectionable posts, he should not be lumped together with the rest of the Facebook group. The ASCC set January 8<sup>th</sup> as the deadline to lodge a notice of objection to the suspensions. Student B retained lawyers to prepare his. A Dalhousie professor outside the dental faculty started a crowdfunding campaign to raise money to defray Student B’s legal costs. On January 14<sup>th</sup>, the ASCC advised Student B that it would be considering whether to impose a remediation plan or academic dismissal.

Student B’s lawyers strenuously objected to several points about the ASCC’s process. They questioned the impartiality of the dentistry professors on ASCC and whether they were qualified to rule on issues involving misogyny. They said that ASCC had little experience with and limited jurisdiction over student discipline. They objected to the lack of investigation and to the insufficient disclosure of the case against their client or about the procedure that ASCC would

follow. They said that there was no way of knowing whether the approximately 50 screenshots were representative of the hundreds of pages not produced. They said that Dalhousie had not advised students that their private social media exchanges were subject to University oversight. They insisted that their client was an infrequent and passive participant, suspended for mere membership in the Facebook group. They argued that Dentistry had created a new punitive “professionalism offence” in order to circumvent the due process safeguards attached to Senate disciplinary procedures. They called it an attempt to create “a new legal standard in universities and in Canada” designed to “quell an unquenchable public appetite for bloodlust.” They said that the RJ process was premature, and would only have been appropriate *after* a full investigation, a hearing, and a finding of unprofessionalism.

On January 18<sup>th</sup>, Student B confirmed that he would not be joining the RJ process, despite his initial expression of interest. He said that the University had “tried to pressure him into joining,” and that none of the students had been given an opportunity for “reflection and choice.” His role in disclosing the Facebook posts had been revealed at the outset of the RJ process, and he felt that he was becoming the target of growing hostility as a result. He needed to take a different path from that of his classmates.

Rumours continued to swirl around the campus about who had sent the screenshots to the media. Student B was now widely believed to be the likely culprit, which he vigorously denied and continues to deny. In his view, participating in the RJ process would constitute an admission of guilt, which he was not prepared to make. The RJ facilitators would later object that “acknowledgment of guilt in other processes” was not a prerequisite. The only requirement was for participants to “be truthful” and to “reflect and give an account of their actions, roles, and responsibilities for the harms identified.”

Neither the ASCC nor the University investigated Student B’s conduct. On January 20<sup>th</sup>, the opening of the ASCC hearing, Dentistry’s Clinic Assistant Dean, represented by counsel, made the case against Student B. Student B’s lawyers had asked for an open public inquiry, but the hearing was held in private. The University maintained that this was necessary to maintain the privacy of other students. Student B’s lawyers refuted the allegations against their client. They asked ASCC to find him not guilty of blatant unprofessionalism and to expunge his suspension.

On March 6<sup>th</sup>, ASCC found Student B guilty of professional misconduct related to sexism, misogyny, and homophobia. He was allowed to return to clinical work, subject to certain conditions. His lawyer divulged that the conditions included acknowledging professional misconduct and participating in remedial initiatives such as private counselling, writing essays, attending public lectures, and refreshing his clinical skills. His lawyer’s request that his suspension be expunged was rejected.

### **Professors outside Dentistry offer to help and try to intervene**

From the outset of the crisis, some faculty members outside the dental school felt a responsibility to intervene. They wanted to support the female dental students and the President, scrutinize the

University's complaints system to ensure that it could respond to the situation, and help to rebuild trust in the University.

A group of eight met with the President informally on December 17<sup>th</sup> to offer their collective expertise in human rights and discrimination issues, and to stress the need for both individual and systemic responses. They were not satisfied with the President's response at the meeting, and they were concerned about his public announcement that evening about the RJ process. They felt that their attempt to offer help had failed, and that they had no option but to speak out. On December 19<sup>th</sup>, five faculty members posted a Statement Against Misogyny and Gendered Violence on the internet. Three hundred Dalhousie professors and staff members signed on.

On December 21<sup>st</sup>, relying on the President's public statement that a formal complaint could proceed alongside the RJ process, four Dalhousie professors (from medicine, law, anthropology, and music/gender & women's studies) filed a complaint under the Code of Student Conduct. They stated that the Facebook posts were "threats of sexual assault" and "acts of sexual harassment." They considered the RJ process insufficient to address the wider communities affected, including female dental students in other classes, dental hygiene students, dental assistant students from the local college who trained in the Clinic, female dentistry professors, female staff, and Clinic patients. The professors intended their formal complaint to be "an alternative or complement to the informal process underway under the Sexual Harassment Policy." They requested an investigation and suspension for any student who had actively participated in the offensive posts, through the Senate disciplinary process. They put their names on the complaint, but at this point asked that their identities be kept confidential.

Two weeks later, on January 4<sup>th</sup>, citing the University's unwarranted delay in proceeding, they made public their identities and the complaint. The four professors explained that they had identified themselves in the hope that no dentistry student would have to suffer negative consequences for putting her name forward. The Association of Nova Scotia University Teachers issued a statement applauding the four. An open letter said to be from four unidentified female students in the fourth-year dental class, published by the CBC on January 6<sup>th</sup>, supported the professors' complaint. The students said that they had felt silenced and discouraged from proceeding formally. They added "that no individual woman in our class should be required to advance a formal complaint in her own name, or to participate as a witness. The University has enough information to initiate an investigation and move forward."

On January 10<sup>th</sup>, the University told the professors that their formal complaint could not proceed because the Code of Student Conduct did not apply to behaviour that was already "subject to action as an alleged failure to meet standards of professional conduct." In other words, the conduct of the Facebook posters was already under review by Dentistry's ASCC, and no longer eligible for consideration by the Senate Discipline Committee.

A protracted debate then ensued over timing.

The four professors issued a statement claiming that they had given the University notice on December 19<sup>th</sup> that they would be filing a complaint, and had filed it on December 21<sup>st</sup>. The ASCC process was first initiated on December 22<sup>nd</sup>, when the Clinic Assistant Dean decided to suspend the students. The ASCC had not confirmed his decision until January 6<sup>th</sup>. Therefore, the behaviour that was the subject of the complaint was not, at the time the complaint was filed, “subject to an action as an alleged failure to meet standards of professional conduct.”

The University claimed that the complaint filed on December 21<sup>st</sup> contained non-disclosure conditions that meant it could not be accepted at that point. The ASCC process started on the morning of December 22<sup>nd</sup>, and the professors did not lift the conditions until that afternoon. The professors objected that they had waived the conditions as soon as they learned about the problem. They pointed out that neither they nor the public had been notified that the ASCC was involved until January, well after they filed their complaint. The two groups never resolved their disagreement on the timing.

The professors objected to moving the issue to ASCC on other grounds. They said they were “concerned and bewildered” that the only formal process was to be adjudicated by a committee entirely internal to Dentistry. This was the very faculty that the University had just announced would soon come under review by this Task Force for “misogyny, sexism, and homophobia.” The University had also announced an internal strategic initiative committee, chaired by the Dean of Law, Kim Brooks, in partnership with Dalhousie’s Senate, to examine wider issues of diversity and inclusivity on the whole campus.

A new discovery in the dentistry building had helped to create the impetus for these external assessments of the problems at the dental school

### **The “historical” walls are discovered**

For many years, the walls in the room behind the bar in the student lounge known as “the Cavity” had been covered in homophobic, sexist, and sexually explicit comments and images. Student and faculty names were scribbled alongside many of the images. Student A and other students had recommended that the graffiti be painted over. Some of their classmates objected on the grounds that it was part of their history.

After its “discovery,” many dentistry professors insisted that they had not known about the graffiti. They said that the room was locked with keys only available to the students and the University. However, it appears that Homecoming receptions were held in that lounge, and that alumni were known to regale listeners with stories of what they had written. They would check out the walls to see if their contributions were still there and look to see what had been written since.

A dental school staff member had responded to a request from a student lounge manager to paint over the graffiti: “It was unfortunate that the bar was not included at the time the Lounge was painted, as it would not have made much difference in the overall cost. At the time, it was believed there was historical value to the graffiti on the walls.” To say that the scrawled images

and captions (dating back more than a decade) disclosed a preoccupation with the size and use of male genitalia would be an understatement.

### **The University's Senate responds**

On January 12<sup>th</sup>, at its first meeting after the holidays, Dalhousie's Senate discussed whether ASCC, a body entirely internal to Dentistry, should adjudicate the matter of the behaviour of the Facebook group members. Some elected senators argued that the damage to Dentistry's credibility had left it incapable of completing an internal review, and that the Senate disciplinary process was the preferable route. A motion to pre-empt the ASCC deliberations was introduced, but tabled.

After protracted skirmishing, debate resumed at a special meeting of the Senate on January 19<sup>th</sup>. Normally, the Senate's meetings are public. The special meeting on January 19<sup>th</sup> was held in private, leaving the public without any further information. On January 30<sup>th</sup>, the University's legal counsel wrote to all members of the Senate to recommend that they refrain from any public comment on the matter.

A representative from the Dalhousie Student Union told the press,

I'm almost embarrassed at this point that that's the way everything went down. We have people on both sides of the story...that have serious problems with the way everything is happening. So I can't imagine what you're doing in the name of a just process over a month and a half that people on both sides are telling you that you're not getting it right.

Outside Dalhousie, the media continued to report on the criticisms.

### **The Halifax police enter the fray**

By mid-January, the Halifax police force was involved. The constable who spoke to the media said that the police had not received complaints from any of the people involved, but members of the public were demanding an investigation. The police were appealing to the female dental students to come forward. Some of them, already deeply upset, became even more anxious about whether this meant that they were compelled to go to speak to the police.

The police asked the University for the full set of screenshots. They wanted to find out whether they indicated any criminal wrongdoing. The University refused on the grounds of privacy concerns and added that, in its assessment, the Facebook material did not reflect criminal wrongdoing. Global News pointed out that in Nova Scotia, only police officers and Crown attorneys are able to make the determination of criminal wrongdoing. Within hours, the University issued another press release reversing its decision. The police received the screenshots on January 13<sup>th</sup>. After examining them, the police announced that they would not be starting a criminal investigation or pursuing criminal charges.

### Spotlight on the professors

On January 29<sup>th</sup>, *The Coast*, a local weekly paper, reported on four individuals it identified as male dentistry professors named in the Facebook posts. The article included the name and photo of one and the names of the three others. It included excerpts from the posts. The article noted that the University had refused to comment on whether the information in the posts had resulted in any specific allegations of sexual harassment, so the public could not know whether any of the posts had resulted in the investigation or disciplining of a faculty member.

Three of the four individuals named refused to speak on the record about being mentioned in the posts. Off the record, they said that their personal reputations had been unfairly called into question. They had been put in the spotlight in connection with the Facebook group, and in their view, it was completely wrong to draw them into the controversy solely based on inappropriate postings by students under suspension.

The professor named for showing the bikini video in class was extremely upset. He objected to *The Coast's* assertion that it was meant to wake up the class. He said it had not been shown in a class on how to do fillings, but as part of a lecture about the importance of effective communication in oral health. He had intended the video to be a communication message to "help students focus on the lecture." A successful commercial airline had produced the video to get the attention of passengers who tend to disregard the pre-flight safety demonstration. He argued that, compared with the explicit videos on YouTube and all over the internet, this was tame. He had been surprised that some students found it objectionable, and had apologized by email and in person at the next class.

In light of all the media attention surrounding the dental school, this professor asked the University to disclose whether he was the subject of any specific sexual harassment complaints. Learning that there were none, he told the students in class that he was "not under investigation." The video that had caused all the fuss was still on the Air New Zealand website, he told them, and then he showed them a screenshot of the website to prove his point. More students complained.

Observers charged that a double standard existed, with students found guilty of blatant unprofessionalism and faculty treated more leniently. Some pointed out that the professor who had "publicly" shown a bikini video in class was allowed to send a "private" email apology to the students. Yet Student B, who was instrumental in exposing the whole Facebook group, and who said he had minimal involvement in what he understood to be a "private" group, had been suspended.

## (c) DDS 2015 prepares to say goodbye to Dalhousie

### Apologies, and the end of suspensions

On March 1<sup>st</sup>, the 29 dental students participating in the RJ process publicly released two joint letters. In one, signed by all of the men, they apologized for their actions and said that they had engaged in "intensive and difficult self-reflection." In the other, signed by some of the women



targeted in the Facebook posts, they insisted that they had not been coerced into joining the RJ process, as some outside observers had suggested. They objected to the ban on their male colleagues' attending classes and added that they felt "safe with the members of the Facebook group."

The ASCC deliberated on whether to lift the suspensions for the Facebook group based on group and individual meetings and materials filed by the men and the RJ facilitators. The 12 former Facebook members gave detailed accounts of their personal involvement with the group. They produced individual records attesting to their increased understanding of the deep harm caused by their conduct, and evidence of their collective and individual accountability. On March 2<sup>nd</sup>, ASCC terminated their two-month-long suspensions, subject to certain conditions. These included satisfactory completion of the ongoing RJ process and undertaking the obligation to report and reflect on "any issues arising regarding sexism, homophobia, racism, and other issues of inclusion and equality."

Returning to the Clinic was critical for the students. They needed to complete clinical credits to graduate. The 12 men returned to the Clinic a full four days earlier than Student B, whose suspension was only lifted on March 6<sup>th</sup>.

### **The RJ process: Success despite many misconceptions**

The full RJ process took almost five months and was nothing like the "kumbaya sing-song" its critics claimed it was.

The facilitators conceded that the male students had been under pressure to join the RJ process. Though "voluntary," the 12 male dental students had to "participate fully" or face the fact that "their case would be returned to the ASCC," as Student B would learn all too well.

The RJ facilitators made interim progress reports to ASCC and the board of governors. On May 2<sup>nd</sup>, they delivered their final report to ASCC with individual assessments of each male participant. The ASCC then met separately with each of the 12 men. On May 6<sup>th</sup>, ASCC advised that they had all "remediated" themselves successfully.

The RJ facilitators released their public report on the process (the Restorative Justice Report) on May 22<sup>nd</sup>. The report proved to be a detailed account of an innovative, wide-ranging, educational and rehabilitation initiative. The process had benefitted from support and input from an impressive array of local and international experts. Contradicting criticism it was a lackadaisical approach to justice, the report demonstrated that the RJ process had unfolded through multiple individual and group meetings, lectures, and workshops, as well as small and large group circles. The 12 students from the Facebook group each spent about 150 hours in group sessions. Professors from the dental faculty, dental staff, University representatives, members of the dental profession, and community members participated in the sessions. The topics included rape culture, sexualized violence, homophobia, human rights, feminism, gender and dentistry, bystander intervention, mainstream and social media, professionalism, ethics and public trust, power and privilege, and the intersection of race, culture, gender, and sexuality. Eighty invitees

had attended the student-facilitated “Day of Learning” held on April 27<sup>th</sup>. The full report was uploaded to the University website.

The public release of the report took place at a press conference at which both the President and the dean of Dentistry pronounced the process a success. “The men have taken ownership of their actions,” said the President, and “gained a deep understanding of the harm that was caused. They’ve apologized to those most deeply impacted.” He concluded that restorative justice was “the best route to a just and meaningful outcome.” On behalf of the faculty, the dean added that that they were shocked and ashamed that such an incident had happened “on our watch,” but that RJ had empowered students, staff, and faculty. “We will emerge a stronger, more supportive and inclusive community, continuing to build on our proud heritage.” The RJ process was a “template for other institutions to address similar issues.”

Much of the mainstream media lauded the success of the RJ initiative, reporting that the intensive workshops and sessions had brought the men involved to accept responsibility for their actions, to undergo extensive learning, and to commit themselves to higher standards in the future. A Toronto *Globe and Mail* editorial said that the President’s decision to give the Facebook group a chance at restorative justice was brave, and that the final outcome of allowing the men to graduate was the right one. The editorial praised the female dental students who participated, calling them “the heroes in this story.”

The *Globe* was less impressed with the “whiney” male participants, and found the University’s “self-congratulatory tone” “unsettling.” *Maclean’s* was skeptical about whether the Facebook group members actually understood the harm they had caused. “Their focus appears to be on repairing their reputations,” noted the reporter. “They write that they’ve been maligned by the press.” The reporter may have been responding to a statement in the report that described “error-filled press reports and aggressive media harassment of students” as a threat to the RJ process.

Some of the people who did not participate in RJ, or objected to it from the outset, said they were dismayed by how the report seemed to mischaracterize their positions and concerns and make their perspectives invisible. The report listed a series of threats to the process that included “public denouncements” by professors outside of dentistry and the Dalhousie Student Union, as well as efforts by Dalhousie senators to “quash” the process. Perceived insinuations about their motives angered the senators, faculty, students, and others who had been critical of using RJ in the circumstances. They had expended much energy and many tiring hours in what they saw as legitimate efforts to dismantle discrimination. They felt that colleagues and senior University administrators had criticized them unfairly. Staff members in Dentistry who had been skeptical about whether the RJ process would fix the problems they witnessed daily worried that they were facing threats to job security for voicing those critical views.

Some noted that the report did nothing to address concerns that the female students who chose not to participate had been treated unfairly. One observer commented that the first people the RJ facilitators should have spoken with were the female dental students who decided not to

participate. “The RJ facilitators should have said, ‘You may not want to proceed with this, but we sure want your input.’” Their narrative was entirely missing from the report, and their interests were left unaddressed by the University, noted the critics. “In fact,” said one observer, “the report goes out of its way to discredit the letter that four female students wrote asking that the University accept the code of conduct complaint filed on their behalf by faculty members.”

In the aftermath of the report, Student A disclosed that she was “obviously” one of those four women. She knew each of the other three, and all of them had been “extremely hurt” by the Facebook posts. She did not want to speak for the others, since each would have her own view on why she preferred the Code of Conduct complaint. But the “letter was real,” she said, and it was “frustrating to me that they discredited it.”

Student A protested that the report did not include her story, making her feel “almost a villain,” as if “[I] didn’t want to educate my classmates.” There was “no respect for me or what my opinion was, or the decision I made not to participate.” After she told the University that she would not participate in the RJ process, she said she never heard back from anyone. “The report says that support was provided to all of the women. There was no support offered to me.” Obviously, something had been lost in the message that the University had put forth, where it emphasized that special arrangements had been made to add resources and that counselling was available to all. Student A said, “No one reached out to me to say, ‘How are things going for you?’ At no point in time. I was the female who brought forward this complaint!”

Questions lingered about whether the University had followed the right complaint process. Some continued to believe that what was missing was a full investigation. Student A and her lawyer endorsed this view, noting that at all times they had been willing to cooperate with an investigation.

The report disclosed that at its largest, the Facebook group included 16 male dental students—three more than had been identified through the screenshots. Why were those three exempted from scrutiny? Some critics questioned what kind of internal process could satisfy the female dental students that their male classmates were not a threat. They wondered whether the process had been properly attentive to the broader issues of public health and safety and the concerns and vulnerabilities of the patients of the future dentists.

### **Student A graduates early**

Student A continued to believe that the University failed in its obligation to complete a proper adjudication under the Code of Student Conduct, and then to implement appropriate sanctions. The President continued to take the position that the RJ process had not foreclosed a formal complaint from Student A or others under the Sexual Harassment Policy. Student A believed that the University should have initiated a complaint itself, instead of placing the daunting onus on individual students.

Student A also believed that she had been unfairly maligned for reporting the harassment to the University, falsely accused of having leaked documents to the CBC, ostracized by her peers, and

denied her right to pursue her education in an atmosphere free from intimidation. Upon completion of all her clinical and course requirements, she requested an early departure from the dental school to remove herself from what she perceived to be an unsafe environment. She was given permission to graduate early, a decision recommended by Dentistry and approved by the Senate. The University's explanation was that she had already completed her requirements, and would now be able to return to the United States to provide "much needed care for underserved areas in her state."

### **The Facebook group graduates under a cloud**

The media reported that a number of the men had lost employment opportunities and fellowships or had been passed over for graduate studies because of the scandal. On May 22<sup>nd</sup>, the University advised that the 12 male students who participated in the RJ process would be eligible to graduate on schedule. Student B would also be eligible to graduate on schedule. With the cooperation of the University, several of the male students chose not to have their names listed publicly on the roll of successful Dalhousie dental graduates. Student B, whose name had by this time become almost a household word, was one of the few to let his name go forward.

On April 14<sup>th</sup>, Nova Scotia's health minister introduced proposed legislative changes at the behest of the Nova Scotia Dental Board. The changes would allow the Board to place restrictions on new entrants to the profession, ranging from orders to practice under supervision for a period of time to taking additional ethics courses. The licensing authority admitted that the changes were a direct response to the Facebook group controversy.

The Board also introduced a new question on its 2015 application form. Potential dentists would be required to answer "yes" or "no" to the following: "While you were engaged in academic studies (undergraduate and post-graduate), were you ever suspended from a program of study, from a course, or from any course activity as a result of allegations of lack of competence, unprofessional behaviour or misconduct of any kind, irrespective of whether there is currently a notation of such misconduct on your academic transcript from the academic institution?" The Board did not consult either Dalhousie administrators or faculty about the proposed changes. The career ramifications for the Dalhousie dental students remain unclear.

## Chapter 3. Perspectives on the meaning of what happened

### (a) Interpretations

Early on in our work, we were struck by wide-ranging, often conflicting understanding of the events. Understanding was far more varied than the frequently polar division of opinion over sexual misconduct against women—one view considers the response inadequate to the gravity of the conduct and its impact on the victims, and the other view considers the response excessive in light of the presumed intent of the perpetrators.

The Facebook posts inspired vigorous debate over whether the remedy lay in individualized punishments or systemic change. Those who took the position that an effective response needed both elements did not agree on which should come first. Perspectives differed over interpretations of the content of the Facebook posts and what they revealed about Dentistry, as well as over the broader implications of social media and rape culture. We also heard diverse views about the University's response and what it said about the University's capacity to deal with such matters.

We cannot reproduce here all that we heard. Our aim is to set out the great range of understanding of the meaning of the Facebook posts, and the meaning of the University's response to them, as shared with us.

#### Perspectives about the Facebook posts

- They reveal a longstanding male-oriented culture in Dentistry. That culture includes a history of demeaning sexualized treatment of women by faculty, and a persistent refusal to respond to the complaints made by female students. The posts reflect the male students' assimilation into that culture.
- They are the product of interpersonal conflicts within an unusual dentistry class—conflicts that had grown more acrimonious over time as clinical and academic pressures increased in fourth year.
- They are only the most visible layer of deeply entrenched abuses of power that pervade the whole of Dentistry, including its administration, the operation of the Clinic, employee relations, and inter-student relationships.
- They are a result of weak leadership within Dentistry, which failed to respond appropriately to conflicts and stresses within the fourth-year class that had been evident for some time.
- They illustrate a culture of entitlement and a “work hard, party hard” mentality that is reinforced through intense competition pervasive within all dental faculties.
- They reveal not only misogyny, but also the bullying and harassment of an American minority by a resentful Canadian majority.
- They reflect the reality and pervasiveness of campus rape culture, the pornification culture in our broader society, and the glorification of sexual violence. This could

have happened in any department or faculty at any Canadian university, and a lot of Facebook groups quietly disappeared after the story hit the press.

- They demonstrate that social media technology has deepened the disjunction between “private” and “public” such that people conduct themselves on social media in ways they would never contemplate in the real world.
- They demonstrate that social media technology allows those who wish to reduce sexism, misogyny, and homophobia to protest more effectively.

### **Perspectives about the University’s response**

- The University’s response reveals the extent to which the University will go to suppress public awareness of the prevalence of sexualized violence on campus by pressuring victims to agree to informal and confidential processes that protect perpetrators and the reputation of the institution.
- The University’s response reflects the University’s concern to protect the female students, which it did by providing counselling and support to them, suspending the members of the Facebook group, and requiring the male students to undergo re-education and rehabilitation through a restorative justice process.
- The University’s response reflects the entrenched hierarchy of power within the faculty. The male posters were the primary focus of concern and communication. The women affected were given much less attention or information and front-line staff and patients were virtually ignored.
- The University’s response was tainted by the fact that it had been remiss in failing to be pro-active in the face of long standing problems in dentistry, which it should have known about much earlier.
- The University was unfairly targeted for failing to intervene earlier. The authorities were not told what was bothering people, and their many efforts to resolve earlier complaints were characterized as non-existent. Then, confidentiality rules prevented the University from defending itself.
- The University’s response reflects and reinforces the institutional hierarchy, in which central administration uses every opportunity to increase and consolidate its power, eroding important checks and balances in the form of the Senate and individual voices of dissent.
- The University’s response is yet another instance of white privilege. Misogyny directed at white professional women attracts outrage and immediate widespread response, while more egregious incidents of racism continue to be ignored.
- The University’s response reveals a gap in existing policies, which must be revised to include new social media technologies.
- The University has suitable policies and procedures that could have fully handled this had the complaint been allowed to go through the Senate Disciplinary Committee via the Code of Student Conduct. That process had handled a host of serious disputes in previous years and the decisions had withstood judicial review in the courts.

- The University's response demonstrates the pressing need for anonymous reporting mechanisms so that victims can protest such conduct without putting themselves at risk.
- University policies do allow for complainants to begin the process of informal complaints without publicly identifying themselves. Many complaints with the HREHP office have no names of complainants on the file.
- The University's response highlights the fact that the HREHP office has outdated policies and a predilection for pressuring victims into informal, behind-the-scenes reconciliation of discriminatory treatment.
- The University's response highlights the fact that the HREHP office is an under-resourced, under-staffed tiny basement office that is charged with an impossible task: to fix long-standing and intractable systemic discrimination across an entire campus, for students, staff, and faculty.
- The University's response reveals society's continued ambivalence toward sexualized violence, especially when perpetrated by privileged men. Instead of formal sanctions, we prefer informal responses that effectively praise and empower the men.
- The restorative justice response provided a ground-breaking window of opportunity for those involved to explore and address the societal forces that give rise to misogyny, in a safe and supported forum, which allowed them and others in Dentistry to gain lasting understanding and make meaningful change at both individual and systemic levels.
- The University selected the RJ process to quell media scrutiny and sweep the problem under the rug.
- If the University had wanted to quell the media scrutiny, the best way to sweep this under the rug would have been to make a quick and punitive decision to suspend the students, not to engage in an RJ process.
- The Dalhousie Student Union and representatives from South House (the gender/sexuality resource centre on campus) were out of line in protesting the University's decision to use an RJ process. They did not represent the female dental students and had not consulted with them.
- The University failed to draw on the expertise of student organizations such as the Dalhousie Student Union and South House, which have experience in dealing with sexual violence, sexism, homophobia, and transphobia. Such bodies are under-resourced and require more support and respect from the University.

These diverse understandings informed our own analysis of the posts and what they represent, and our conclusions about what can be learned from the University's response.

The array of views shows that, like other universities, Dalhousie is divided on equity-related issues. Progress will require respect for all perspectives and a commitment to working collaboratively over differences.

## **(b) The breadth and depth of harm**

Many people told us that one important contribution this Task Force could make would be to acknowledge the breadth and depth of the harm arising from the Facebook incident. We agree. The RJ process encouraged the Facebook group members to appreciate and reflect on the harm they had caused as a step in moving forward. We think that similar reflection is also important for those who are responsible for responding to such events. We describe harm as shared with us, without suggesting that some types of harm are worse than others. Our aim is to respectfully acknowledge and document the subjective experiences described to us so that others addressing similar issues may gain insight into their impact.

The female dentistry students identified by name in the Facebook posts were harmed when they learned that fellow students, with whom they had worked and socialized for more than three years, had objectified and sexualized them. They had to continue to interact with both identified and non-identified Facebook posters for the remainder of their studies. Female dentistry students who were not identified by name were similarly harmed, since many of the published posts targeted women generally. Families and friends of these women experienced harm as they provided support.

Student A, the woman who took the screenshot of the hate-fuck/sport-fuck post and made a complaint about it, suffered harm for stepping forward to call the Facebook posters to account for their conduct. She was the subject of extended speculation about her character and motivations, it was widely rumoured that she disclosed the posts to the media, and she was shunned within the school.

Student B, the Facebook group member who disclosed the hate-fuck/sport-fuck post to Student A, also suffered specific individual harm. Like Student A, he felt he was vilified and shunned for stepping forward. He was publicly identified in the media. He was found guilty of professional misconduct and received the longest suspension of anyone connected with the Facebook group. The other Facebook posters also experienced harm, including shame, humiliation, and threats that their names would be publicly disclosed. All of the Facebook posters were suspended from the Clinic for at least two months. We understand that they face uncertainty over whether the profession's regulators will licence them to practice.

All of the dental students endured unwelcome media attention, cancelled exams, Clinic disruption, and anxiety and fear about what the events portended for their class and their futures. Dentistry administrators experienced shame about conduct within the faculty for which they were responsible. The professors and clinical instructors in the faculty felt demeaned and silenced. The predominantly female staff at the faculty felt overlooked in not getting timely and helpful information about what was going on. Clinical staff who dealt with patients about the closure and reassignment of students felt that they bore the brunt of patients' irritation. Some experienced anxiety about having to work with the students after the suspensions were lifted. Some feared retaliation and threats to job security because of the views they expressed.



Some patients of the Clinic experienced treatment disruptions and anxiety about who might treat them or their children.

Alumni from both the dental hygiene and dentistry programs had to relive memories of the sexist treatment they experienced as students. Alumni dentists suffered embarrassment when people asked whether they were Dalhousie graduates and questioned them about what had gone on while they were at the dental school.

Almost everyone in positions of authority, including University administrators and others who tried to respond to the Facebook incident on behalf of the University, endured attacks on their efforts and damage to their professional reputations. Elsewhere in the Dalhousie community, professors and students who were openly critical of aspects of the University's response were also affected. They believed that the University resisted their efforts to assist and that it saw them as troublemakers, and they felt exposed to intimidation. The RJ facilitators perceived that their difficult mission was under constant attack. Members of racialized and LGBTQ communities in Dalhousie felt that the complexities of race and heterosexism were insufficiently recognized. Disagreements over strategy, magnified by the intensity of the crisis, caused rifts in personal relationships.

Outside Dalhousie, leaders in the women's community worried about consequences for the province-wide moratorium that had been placed on using RJ in cases of sexual assault and intimate partner violence because of the potential to re-traumatize victims and fail the community. A survivor of child sexual abuse described how the media coverage of the Facebook posts triggered painful memories of her abuse and made her fearful about seeking dental services. Professional dental associations worried about the consequences for the reputation of the profession.

Many people who described the harm and vulnerability they experienced also expressed the hope that these events would leave a legacy on which to build and improve. Their wish to "let something good come out of all of this" is one of the best indicators that, despite harm touching the whole community, there is a strong collective will to encourage forward movement.

## Chapter 4. Why Did This Happen?

### (a) The Faculty of Dentistry

#### Programs and policies

The Dalhousie Faculty of Dentistry has been training students for over 100 years. It offers two basic programs – a four-year Doctor of Dental Surgery degree (DDS) and a two-year Diploma in Dental Hygiene (DDH). It also offers a two-year “Qualifying Program” leading to the DDS degree for foreign-trained dentists, a one-year Bachelor of Dental Hygiene program, and other doctoral and post-doctoral programs.

The DDS program admits up to 38 students each year, drawing students from within Canada, from the United States, and a small number from Kuwait. About half of the students are women. US students, who make up about 20 per cent of the class, often come from Maine and Utah where the dental school has been recruiting for several years. International students (including those from the US), pay more than double the fees paid by Canadian students. Students in the Qualifying Program, into which up to nine students are admitted each year, pay fees similar to those paid by international students.

A key part of the DDS program is the clinical component, which takes up essentially the whole of the last two years of the program. Faculty, students and alumni widely share the view that this gives students an excellent background in practical skills to help them pass the dental “boards” and enter practice. To provide students with this hands-on clinical experience, the school operates the Clinic, a substantial dental facility in the dental building, and also operates community clinics in Halifax and surrounding areas.

As part of the DDS program, the dental school admits dentists already qualified in a foreign jurisdiction who wish to earn a Canadian qualification. The Qualifying Program (QP) accepts such students in the summer before third year. The QP students then complete the equivalent of third year. In classes, they are with the other third year students, but in the Clinic they are separated from them. In their second year, they are integrated into the fourth-year student clusters in the Clinic.

The Dental Hygiene program takes in about 40 students a year, almost all of them women. Part of the program involves clinical experience. They share the clinical and general school facilities with the dental students.

As of January 2015, there were 40 full-time faculty members in Dentistry, 33 per cent of whom were women. However, this includes the six full-time dental hygiene faculty members, all of whom are women. With eight women and 23 men, full-time female faculty representation in the DDS program is closer to 28 per cent. There are 96 part-time faculty members, largely teaching in the clinical program, of whom 48 per cent are women. However, some clinical instructors teach no more than half a day per week, and thus we were unable to determine how much clinical

instruction women provide. Students told us that their clinic experience is predominantly with male instructors. We were not given data on racial minorities in either the full-time or part-time faculty.

Dentistry has a dean and four assistant deans (academic affairs, research, student services, and clinical affairs). In recent years, the assistant deans for research and student affairs have been women.

There are 70 full-time staff members in the dental school, 86 per cent of whom are women. Less than two per cent are racial minorities. A large number of these staff members are involved in the management and operation of the clinical program, including admitting patients and allocating them to students, as well as running the laboratories.

In their first year, dentistry students primarily take courses on basic dental science. Students are introduced to patient care by working on artificial models and progress to humans starting with students standing in for patients. From their second year on, students treat real patients in the Clinic, and in third and fourth years, clinical treatment is the primary focus of dental education. Throughout the program, students attend lectures and take courses on ethics and professionalism.

The Patient Assignment Clerk is responsible for assigning “patient families” to each student so that the student has the practice opportunities to acquire the skills to meet the requirements of the “Competencies for a Beginning Dental Practitioner in Canada.” Students manage their own patients’ care, including appointment scheduling, and perform treatments under the supervision of clinical instructors. Student progress is monitored regularly by the Patient Assignment Clerk, and by faculty advisers responsible for the student “clusters” of nine students, the Assistant Dean for Clinical Education, and the Academic Standards Class Committees (ASCC).

### **Student conduct and professional standards**

The dental school has its own Student Code of Professional Conduct, dating from 2003. It is “meant to embody the professional values of dental and dental hygiene students with respect to their relationships with fellow students, patients, faculty, staff and Dalhousie University.” The Code sets out specific responsibilities in each of these categories. There is a “white coat” ceremony for first-year students, in which they recite an Oral Health Professional Oath, receive clinic jackets, and sign a pledge to follow the Student Code of Professional Conduct.

There is no formal student complaints process in the dental school. We were told that some students bring complaints to the Assistant Dean for Academic Affairs or the Assistant Dean for Student Affairs, and they decide how to deal with them. The Assistant Dean for Academic Affairs meets twice a year with class representatives, partly to “intercept any major problems and correct them as soon as possible.” We looked at the minutes of these meetings for 2013-2014 and 2014-2015, and clearly they do provide an opportunity for students to raise issues. However, students told us that they rarely received feedback on their complaints. Some students simply elected not to take this opportunity to complain.

For academic matters, the Main Academic Standards Committee establishes panels from its membership to hear appeals on student grades and decisions on promotion to the next year, supplemental exams, and “any other matter related to student academic performance.” ASCCs, established for each year of the DDS program, monitor student progress, coordinate the establishment of remedial programs, monitor remedial programs, recommend counselling for students, and report to the faculty that students have met their academic requirements. They also “monitor and assess student professionalism, knowledge, pre-clinical skills and degree of independence and competence for the professions of dentistry/dental hygiene.”

Each ASCC is composed of a chair appointed by the Main Academic Standards Committee and faculty members who are the course directors for each course taught in the curriculum.

In each year, dental students receive instruction on ethical matters and professionalism. In the course material we examined, the main professionalism focus was on patient care issues, including informed choice and confidentiality, but the subjects did range into public responsibility of dentists and social justice. Students learn through case studies rather than lectures, which affords more potential to attract student interest. However, students do not attach the importance to these courses that they do to clinical work.

### **The culture**

Two images of the dental school emerged from the people who communicated with us. Faculty, and occasionally students, saw the dental school as a happy, well-functioning place with no indication of misogyny or sexism. In this view, the Facebook incident was an isolated, totally unexpected event that reflected the individuals in a particular year and not the dental school as a whole. A senior University administrator told us that Dentistry was one of the best-run faculties in the University. It was all “one big happy family.” Faculty members mentioned no examples of homophobia or racism, and at least one alumnus said he had not had any negative responses to being gay and out while at the dental school. This view was often echoed in communications to us from alumni.

Staff and many students had a different view, in which sexism, misogyny, racism, and homophobia were present, and at times rampant, in the school. Staff described their work environment as “abysmal,” so bad that many staff dreaded coming to work in the morning.

### **Treatment of staff**

Staff felt belittled and treated without respect in ways that were often arbitrary and hurtful. Examples included having to put a sign on their desks when they went to the washroom, being watched if they left their desk for no obvious reason, not getting leave for things like a child’s graduation or only getting leave at the last minute, and being reprimanded for speaking up at staff meetings. If they asked for explanations, they were told, “because I said so.”

Some faculty members said the relationship with staff was “appalling” and that office staff were treated like property. We heard that some faculty members spoke to staff in a particular tone of

voice, and that female staff members had been berated for their makeup or had to listen to “jokes” about menopause. Staff feared what would happen to them if they spoke up. Staff managers were bullies and the school was a “dictatorship.” One staff member said, “I live in terror every day.” Senior faculty administrators were compared with absentee landlords who pay little attention to what is happening with the staff.

The University’s Human Resources department has received numerous staff complaints over the years. HREHP has offered training programs for staff and was well aware of the tensions there. The dental school, we were told, is not the open and friendly place it claims to be. Recently, a Human Resources investigation into the situation at the dental school led some staff members to hope that things would improve. As a result of that investigation, managers received more support and nothing changed for staff. Generally, we were told, staff did not want to speak out because they were afraid of losing their jobs.

After the Facebook incident, staff were given confidentiality agreements to sign, ostensibly to update files. Some refused. Eventually, after union intervention, the matter was dropped. We heard that coming and speaking to the Task Force (for which some were told they had to take leave) was going to have consequences for them when they went back. The treatment of staff was described to us generally as “punitive.”

We heard about examples of sexual harassment by male staff members. In one case, it was suggested that the complainant move to another position and no action was taken. In general, we found staff morale extremely low, and very few thought that things would get better.

### **Faculty behaviour**

Staff and students both told us of sexist comments and sexual harassment directed to female students during clinical work. Instructors would say things like “she is hot” or “not too hard to look at” about female students. They were asked when they would be having children. A female foreign student was asked whether, in her culture, they married earlier and had more children, and was told she should learn more about pregnancy and gums. Such comments were often made in front of patients. In some respects, sexist comments had become normalized and went unnoticed.

We heard that male instructors devoted more time to “pretty” female students. A former instructor was described as a “nightmare” in this regard. There were rumours of sexual relationships between some male instructors and female students. The University confirmed that, two years earlier, a faculty member in the dental school was terminated for cause because of sexual relationships with two female students. Students told us that they received little information about this incident and what they did know appeared to be based on rumour. A faculty member met with students to talk about sexual harassment, without specifically referring to the incident. The students did not appear to take the talk very seriously.

Numerous examples emerged where faculty members made crude and offensive comments. A staff member complained when a faculty member told her that things had changed in the dental school: “You can’t have oral sex with students anymore,” he said. The staff member never heard

whether anything was done about her complaint. A number of female students had apparently requested that they not be supervised by him. Another faculty member displayed a picture in class of one of the students in the class in a bikini and made a reference to the colour of her underwear. Yet another is known for derogatory comments like “she’s a woman, she doesn’t know.” One told a female junior colleague that he would not mind having an affair with her. She was untenured and felt she could not complain. Another is widely known for looking at women’s breasts, not their faces.

Where some saw sexism, others saw female students “coming on” to male instructors to get preferential treatment. However, some female students resented instructors who wanted to devote more time to them or take over patient treatments for them. There was a pervasive belief that complaints would be ineffective, and that has resulted in a culture of not complaining.

Patients are also known to make sexist or racist comments from time to time. Patients who request treatment by white students only are accommodated, and patients and students are sometimes matched on the basis of common ethnicity. Staff members who have raised this with faculty members have been told that they run the risk of being seen as troublemakers. Complaints about a professor who made racist comments to a patient were brushed aside by senior faculty on the grounds that the individual “was from the south.”

Based on what we heard, there seems to be a culture of intimidation and humiliation in the Clinic. We were told that instructors commonly reprimand or belittle students in front of patients and some have a reputation for making female students cry.

### **Competition and preferential treatment**

The students compete with one another in the Clinic, partly because of how patients are allocated. The allocation system is a source of irritation and concern for students, and this seems to be of long standing since we heard similar accounts from alumni. One person makes all allocations and there is little opportunity to complain, especially since many believe that it would have repercussions. We were also told that some students have been able to manipulate the computer system to get better allocations. Students hoard both patients and materials with varying degrees of success. Some complete more procedures than they need to graduate while others have difficulty doing enough.

There is also competition for time with instructors, made worse because of the sense that some instructors give more time to students they like, male and female. There is also male bonding over matters such as golf, from which women and some men are excluded. Students from families in the dental profession and those whose parents are alumni are also said to get preferential treatment.

Overall, we were told, an atmosphere of paternalism pervades the Clinic and the dental school as a whole.

The feeling that some students get preferential treatment in the Clinic contributes to unhealthy competitiveness among the students. Making matters worse, a student who does almost all of the work on a procedure, but through no fault of his/her own does not finish it, gets no credit. In such a system, patient hoarding and an unwillingness to collaborate seem to make sense.

Some students believe that preferential treatment is based on fees, with American students treated better because they pay more. We heard that American students are met at the airport when they arrive in Halifax. Members of the dental faculty go to the US to interview prospective students, but Canadian students have to pay their own way to Halifax for an interview.

If that is true, then preferential treatment is not consistent. Staff have been told to “hug a QP (Qualifying Program student)” because their higher fees help fund the dental school. At the same time, it is widely recognized that QP students, many of whom are from racialized groups, are treated worse than other students despite paying higher fees. QP students’ work is assessed more critically and they get lower priority in clinical instruction. Instructors often ignore them or give them less attention. They have more difficulty in getting patients allocated to enable them to complete the required treatments, and the Clinic rules are enforced more stringently for them. Until recently, QP students did not graduate with the other dental students and had a separate ceremony. QP students generally do not complain about their treatment, they simply knuckle down and try to get through. They believe that if the Facebook group had been QP students, they would have been dismissed from the school immediately.

The Dental Hygiene program is another facet of the student hierarchy. Formally, the Dental Hygiene and DDS faculties cooperate well. An external review of the dental school in 2010 found that the relationship between the dentistry and dental hygiene programs was very good, and that it was becoming one program instead of two programs housed in the same building. This seems to be an overly rosy picture.

The gap between dentists and dental hygienists is well known. Some believe that dental students learn a “culture of entitlement” in dental school, particularly in fourth year. Working together in the Clinic may seem to be an opportunity for the two sets of students to reduce that gap, but instead, in recent years dental students have even sought to exclude dental hygiene students from the student common room.

In the Clinic, the needs of dental students have higher priority and dental hygiene students are finding it increasingly difficult to complete their clinical requirements. This year, forced to make way for the suspended dental students on their return, we were told that some dental hygiene students were unable to meet their clinical requirements. An impasse with Clinic management led the dental hygiene students to petition the dental school administration. The matter has yet to be resolved.

We also heard students’ concerns about the lack of avenues for lodging complaints. Students who had made complaints said that they had never heard anything further and did not know whether anything had been done. This has led to reluctance to complain. Previously female students who

preferred not to complain to a male administrator about sexual harassment were told that they could speak to a secretary.

The school now has female assistant deans for student affairs and research. We heard that female students were comfortable speaking to both of them and that they were a great help during the Facebook group crisis. However, we also heard that students experience Dentistry as male dominant.

### Time warp

Does what we heard reflect the school as it really is? Some people see the Facebook group incident as an example of bad apples that do not spoil the bunch. It was an atypical year, with a combination of personalities that, unlike most classes, did not get along. Given what we observed, the Task Force is not inclined to accept that view.

We heard similar concerns about the culture in the school from DDS 2015 students, students in other years, and QP students. Similar comments are found in the Curriculum Quality Student Exit Survey for 2014. We also heard about a sexist culture from women who graduated many years ago. The women were aware of it but tried to ignore it or work around it. We heard that in the 1980s, the dental school administration received complaints about faculty showing inappropriate and offensive images in lectures. For many alumni, 25 years later, it was extremely disappointing to hear that the same sort of thing was still going on.

Records show that staff complaints to Human Resources have been going on for years. A wide array of individuals shared consistent concerns with us on this.

The graffiti in the room behind the bar in the student common room known as the “Cavity” was there for many years. The walls have been painted over in the last few weeks, but we saw the many offensive scribbles. The faculty members’ attitude was puzzling. They were not aware of the graffiti, or they had heard of it but not seen it, or they never went to the student lounge. And yet, many were students while the wall was being “decorated.” Not one faculty member told us that the graffiti was a disgrace and embarrassment and should have been dealt with years ago. Why had something that might have been found in a grimy men’s washroom 50 years ago been tolerated in Dentistry—and how could it have lasted so long?

One possible answer is that the dental school has been oblivious to changing mores, to how respect for women should be expressed in the 21<sup>st</sup> Century, and to behaviour that is no longer considered acceptable. An alumna told us that Dentistry is in a “time warp.”

We suggest no direct causal link between the culture in the dental school and the Facebook posts. Nevertheless, the attitudes reflected in the posts did emerge and thrive against the backdrop of that culture in at least three important ways.

First, competitiveness has evolved to an unhealthy and destructive level, well beyond what might be reasonable in a program to train professionals. Some students were privileged; others were



marginalized. There was hostility towards professors and hostility towards students who were perceived to be getting preferential treatment. In particular, the criteria for completing clinical requirements were seen to be neither clear nor fairly applied. In such circumstances, student reactions may be unpredictable or even incoherent.

Second, the students heard sexist comments from their role models and repeated them among themselves. We were told that some male students talked openly in person about which female students they would like to have sex with. What was commonplace in the school environment seemed all the more acceptable in the Facebook group, although the posts went well beyond what we heard was common in the Clinic.

Third, the school environment included the graffiti, whose images were just as offensive as those in the Facebook posts. Yet, while the Facebook posters were suspended for unprofessional behaviour, the graffiti seemed to enjoy iconic status.

### **Professionalism and ethics**

Some of the reaction to the Facebook posts focused on the posters as students in a professional school and their behaviour as the antithesis of professional conduct. Eventually, those students were dealt with by the ASCC, the body that deals with professionalism issues.

The dental school clearly sees professionalism as an essential part of dental training. The white coat ceremony for first-year students is an attempt to impress their professional obligations on the future dentists, although some think that it happens too early in the training to have a real impact. Courses on professionalism and ethics are taught throughout the program.

From what we heard, they are good courses, taught through engaging case studies. But the educational core of the DDS program is strongly clinical and technical. The professionalism courses do focus on issues students will see in practice, but they are taught separately and do not seem to be integrated with clinical work. Exploring issues like sexism as part of a clinical program has the potential to create greater awareness of professionalism and ethics in daily life.

Some students see professionalism as a “nine to five” issue, not part of their private lives. Dental students tend not to have a background the humanities, and teaching critical thinking beyond clinical skills is apparently not common in dental schools.

Unlike other disciplines, including professional fields, dentistry does not include the study of related gender and race issues. There has been research into professionalism, but some faculty members would like to see engagement in more fundamental questions about dentistry, dental students, and dental education in the context of broader society. Faculty members who do research in and teach ethics and professionalism expressed some frustration with the limited scope of the present curriculum.

## (b) Dalhousie University

The Task Force was mandated to examine the situation in Dentistry, but many of the people who spoke to us insisted that Dentistry did not stand entirely apart from the University as a whole. Was there something about Dalhousie University that gave rise to the Facebook scandal, some underlying culture that condoned discrimination? We heard from a number of faculty members, staff, and students that sexism, homophobia, transphobia, racism, and disability discrimination are all found at Dalhousie. They described the University as a traditional hierarchical institution with long-standing patterns of inertia, and a reputation for failing to deal with complaints. Some suggested reluctance to complain might also relate to the Maritime civility in Nova Scotia, where according to social norms, it is unseemly to create confrontation or rock the boat. Cynicism, paranoia, and distrust were said to have built up over decades of seeing complainants targeted as trouble-makers and watching problems get swept under the rug.

The appointment of a new president from outside Dalhousie raised hopes that here was someone who might have a chance at transforming the culture. Others were less optimistic, lamenting the sluggish pace of change in academic institutions, hampered by complex, unwieldy structures and dwindling resources.

Some people questioned whether the University should have been more alert to the simmering problems in Dentistry at an earlier stage, when it might have been possible to resolve the situation quickly and effectively. With the benefit of hindsight, it is easy find a series of earlier incidents that could have triggered an investigation and provoked wider change. But that is not the same as standing idly by in the face of discriminatory behaviour, which both faculty members and administrators would vigorously deny. In fact, it is clear that the University had tried to marshal some of its best resources in an effort to upgrade equity, particularly within Dentistry. More University-initiated workshops and seminars on sexual harassment and human rights took place inside Dentistry over the past several years than in any other academic unit. The University published an impressive pamphlet titled “Sexual Assault: Response Guidelines” and created an innovative video series on “Consent.” Thus, there is evidence that the University did take action before the Facebook incident. There is more evidence that it was not enough. One obvious conclusion is that our traditional methods of delivering equity education are not hitting the mark. This is not a problem facing Dalhousie alone. And it may be that Dentistry is no more sexist, homophobic, and racist than other campus units.

Problems rarely surface in the most discriminatory environments, where there are not enough disparate voices to protest. Conflagrations ignite in settings on the cusp of change. They usually happen when a critical mass of protesters believes that the potential for reform is worth the risk. The firestorm (and the publicity that goes with it) comes from the courage and energy of people who protest because they think they might actually be heard. Places where everything looks settled and calm are often the places where inequalities run deepest.

No institution wants to be at the centre of a scandal, but we should remember that it signals the potential for change if there is strength on the ground and those in charge are perceived as people

who can and might do something. If events like this are not happening in our faculties, universities, workplaces, and other institutions, it is highly unlikely that it is because they are above them. We heard repeatedly that diverse faculties and universities across the country were heaving sighs of relief that this scandal had not erupted in their backyards. Quite a number of Facebook pages at other institutions closed down in a hurry within days of the Dalhousie scandal.

The three hundred people from all 12 Dalhousie faculties who signed the online “Statement Against Misogyny and Gendered Violence” in the midst of the crisis underscored the sense that this is a shared problem. They publicly acknowledged the problem of sexualized violence on Dalhousie campuses, on other university campuses in our province and across the country.” They apologized for their past failure to “respond effectively” and for allowing events to be “perceived as someone else’s problem when it was our problem as well.” They committed themselves to working to make university campuses “safe and supportive learning environments for women and members of other vulnerable groups.” It would be optimistic to think that many campuses could boast a similar expression of collective responsibility and commitment for change.

The path ahead may not be clear, but the events the Task Force has examined have opened up significant possibilities for change, both within Dentistry and throughout the University.

### **(c) Social media**

The “DDS 2015 Gentlemen” started their page in their first year. Virtually all of the male students in that year were members at various times, with the exception of one who was not on Facebook and the QP students, who joined the class in third year and who were not invited to join. The class of 2015 also had a female-only Facebook group that started in first year. There was a Facebook group open to the whole class, including the QP students, and a Facebook group just for the QP students. We have no information about the content of posts within these other groups. We have been told that the DDS 2014, DDS 2016, and DDS 2017 classes had no gender-segregated Facebook groups.

Over the past decade, Facebook and other social media have become a virtually indispensable form of social interaction. Within universities, they are used both for instruction and evaluation. Many, if not all, university students rely on Facebook as a way to engage in social, political, and cultural interactions and to manage school and work tasks. Some say it is no longer possible to participate in school, work, or social life without it.

Complaints about sexual misconduct in social media forums are gradually increasing, in tandem with media publicity and growing awareness that university codes of conduct, sexual harassment policies, and similar rules apply to social media. Dalhousie has had four other sexual misconduct complaints related to social media since September 2014.

Some people blame Facebook itself for making it possible to spread objectionable content. It is true that people are less inhibited on Facebook than they are when face to face. This is the case even when they are not posting anonymously. Studies show that even when individuals identify

themselves by name, they post things they would not say in person. This may be because they tend to be posting to communities of like-minded people (such as Facebook groups), which they experience as private—despite many highly publicized embarrassing incidents illustrating that they are not. Another factor is speed. Electronic communications are so common and frequent that many people fire them off with little thought. Messages and posts take so little time that putting something in writing is no guarantee of more reflection than a blurted remark.

We heard that in some male social groups, particularly in social media, the members are under pressure to fit in by showing that they are sexist, misogynistic, and homophobic. This seems to assert the group's masculinity and reinforce the social bond. The one-upmanship group dynamic escalates the shock value, aided and abetted by how easy it is to find offensive images on line and add them to posts. Quite a number of the posts that most shocked people came from popular sites like the Urban Dictionary. That does not make them either more acceptable or less. It does help us understand how this happened and what it meant to the members, which may be important when thinking about how institutions should respond to situations like this.

Some people said the Facebook posts were like a locker room conversation. Not really. Social media creates a record of what might otherwise be a fleeting exchange or a thoughtless, off-the-cuff remark. People may not experience it as a record, because posts soon disappear from view as new ones are added—unless they scroll back. Most people only see the posts they have not read when they visit a page. It seems very likely that people who read the screenshots experienced them differently from those who saw them on line.

Student A took the screenshots selectively. She was singling out offensive content, not trying to collect a representative sample of three and a half years of posts. The impact of reading the screenshots may have been different from reading them as scattered posts over years. Published and discussed in the media, the posts took on more significance and more permanence. Appreciating how different people experienced the posts in different ways is important when it comes to strategies for change.

There is growing publicity and public concern about the use of social media for offensive expression. That may be why the sexist, misogynistic, and homophobic views in the Facebook posts got so much attention. After all, the graffiti in the student lounge was just as sexist, misogynistic, and homophobic. It had been multiplying there for years. Students, faculty, and alumni had seen it. There was no public outcry, and requests to have it painted over were refused. The University paints over racist graffiti on campus, but the graffiti attract little or no publicity. And although bullying is far from new, it is cyber-bullying that attracts most public attention. Raising public awareness about new forms of longstanding problems is important, but the problems themselves are not new.

Educating people about acceptable social media behaviour is fairly new territory. Early attempts either warned people not to participate because it was risky, or laid out dos and don'ts. Research has shown that neither approach worked. There is no consensus on how or what to teach, but

researchers are finding that participatory, peer-based, and intergenerational approaches are promising. Researchers are also looking at how students in professional faculties like medicine think about their online behaviour. It seems that they have a poor understanding of the ethical, legal, and professional implications of what they do on line. One study using mock Facebook postings found that medical students, younger people, and men considered certain postings appropriate, but doctors, older people, and women considered them inappropriate.

Faculties, universities and professional regulatory bodies are beginning to update their policies to include social media conduct. Most have either amended existing conduct codes to say that they apply to online behaviour or created a separate social media policy or guideline. Professionals and students generally understand that they are subject to codes of conduct in a way that members of the public are not. And they certainly understand that a code of conduct requiring them to treat others with respect applies when they are face to face. Yet, despite the growing integration of social media into student life, there is still a feeling that people can say or do anything they like on the internet. It may help to spell it out for them that the rules apply to social media, too.

In any case, rules, guidelines, and codes of conduct are not enough. We believe that participatory forms of learning about the legal and ethical implications of their online conduct should be available to students and professionals. This would help them absorb and comply with the institution's standards of behaviour.

Taking into account social media's unique features is part of understanding and responding to the Facebook episode and putting it in perspective, but it is far from the most important factor. No amount of regulating social media behaviour will eliminate sexism, misogyny, or homophobia. That will call for fundamental systemic change.

#### **(d) Society**

The "Class of DDS 2015 Gentlemen" did not exist in a vacuum, and the Facebook posters were far from original. The content for most of their posts came from elsewhere. The "public entrance" photo came from an internet comedy website, [www.vitamin-ha.com](http://www.vitamin-ha.com), where it is one of its top five memes. "Does this rag smell like chloroform to you?" originated on the popular TV show *Family Guy*. It was later quoted among the best and worst pick-up lines in the Hollywood movie *Hall Pass* [http://www.youtube.com/watch?v=z62LjT7w\\_OY](http://www.youtube.com/watch?v=z62LjT7w_OY) and printed on T-shirts. The sexist and homophobic definition of "penis" came from the "Urban Dictionary," a website where users offer definitions for contemporary American slang.

The term "hate fuck" was heard when popular CBC radio host Jian Ghomeshi was accused of sexual violence in October 2014. The phrase was still unknown to many Canadians when it appeared in the Dalhousie Facebook group page. Contributors had uploaded a range of definitions to the Urban Dictionary. The gentlest description was "consensual sex with someone who a person is attracted to, but personally dislikes." Others were more detailed: "An act typically characterized by name calling, roughness, and immediate departure after the act." And this: "One would usually

hate fuck someone who either: is a total bitch, a prude, a whore, or someone who simply looks at them the wrong way and pretty much had it coming.”

It would be tempting to think that “sport fuck” might be a little more positive. One Urban Dictionary contributor defined it as consensual sex with no strings attached, no romantic relationship, no involvement. Other contributions seemed much like the “hate fuck” definitions: “To fuck as quick and hard as possible, simulating a gym workout, with total disregard for your sexual partner;” or “The pursuit of sex just to add numbers or to add a new kind of trophy to one’s list. Examples: fucking a cougar, a fat chick, a nerd.”

The Facebook posters may have adapted these terms for the specific environment of their dental school, but the meanings are fluid in any case. That is the whole idea behind the Urban Dictionary. It is in the process of shaping itself, with 2,000 new entries daily. It is impossible to know exactly what the student who posted the “hate fuck” and “sport fuck” poll meant by those terms. Nor can we know precisely what the other Facebook group members understood them to mean, let alone the thousands of people who eventually read those words as they followed the escalating events.

What is clear is that many young men today appear to be trying to measure up to rigid expectations of masculinity, which require posturing as aggressive competitors for heterosexual access to female bodies, using homophobic slurs, and objectifying and demeaning women. At the same time, popular culture equates girl power with sexual power over men. Relations between the sexes have increasingly been depicted as about domination and control. Add to this the relentless drive for consumption and the desire for instant gratification, and we see sexual relations become like putting items in a shopping cart. You want it, you get it, you move on.

This is exacerbated by the influence of “gonzo” online pornography, now sprouted into a multibillion-dollar industry. The past two decades have witnessed a seismic shift toward sexist and racist images of hard-core, humiliating, cruel, body-punishing sex. The chief consumers in Canada are boys between 12 and 17. Fashion ads and music videos bombard the senses with hyper-sexualized images.

From all around us, the “pornification culture” is becoming encoded into our gender and sexual identities. This is reflected in the news: Jian Ghomeshi, Bill Cosby, Dominique Strauss-Kahn, Ray Rice, the Canadian Armed Forces, the RCMP, Members of Parliament, an Alberta MLA, the Catholic Church, the uOttawa hockey team, the St. Mary’s rape chant, rape chants endorsing sex with minors at UBC, male soccer fans shouting at women journalists, sexual assault at Lakehead University, the tragic death of Rehtaeh Parsons.

The documentary *Hunting Ground* exposed an epidemic of normalized sexual violence on university and college campuses. Air New Zealand uses sexualized safety videos, and the dentistry professor who showed it to his class pointed out to us an array of more sexually explicit YouTube videos featuring dental, law, and other university students. The posts by the Facebook group mirrored the violent porn culture that infuses our society.

Yet there are voices of resistance. Watching the thousands of people who counted themselves in as part of the protest over the Facebook posters and other recent scandals, there is a sense that real cultural change is possible. Universities are centres for research and education. They are well positioned to be catalysts for the dramatic change that is so urgently needed.

## Chapter 5. Influences on Behaviour and Experience

Many different factors may intersect with and influence how people experience and respond to incidents of sexism, misogyny, and homophobia. Perpetrators, victims, and authorities charged with dealing with those incidents are all subject to those influences. To understand the meaning of the Facebook incident, we need to consider the influences that may have played a part.

### (a) Race

It became clear to us in our interviews that race (encompassing ethnicity, indigeneity, nationality and religion) is an important contextual element in understanding what happened. Many people told us that racism is a “ticking bomb” at Dalhousie. We heard about numerous incidents of overt racism: “No N----rs Allowed” and “#whitepower” on walls of washrooms and study rooms in the Killam Library; anti-Muslim messages on campus prayer spaces; angry white students disrupting an African Students’ Association event featuring El Jones, Poet Laureate of Halifax.

Black faculty and staff told us of racial harassment and discrimination in employment. Recent immigrants described feeling marginalized. Indigenous people said their communities were virtually absent on campus. What we heard suggests an entrenched culture of white privilege. The prevailing ideology is “racelessness.” Race is supposed to be irrelevant, which ignores the reality of the impact of racism.

The Faculty of Dentistry, existing within this environment, does not collect adequate data on racial, ethnic, or cultural affiliation for faculty members, staff, and students. We were unable to obtain numbers, but we understand that there are very few racialized faculty members. Dentistry does not have an Indigenous Black & Mi’kmaq admissions program. We were told that it has never had an indigenous faculty member, staff member, or student, in part because they are significantly underrepresented in the educational streams that lead to dentistry.

Against this disturbing backdrop, some people were surprised that the screenshots did not contain racial slurs. And as a result, many people assumed that race was irrelevant to the incident. That was not the case.

A number of people pointed out to us that the response to the incident, both within the University and in the media, reflected and reinforced the culture of white privilege. Incidents of sexual harassment and violence against racialized women, both on campus and elsewhere, tend to attract very little media attention and inadequate responses from the authorities. But when a group of white women became the subject of offensive comments, there was an extraordinary level of concern and urgency, along with public outrage. We also heard that media attention on the Facebook episode overshadowed racial issues and incidents happening on campus during the same period.



The QP dental students are a markedly racialized group. They join the class in third year, but are treated differently from the rest of the class. Because male QP students were never invited into the Facebook group, people assumed that the group members were all white.

In fact, the posters were not a homogeneous group. When the racial, ethnic, and religious diversity in the Facebook group became known, some people said that the screenshots had targeted certain racialized members. We also heard that immigrant men and men from minority cultures or religions feel greater pressure to conform to prevailing masculine norms, and that this may have influenced their Facebook group behaviour.

The influence of race does not justify objectionable conduct. Nevertheless, it should be taken into account in deciding how best to respond.

## **(b) Homophobia**

We heard from very few people in Dentistry who identified as LGBTQ. Most people we met did not mention incidents of homophobia or discuss heterosexism at all, so we have limited scope to talk about homophobia related to the Facebook episode.

However, we did see evidence of homophobia. One of the screenshots encouraged sexual violence to convert lesbians to “useful productive members of society.” The student lounge graffiti had a sketch of a man bending over and another man approaching with an exposed penis. The caption read, “Oh [name], I’m ready for you this time.” Another depicted a man holding his exposed testicles with the caption: “[Name] is the gayest boy alive!!! And sucks goats!” “Fag” appears many times on the wall.

These examples suggest an embedded heterosexist culture that encourages public posturing to underscore heterosexuality. The posturing is central to reinforcing the masculinist worldview especially common in male-dominant professions.

We heard from some that the out LGBTQ community is new in Nova Scotia, with numbers still small enough that “people tend not to find it threatening.” A graduate from the dental school recalled an atmosphere of homophobia in the mid-80s, when the AIDS crisis was unfolding. Patients and dental students were afraid of being infected while treating or receiving treatment from gay men. A later graduate wrote to us to say that he had been out as a gay man while in the DDS program and that his experience had been positive. Another person described dentistry as a “gay friendly” profession.

That is encouraging, but the Facebook posts, the graffiti, and the lack of out LGBTQ faculty members, staff, and students suggest that the environment cannot be considered safe. We did not receive enough evidence to know whether race influences homophobia in Dentistry.

### (c) Perceptions of dentistry

The fact that the Facebook group members were future dentists may have influenced the degree of public outrage and media attention. Dalhousie dental students come from many different backgrounds. Some are from well-off families and some are the first in their families to go to university. Many have accumulated significant debt for their education. However, dentists are seen as rich and fortunate. Bad behaviour by people perceived to be privileged is particularly galling for many people.

The perception of privilege is reinforced by the hierarchy in the dental field. At school, dental students are at the top. About half of the students are now women, but dentistry was traditionally male-dominated and that perception persists. Dental hygiene students rank lower, followed by the dental assistants. Both groups are traditionally all women. Some observers suggested that this hierarchy contributes to a culture where the Facebook group felt entitled to demean women.

Not only are dentists seen as rich, but also they are seen as getting rich while inflicting pain. For that reason, some wondered whether the tide of anger would have been the same if the posters had been law, engineering, or computer science students.

Unlike lawyers, engineers, or computer experts, a dentist puts people in a physically vulnerable position to do his or her work—prone, often feeling pain, unable to speak, and possibly drugged. Necessarily, the dentist is physically close, with instruments and fingers in the person's mouth. Most people recognize the importance of oral health and the value of the services dentists provide. Yet on an emotional level, for many people, being in the dental chair is akin to being at someone's mercy. A high level of trust is necessary to offset that emotional response, which may have influenced the level of public outrage. One Halifax journalist wrote, "I'm not sure I'd want to be on the receiving end of a needle held by a man whose idea of fun is threatening to drug women with chloroform and then raping them. I daresay a rape survivor wouldn't either."

The trust issue might help to explain the very swift response of several provincial dentistry licensing bodies. A number of them announced that they would take special precautions before licensing members of the Dalhousie Dentistry class of 2015. They may have wanted to portray the Facebook group as anomalies. If they were not, it would erode trust in the profession and confidence in the ability of its regulatory bodies to protect the public interest.

It is clear that race and perceptions of dentistry influenced the sexist and misogynist behaviour in the Facebook group and the way people experienced it. We did not hear enough about homophobia to be able to say what factors shaped perceptions and experiences of it here. We also did not hear about the influence of factors such as disability, gender identity, family status, or age. We know that problems such as sexism, misogyny and homophobia are not one-dimensional. The reason they are assumed to be so deserves future questioning and reflection.

## Chapter 6. Review of How the University Used Policies and Procedures in Its Response

In assessing the University's response, we looked at the policies and practices in Dentistry and the University as a whole. Were the responses effective? How could they be improved?

The intensity of public attention created enormous stress for decision-makers in Dentistry and the University. Every action was subjected to intense scrutiny and a barrage of passionate commentary from every point of view. Even the most robust of policies, applied by the most experienced administrators, could falter under those conditions. Unlike the people involved, we had time, and the benefit of hindsight. Our assessment is not meant to judge those who were in the front line at the time. We aim to offer useful information about what does not work, so that administrators at Dalhousie and elsewhere can consider their responses before a crisis is upon them.

Student codes of conduct and policies on sexual harassment and discrimination are common in Canadian universities. They vary in some respects, but we believe they are similar enough that a discussion of Dalhousie's code and policies will be useful to other universities.

Behaviour similar to what we saw on the screenshots is going on at other campuses. We heard about similar incidents during the course of our work. Assessing Dalhousie's interpretation and application of its policies during the crisis will give those institutions a chance to think about what they would do in similar circumstances. Considering in advance will allow them to discover how their policies will work and whether the people responsible for them have the knowledge and resources they need.

Going by what is on paper is not enough. Written policies and procedures do not tell us what really happens in practice, particularly in a crisis. Very often, weaknesses in an institutional response turn out to be about how a policy was understood and applied, not how it was worded. That was mostly the case here.

Many of the questions about the University's response to the Facebook postings centred on the fairness of the processes it invoked. An institution's response to allegations of misconduct must not only be fair, it must be seen to be fair. That applies to the processes as well as the outcomes. Even when the "right" outcome is reached, people will feel that justice was not served if the process was not fair.

What is a fair process? It depends. Generally, the more serious the potential consequences (jail time versus a fine, loss of a licence to practice versus temporary limitations) the more stringent the procedural protections must be. However, all decision-makers who are legally empowered to affect people's rights must follow a process that contains the following six elements:

### **1. Notice**

All affected individuals are entitled to know what the allegations are and to know what policies and procedures will govern the situation. They are entitled to this information before any steps are taken under the applicable policies (except where there is a good reason for acting sooner; a safety risk, for example), with enough time so they can be prepared to participate. If there is a change in the applicable policy or process, they are entitled to know what the change is and why it is happening. What is adequate notice will depend on the kind of proceeding.

### **2. Free and informed consent**

Where a policy permits people to choose whether to participate in a voluntary process (for example, mediation or RJ) they are entitled to the information they need to make an informed decision. This includes what the process entails, what consequences will flow from it, and what the alternatives are. They are entitled to a reasonable amount of time to decide whether to participate and to be free of pressure to decide in a particular way. How much information and how much time will depend on the kind of proceeding.

### **3. Transparency**

The public is entitled to know the policies and procedures that apply to the situation. This does not mean disclosure of all information or even of the identities of participants. There are often good reasons for maintaining confidentiality, especially early on in a process. However, transparency requires that the public has enough information about the process to be confident that it is the right response for the situation. Transparency also usually requires decision-makers to give reasons for their decisions. Participants and the public may not agree with the outcome, but they are entitled to know how the decision-maker arrived at the decision. The level of detail about the process and the reasons vary with the type of proceeding.

### **4. Opportunity to be heard**

Individuals who may be adversely affected by the process are entitled to present relevant information and their perspectives to a decision-maker before the decision. How they do that, including how much time they have and whether they can be represented by a lawyer, vary depending on the proceeding.

### **5. Impartiality:**

Decision-makers must be, and must be seen to be, impartial and objective. Participants and the public must be confident that the decision-maker has no personal stake in the outcome. Depending on the type of proceeding, the decision-maker may have relevant knowledge or expertise, but cannot have any personal interest.

### **6. Certainty:**

Both affected individuals and the public are entitled to rely on the information they are given about the applicable processes and the range of possible outcomes, and to know that those processes will not change mid-stream.

If any of these elements are not met, the process may be perceived as unfair.

A policy may seem fair on paper, but may not be applied fairly, especially in a crisis. Understanding how the processes used in a situation were perceived as unfair helps administrators and decision-makers improve them in the future.

The following chronology of key events in the policy responses to the Facebook incident gives context for assessing procedural fairness. Decisions made during the process are highlighted in bold.

December 8, 2014: Student A discloses the screenshot she took of the hate fuck/sport fuck post to an assistant dean at Dentistry and to the Acting Vice-Provost of Student Affairs ( Vice-Provost). Student A wants to make a formal complaint under the University’s Student Code of Conduct (Code). **The Vice-Provost does not accept the complaint under the Code, but says she will get back to Student A about the appropriate process.**

Student A and three other female students named in the hate fuck/sport fuck post meet with an assistant dean at Dentistry. They disclose the screenshot and express concern about professionalism, culture and climate in Dentistry.

The Vice-Provost meets with security services personnel and discloses the screenshot to them. They identify five women and nine men.

December 9, 2014: The Vice-Provost convenes a student-in-crisis team meeting to consider whether there is a safety risk to anyone on campus. The team does not identify a risk, so **the Vice-Provost decides not to initiate a process to suspend the identified Facebook posters under the Code.**

The **Vice-Provost decides that Student A’s complaint falls under the University’s Sexual Harassment Policy (Policy), not the Code**, and directs Student A to the HREHP, which is responsible for complaints under the Policy. Student A contacts the HREHP. **The HREHP determines that the situation is not an emergency or high risk.** HREHP staff and Student A set up a meeting for December 12.

December 10, 2014: Dentistry and Student A agree that she will take her exam in a room separate from the rest of the students (including the Facebook posters).

December 12, 2014 Student A meets with HREHP staff, the Community Safety officer, and a female assistant dean from Dentistry. The Policy’s formal and informal complaint processes are explained. Student A says her complaint includes allegations of harassment and bullying over time and wants a formal complaint process.

Student A provides the Community Safety officer with 54 screenshots from the Facebook group as evidence to support her complaint. Thirteen male posters and 10 female students are identified.

December 15, 2014

Many of the screenshots are published in the media. The President says the University needs 48 hours to consider how best to address the allegations.

Central administration and Dentistry administration meet to discuss what processes should be invoked.

**Dentistry defers the remaining exams for DDS 4 students until January.**

December 16, 2014

HREHP staff and Dentistry administrators meet with four of the female students named in the Facebook posts (not including Student A) to explain the formal and informal process options under the Policy. The informal process described is a restorative justice process (RJ). They understand these students to say that they want to pursue RJ and that they do not have safety concerns about the Facebook posters.

HREHP staff meet with 12 of the 13 identified Facebook posters and meet separately with Student B, “the Whistleblower” who permitted Student A to take the initial and subsequent screenshots from his computer. They tell them that the female students want an RJ process and the men agree.

One member of the HREHP staff who had been involved with the issue since December 12 and the Community Safety Officer become the two RJ facilitators. They invite the fourth-year students to a meeting, where they provide information, discuss concerns, and offer support.

December 17, 2014

The President announces that a number of the women targeted in the Facebook posts have chosen to pursue RJ under the Policy, and this process has already started. He says that others may pursue a formal complaint under the Policy, and that various disciplinary actions are also available.

The RJ facilitators meet with the female students who have chosen to pursue RJ. In small groups, they also explain the RJ process to and interview 12 of the 13 identified Facebook posters.

December 18, 2014

The RJ facilitators meet with Student B, explain the RJ process, and interview him.

December 21, 2014

Four faculty members outside Dentistry file a complaint with the Vice-Provost requesting an investigation and suspension of the Facebook posters pursuant to the Code (Dalhousie Faculty Complaint).

- December 22, 2014 **Dentistry’s Clinic Assistant Dean decides to suspend from the Clinic indefinitely the 13 identified Facebook posters** under the Clinic Policy, and to not inform these individuals about the suspension until January 5, 2015 because of concerns about their mental well-being.
- December 23, 2014 The Vice-Provost officially acknowledges receipt of the Dalhousie Faculty Complaint.
- Christmas Break: December 23 - January 4*
- January 5, 2015 The 13 identified Facebook posters are formally notified of their suspensions from the Clinic.
- RJ facilitators meet separately with the fourth-year women and men. Those who wish to participate in RJ are asked to sign confidentiality agreements by January 9.
- January 6, 2015 **Dentistry’s Academic Standards Class Committee (ASCC) confirms the Clinic Assistant Dean’s decision to suspend the 13 identified Facebook posters** indefinitely and issues special procedures for how the suspensions will be reviewed. January 8 is to be the deadline for formally objecting to suspension. The special procedures provide that, if a Facebook poster completes RJ successfully, the ASCC will only consider whether further remediation is necessary. For those not in RJ, academic dismissal is a possible consequence.
- January 8, 2015 Student B files a formal objection under the ASCC’s special procedures.
- The **ASCC requires all suspended students to attend classes remotely**, but does not prohibit them from being present in the dentistry building.
- January 10, 2015 **The Vice-Provost rejects the Dalhousie Faculty Complaint** on the basis that the conduct of the identified Facebook posters was already under review by the ASCC when the complaint was made.
- January 12, 2015 The University’s Senate debates whether the ASCC should review the conduct of the Facebook posters or whether a process external to Dentistry is necessary. Debate is suspended and a special meeting is scheduled for January 19.
- January 14, 2015 The ASCC informs Student B that his hearing will be on January 20 and provides notice of questions he will be required to answer. The issues are whether he has engaged in unprofessional conduct, and if so, whether remediation or academic dismissal is warranted.
- January 19, 2015 The Senate meeting resumes. It is held in private over the objection of some senators. Motions to commence an investigation external to Dentistry and to remove review of the Facebook posters’ conduct from the ASCC to a body external to Dentistry fail to pass.

January 20, 2015	Student B's hearing before the ASCC commences and is conducted in private, over Student B's objection. The Clinic Assistant Dean is represented by external counsel.
January 28, 2015	Student B's hearing concludes.
March 2, 2015	<b>The ASCC lifts the suspensions of the Facebook posters in RJ and permits them to return to the Clinic on stipulated conditions.</b>
March 6, 2015	<b>The ASCC releases its decision on Student B, finding that he engaged in unprofessional conduct and imposing remediation requirements that he must complete before his suspension is lifted and he can return to the Clinic.</b>
May 22, 2015	The RJ Report is publicly released. It includes factual findings from an investigation conducted by the RJ facilitators during the RJ process.

The chronology raises the following fairness questions:

1. *What information is necessary to decide whether there is a safety risk or other basis for interim action?*
2. *Who decides what policy applies and what the relevant considerations are? What happens when affected people want different processes? Can there be multiple processes at the same time?*
3. *If a process is voluntary, to what information are potential participants entitled before agreeing to participate? What does "voluntary" mean?*
4. *Can policies and processes be combined or customized to suit a particular situation or should standard processes always be followed?*
5. *How should concerns about conflict of interest be addressed?*

These kinds of questions underlie many decision-making processes that address alleged misconduct. Sometimes, many or all of the answers are found in the policies and procedures themselves. Where this is the case, the *process* is not controversial, although the *outcome* or decision might be. Here, questions about the process were very controversial and almost overshadowed the outcomes. There was a perception that those in charge were not sure what to do and were adapting and creating processes on the fly. This raised questions about all six aspects of fairness described above.

In considering the decisions made, our aim is not to say whether the decisions were right or wrong, but rather to consider whether the process for making them was fair.



**1. *What information is necessary to decide whether there is a safety risk or other basis for interim action?***

The general principle is that interim action is not justified unless there is good evidence of a real need for it. This is because affected persons likely have not been notified, have not had an opportunity to be heard, and there has not been much time to gather information. Because interim action is exceptional, the power to take it should be expressly conferred. A demonstrated safety risk justifies interim action.

A number of interim decisions were made here. On December 9, the Vice-Provost decided not to place the identified Facebook posters under interim suspension. The HREHP also considered this issue on the same day and reached the same conclusion. On December 15, Dentistry decided to postpone fourth-year exams. On December 22, the Clinic Assistant Dean decided to indefinitely suspend the identified Facebook posters from the Clinic, and also decided not to inform those students about the suspension until January 5. On January 8, the ASCC decided that these students could not attend classes in person.

The Vice-Provost's decision not to suspend the identified Facebook posters was made through a student-in-crisis team process. We were told that this was a mechanism put in place by the University several years ago to address situations where a student is at risk of self-harm or poses a threat to the University community. The team includes security, mental health, student service and legal personnel. It meets when called upon by the Vice-Provost and takes action as needed in response to concerns brought to the attention of administration that are not the subject of a complaint or covered by another policy. The team may access personal information, such as medical records, that is otherwise confidential. If the team determines that an interim suspension is necessary, the director of security services will file a complaint under the Code, triggering the President's power to issue the suspension. There is no written document setting out the membership, powers, or accountability of this body. However, we were told that one is being drafted.

A university may need to have a body able to respond to situations where a student is in crisis, and fairness requirements are different for emergencies. However, the fact that this body has existed for years without any written authority raises questions about fairness. Decisions to invoke it and decisions made under it will appear arbitrary. For example, why did the Vice-Provost not accept Student A's complaint under the Code? Why did she use the student-in-crisis process? Accepting the Code complaint would have made it possible to consider interim suspension under the Code. The HREHP also considered whether the situation was an emergency or high risk right after Student A contacted it. The Policy permits the university to take interim measures where necessary at any time during the processing of a complaint, so why was the student-in-crisis process necessary? These questions are particularly troubling because we were told that the student-in-crisis process applies only where there is an urgent need for action and no other applicable policy. The documentation of this process, now being drafted, must contain a mechanism to ensure that it is only invoked where it is authorized. Without a written process, there is no transparency.

Putting aside the question of the source of her authority to act, from a fairness perspective, the Vice-Provost followed the right steps in considering whether interim action was necessary. First, it was reasonable to consider whether the screenshot created a need for interim action, and it was appropriate to consult with experts and gather available information before making the decision. Fairness does not require notice, informed consent, or an opportunity to be heard in such situations. Had the Vice-Provost decided that there was a safety risk that warranted a suspension, the consequences of that decision would have triggered other fairness requirements, including the need to notify the suspended students and to revisit or review the decision after hearing from them.

Dentistry decided to postpone fourth-year exams until January on the day the story broke in the media, without notice to the students. Whether such an action is fair depends on the reasons for it and the consequences for the people affected. Dentistry may have been concerned about the impact of the media stories on the students' ability to focus on exams and considered that deferring them was in the students' best interest, but we do not know the reasons for its decision. Some of students said that they felt that they were being punished unfairly for the actions of the Facebook posters. Postponement created more work and more pressure (because of the board exam schedule). Transparency would require the students to be given a reason for the decision. Certainty would require that they be given information about new dates (or at least a date by which new dates would be announced). It is not clear that this was done.

The Clinic Assistant Dean's decision to suspend the identified Facebook posters from the Clinic may appear inconsistent with the earlier determinations that there was no safety risk. But by this time, many more screenshots had been published in the media and there was public debate about whether the posters' conduct posed a safety risk. In his letters to students announcing his decision to suspend them, the Clinic Assistant Dean said he had reviewed the Facebook posts and consulted with members of Dentistry administration. There is no evidence that he contacted the Vice-Provost or the HREHP about the information they had and the decisions they had made not to suspend. This is unfortunate. Consistency enhances fairness. The Clinic Assistant Dean may have had good reasons to suspend the students, but the perception of fairness would have been enhanced if he had taken into account the earlier decisions not to do so.

It is entirely possible that the Clinic Assistant Dean did not know about the option to consider interim action under the student-in-crisis process or the Policy, and that neither the Vice-Provost nor the HREHP were aware that the Clinic Assistant Dean had the power to suspend under the Clinic Policy. This is common in large institutions with many policies. However, given the gravity of interim action, fairness would be enhanced by ensuring better awareness and communication among decision-makers who have the power to make interim suspension decisions.

In his decision letter to the suspended students, which he gave them on January 5, the Clinic Assistant Dean referred to the source of his authority to suspend clinic privileges as the Clinic Policy and Procedures Manual. The relevant section states:

### Suspension of Privileges

If in the judgment of the Assistant Dean Clinics and Building services, based on communications from supervising faculty, course directors, clinical support staff and chart audits, a student's conduct or treatment of patients raises doubts about the student's professional attitude and/or conduct, ability to provide appropriate care and/or the welfare of patient(s) is considered in jeopardy - the Assistant Dean, Clinics and Building Services will suspend the student's patient care privileges. The Assistant Dean, Clinics and Building Services will inform, in writing, the Dean, Assistant Dean Academic Affairs and Assistant Dean Student Affairs immediately. The Assistant Dean, Clinical and Building Services may consult with the above as necessary and appropriate.

The suspension will be effective until it can be determined that the course [*sic*] of the problem has been resolved and the student is capable of resuming clinic privileges. If unresolved in a reasonable time period, documentation will be forwarded to the appropriate Academic Class Standards Committee.

The Clinic Assistant Dean wrote that he had decided on December 22 that the identified Facebook posters had “demonstrated extremely poor judgment and blatantly unprofessional behaviour,” which warranted indefinite suspension of their clinic privileges. He stated that the matter would be referred to the ACSS, but provided no information about that process. The ACSS confirmed all the indefinite suspensions the next day, on January 6. That decision had significant consequences for the suspended students, and also affected all other fourth-year and third-year students who had to assume the suspended students' patient workload.

This decision-making process raises substantial fairness concerns. First, it is not clear why the affected students (both those who might be suspended and the women targeted in the Facebook posts) were not given notice that the Clinic Assistant Dean was considering suspension, nor any opportunity to present their perspectives to him, even in the form of brief meetings or other communications. We were given no reason why that this decision had to be made on December 22. Students were leaving for the Christmas break and the Clinic was closed until January 9. Without a demonstrated need for urgent action, the lack of notice and any opportunity to be heard seem unwarranted.

Second, this process was not transparent. It was not obvious that the Facebook conduct raised concerns particular to the Clinic rather than more general concerns about the conduct of the Facebook posters towards female members of their class—in the Clinic or elsewhere. The Clinic Assistant Dean gave no reasons for his decision.

Third, there are reasons to be concerned about impartiality. The timing is troubling to us. The Vice-Provost rejected the Dalhousie Faculty Complaint under the Code on the basis that the Clinic Assistant Dean's decision of December 22 had started a professional conduct process, which meant that the Code no longer applied. It is true that the Code does not apply where there is already a professionalism review, but it appears that the Dalhousie Faculty Complaint was filed on

December 21 and only acknowledged as received on December 23, one day after the Clinic Assistant Dean's decision. His decision was not announced until January 5.

Fourth, the practical effect of the Clinic Assistant Dean's decision was to preclude an external formal process in favour of an internal confidential process. This was troubling because the initial complaints included not only the Facebook posts, but also Dentistry climate and professionalism. We believe that this created a reasonable perception that Dentistry might have had an interest in the outcome of the complaints. In these circumstances, we also think it was reasonable to think that the ASCC, a body internal to Dentistry, was not an impartial decision-maker.

Fifth, there was almost no certainty about the process begun by the Clinic Assistant Dean. The suspensions were indefinite. When the decisions were delivered to the suspended students, there was no known process for review by the ACSS in the circumstances because the situation was without precedent.

The ASCC's January 8 decision to require the identified Facebook posters to attend classes remotely raises fairness concerns similar to those about the Clinic Assistant Dean's interim suspension decision. It is not clear what evidence triggered consideration of this sanction. No notice was given and there was no opportunity to be heard before that decision was made. The process was not transparent. It is not clear what authority the ASCC had to suspend students from regular classes, as this does not appear in its terms of reference. It did not give reasons. Moreover, the purpose of banning the identified Facebook posters from classrooms, but not the dentistry building, was far from obvious. That contributed to the perception of unfairness.

***2. Who decides what policy applies and what the relevant considerations are? What happens when affected people want different processes? Can there be multiple processes at the same time?***

If a complainant does not know what policy applies, or multiple policies may apply, he/she is entitled to enough information to make an informed decision about whether to proceed and under what process. Student A wanted to file a formal complaint under the Code. The Vice-Provost has the power to decide whether the Code applies to a complaint. In this case, she decided that the Policy was appropriate, not the Code, and directed Student A to the HREHP office. It is not obvious from the wording of the Code and the Policy that only the Policy applied in the circumstances. Both appear to prohibit sexual harassment. If both applied, it is not clear whether a complainant can insist on proceeding under the Code or must accept the direction of the Vice-Provost. This is a problem common to many institutions in which policies are drafted and revised over time, by different bodies, without careful consideration of how they interact. Those who wanted a complaint process under the Code (Student A and the authors of the Dalhousie Faculty Complaint) and the Vice-Provost would have benefited from guidance about how to deal with a policy overlap.

Implicit in the Vice-Provost's decision that the Policy was the appropriate avenue for Student A's complaint was a determination that it should be addressed, at least initially, by a body outside

Dentistry. The question of who is the appropriate body in charge of a process is always important. Where there is any possibility that a complaint may implicate or involve the faculty itself, it is essential that both the process and any decisions be independent of that faculty. We heard that all of the students who went to the HREHP complained about culture and professionalism in Dentistry as a whole, not only about the Facebook posts. In this case, perceptions of fairness would have been enhanced by using a process and a decision-maker outside of Dentistry.

Several female dental students complained about the Facebook posts. Some wanted a formal complaint process. That would have included an investigation, an investigation report, an opportunity for complainants and respondents to make submissions in response to the report, and a decision with reasons about whether the respondents had violated the Policy. Others wanted an informal process, which HREHP staff described as providing a more timely resolution of the complaints. They described it as a confidential and voluntary participatory RJ process that involved facilitated discussions with the Facebook posters and others to address harm related to the Facebook postings.

In our justice system, complainants are entitled to a formal process for reviewing the complaints and determining whether they are substantiated. Informal resolution is always an option, but it takes place against a background framework of legal rights and obligations, although formal and informal processes may proceed together. However, an informal process chosen by some individuals would violate both principles of fairness and the legal entitlements of others if it precluded them from pursuing a formal complaint. It is not clear whether that happened here, but there is cause for concern.

Student A wanted to pursue a formal complaint, but that did not happen. The only action under the Policy was the informal RJ process. It is not clear whether Student A actually filed a formal written complaint under the Policy. If she did, and did not withdraw it, the steps under the Policy's formal complaint procedure should have been followed. If she did not, it is not clear why. Did Student A get adequate information and support to make a formal complaint under the Policy? The fact that RJ was under way was not a basis for rejecting a formal complaint or not actively assisting Student A or others to pursue a formal complaint process.

The RJ process was confidential, and all participants signed participation agreements to that effect. Although the agreements acknowledged that other complaints might be made under the Code or Policy, it stated that "These complaints may or may not proceed depending on the specific allegations contained in those complaints." It failed to state that the confidentiality requirements applying to information disclosed by an individual in the RJ process would not bar that person from disclosing the same information as an interviewee or witness in a formal complaint process. This omission created the incorrect impression that "anything said in RJ stays in RJ" and that no one in RJ could provide any information to a formal investigation.

Complainants are often reluctant to pursue allegations of sexual misconduct, in part because they do not want to be identified. The Policy does not permit anonymous formal complaints. Formal

complaints must be signed. However, it does protect complainant anonymity in a different way. Where an “administrative head” (in this case, the Vice-Provost) becomes aware of conduct that may be contrary to the Policy, he/she “may undertake review of the work or study environment,” even where a complainant does not want to pursue the complaint. The Vice-Provost could have started such a review if she was aware that students who wanted to pursue a formal complaint were not coming forward out of fear of being identified. Unlike many sexual harassment situations, the screenshots of the Facebook posts provided a substantial body of evidence that could have formed the basis for an investigation without a named complainant.

While multiple processes can exist at the same time, policies can specify that they may not. This is because duplication of formal processes is expensive and time-consuming. It may also be unfair because it creates the possibility of inconsistent outcomes. Like student codes of conduct at a number of other institutions, the Code expressly provides that it will not apply when the conduct is under review by another disciplinary body or “is subject to action as an alleged failure to meet standards of professional conduct as required by a college, faculty or school.” The Vice-Provost decided that the Code did not apply to the Dalhousie Faculty Complaint on the basis that the ASCC process had already started. No fairness problem arises from this decision, considered in isolation, but there were very substantial concerns about the ASCC process, as we describe elsewhere.

**3. *If a process is voluntary, to what information are potential participants entitled before agreeing to participate? What does “voluntary” mean?***

For a process to be voluntary from a fairness perspective, at least two conditions must apply. First, the person must be *informed*, with all of the relevant information about the process, including its consequences. Second, the decision to participate must be *free*, made without any unfair pressure on the person to decide one way rather than another. Both types of fairness concerns arise about the students’ decisions to participate in RJ.

Some students received information about the RJ process as early as December 12. More information was provided at multiple meetings between the RJ facilitators and groups of fourth-year students, Dentistry and University administrators, and the media, between December 16 and January 5. From what we heard, the information about the RJ process changed over time. Processes can be tailored to the situation at hand and still be fair. But in that case, it is especially important to be clear and consistent about the overarching framework, and to provide certainty that the framework will not change without adequate notice. We do not know what the RJ facilitators said in the various meetings, but we heard inconsistent accounts of aspects of the RJ process from various people.

The content of the screenshots was key information for people considering whether to participate in RJ. We heard that all of the identified Facebook posters received the full package of screenshots. Female fourth-year students only received posts that “affected them,” which implies that this was something less than the full package. We do not know what posts, if any, male fourth-year students not identified as Facebook posters received. Of course, some of the Facebook posts were published in the media, and all students would have seen those.

From a fairness perspective, the decision to give some people more information than others is questionable. We heard that concerns about individual privacy may have motivated the restriction. However, all of the posts were disclosed on a confidential basis. Anyone receiving the information had to sign a confidentiality agreement not to disclose it. As we understand it, a premise of the RJ process was acknowledgment of mutual harm arising from the Facebook posts. All of the people considering whether to participate in RJ were affected, in various ways, by all of the Facebook posts captured in the screenshots. That information was relevant to their decision about the RJ process and the same information should have been given to all of them.

One other type of information was critical to the assessment of informed consent by the identified Facebook posters. This was the effect of participation in RJ on their suspensions. On January 6, the ASCC confirmed the indefinite interim suspensions imposed by the Clinic Assistant Dean and decided to defer its decision about whether to lift the suspensions pending the outcome of the RJ process. It required the RJ facilitators to provide updates and imposed consequences on the suspended students depending on whether they participated in and completed RJ successfully. The deadline for deciding to participate in RJ was January 8. We heard that the suspended students did not feel that they had enough information about the relationship between RJ and the ASCC process. It was not clear what “successful” completion of RJ meant, who would decide this, and what more could be required. The duration of the process and suspensions was important because the suspended students still had to complete their clinic requirements to graduate. Thus, information about both the most effective and the quickest way to have the suspension lifted was crucial to the informed consent of the Facebook posters. We do not know whether information they were given was adequate.

The other condition governing the fairness of a voluntary process is the absence of improper pressure to make a particular choice. The ASCC’s decision to make successful completion of RJ key to lifting the suspensions compromised the voluntariness of the RJ process for those students. The ASCC’s process established that, if a suspended student completed RJ “successfully,” the ASCC would only consider whether any further remedial action was necessary before lifting the suspension. If a student did not participate in RJ (or not successfully), the ASCC would consider whether remediation measures were appropriate or whether the student should be academically dismissed. The possibility of dismissal, which only arose from not participating in RJ, put pressure on the suspended students to choose RJ and do everything the RJ facilitators required of them. In these circumstances it could be argued that they did not consent freely.

Some proponents of RJ processes consider that such incentives on respondents or perpetrators to consent to participate in RJ are beneficial and contribute to the success of RJ processes. If that is true, it may be that the importance of RJ outcomes outweighs the fairness concerns arising from something less than free consent. We do not have the expertise to agree or disagree.

We also heard that some students felt other pressures to participate in RJ. Sources of these pressures included the President, who publicly endorsed RJ as the most appropriate response—before students had decided on this process—and the HREHP office, which some said gave short

shrift to the formal process and advocated for RJ. We heard about the HREHP's strong preference for informal processes from many sources outside Dentistry as well, and the very low incidence of formal complaints under the Policy bears this out. To the extent that students experienced this as pressure to participate in RJ, these actions also detracted from fairness.

**4. *Can policies and processes be combined or customized to suit a particular situation or should standard processes always be followed?***

There is nothing inherently unfair in combining or customizing processes, provided that it does not compromise fairness principles. Formal policies often build in elements of flexibility so that the process can be adapted to fit the situation. For example, some sexual harassment policies permit different types of investigation depending on the nature of a formal complaint. Typically, informal processes are adaptable to a wide variety of situations, but must still comply with principles of informed consent, transparency about the process, impartiality, and certainty.

Apart from other concerns about the RJ process, there is some basis for concern about its transparency. Disclosure of information within misconduct processes may be confidential, but potential participants must be told the steps in the process, the consequences, and the time frame for resolution. Early on in RJ, decisions had to be made about who could participate and key elements of the process. This information should have been made public. It is not clear to us whether it was. Some people who were affected by the Facebook posts published in the media told us they wanted to participate in RJ but did not know the eligibility criteria and either received no response to their request to participate or one that did not explain why they were ineligible. Transparency would have been enhanced if this information had been disclosed once those decisions had been made.

The RJ Report revealed that a key component of the RJ process was an investigation and findings. However, the fact that RJ would include an investigation with published findings was not generally known. It was not referenced in the participation agreements and was not mentioned in the University's descriptions of RJ. The lack of transparency about RJ's investigative function also raises informed consent concerns. Would the prospect of this use of the information RJ participants would disclose during the process have affected their decision to choose RJ? Another transparency issues arose when RJ was incorporated into the ASCC review and it was unclear how that would work.

The relative lack of transparency about the RJ process increased the perception that those in RJ had access to information that should have been available to all. Many of those who did not participate in RJ felt isolated and suspected that they were not getting information to which they were entitled because RJ became a preferred route for disseminating information to the fourth-year class.

Concern about the impartiality of RJ arises from its claim that it conducted an investigation sufficient to support factual findings about the Facebook group and the culture and climate in Dentistry. Basic fairness principles apply to investigations, including the requirement to gather



information from available sources, and evaluate that evidence objectively. There is no indication that the RJ facilitators interviewed students who did not participate in RJ to gather information about the Facebook group or Dentistry culture or climate, or that they sought this information from faculty members, staff, or administrators. Gathering information from these sources was not central to the RJ function of bringing participants to a deeper understanding of what happened and equipping them with the tools to constructively reflect on their behaviour. However, it was essential to a full and fair investigation.

Further, the role of the RJ facilitators did not lend itself to objectively assessing information, particularly from people such as the Facebook posters, whose perspective on issues like the climate in Dentistry and staff issues might be influenced by their interests. The role of RJ facilitators, as we understand it, is not to stand back from participants and assess their credibility. It is to stand with them and help them to gain insight into their motivations and interest. This is difficult to reconcile with the requirements of an investigation.

Customizing the ASCC process also raises fairness concerns. The Clinic Policy and Procedure Manual and the ASCC's terms of reference do not appear to contemplate that the Clinic Assistant Dean's powers to suspend, and the ASCC's power to confirm suspensions, apply to a situation like this, involving a large group of students, and conduct that occurred outside of the Clinic. It seems that the Clinic Assistant Dean made his decision without being aware that a complaint or complaints had already been made under the Policy. The ASCC created a special process for the suspended students in its January 6 decision, but gave no information about the factors it considered in doing so. Together with the fact that it gave no notice to those affected and did not hear from them, the fairness of customizing the ASCC process is questionable.

The ASCC's special procedures raise additional fairness concerns. It took an RJ process chosen by students who did not want formal sanctions to be levied on their classmates and made it the basis for continuing the indefinite suspensions. The ASCC's procedures altered the confidentiality and privacy in the RJ process by requiring the RJ facilitators to report to it, and for the ASCC to participate in an RJ session with students. The ability of students to express views about climate and culture, which were part of the complaint that led to RJ (and the subject of findings in the RJ Report), would reasonably be perceived to be hindered by faculty members hearing them in their capacity as ASCC members.

It was not necessary for the ASCC to entwine its process with RJ. Assuming that the suspensions were authorized, it would have been simpler for the ASCC to meet with each of the suspended students, gather other relevant information, and determine whether a continued suspension was warranted in each case. As the ASCC made clear in its March 6 decision about Student B, it does not have disciplinary powers, so the suspension of the students was not justified as a punitive measure. It was only justified as long as there was an objective basis for concern about safety or about a student's capability to act professionally. That decision was ASCC's to make about each suspended student individually. Without that process, the suspensions appeared disciplinary and arbitrary.

Further, the RJ process was not a “remediation” process in the sense that term is used in professional regulation. When a professional has failed to demonstrate the required level of competence, he/she is required to take training to acquire the deficient skills. The ASCC was required to restore clinic privileges once a student had completed the remedial requirements the ASCC established. But RJ was not about remediation. The majority of participants were not suspended and had not chosen to participate in a remediation program. In these respects, the entwining of RJ with the ASCC was less than fair.

##### **5. *How should concerns about conflict of interest be addressed?***

Some senators, the authors of the Dalhousie Faculty Complaint, and Student B, among others, said that the ASCC was in a conflict of interest because some people on the ASCC were the subject of some of the Facebook posts. The fact that neither the University nor Dentistry responded to this concern increased the public perception that the process was unfair. It was described as a “cover-up” or “contain and control” technique that showed that the University’s only concern was its reputation.

Concerns about conflict of interest should always be taken seriously. If not addressed promptly and directly, they can undermine an otherwise fair process. Fairness principles apply not only to *actual* conflict or bias, they require that there be no *reasonable perception* of bias or conflict of interest. This requirement grows more stringent where the decision has greater potential for adverse impact on the individual. Here, two factors provided a reasonable basis for the perception that Dentistry might be biased or in a conflict of interest. First, the complaint pursued through RJ under the Policy included allegations about the culture and professionalism inside Dentistry, as well as the Facebook posts, and so necessarily implicated Dentistry administration. Second, some of the Facebook posts were about particular identifiable faculty members. Those individuals could reasonably be perceived as having a conflict of interest if, as members of ASCC, they did not recuse themselves and were involved in reviewing that conduct. The potential consequences of the ASCC proceedings were very severe—up to academic dismissal in the case of any suspended student who was not participating in RJ—which heightened the importance of ensuring that there was no perceived conflict of interest.

Conflict of interest issues are usually raised with the decision-maker. But this concern could not have been raised to the ASCC before it confirmed the suspension decision on January 6. None of the students knew they had been suspended until the day before, and they had not been told when the ASCC would review those suspensions. The ASCC’s January 6 decision did not include reasons, so it is not possible to know whether the conflict of interest issue was considered. Concerns about the ASCC’s impartiality were raised in other forums soon after it issued its initial decision. Fairness could have been enhanced by acknowledging and openly addressing those concerns. That would mean either explaining why the perception of bias was not well founded or responding to the concern. For example, review of the suspensions could have been moved outside Dentistry to the Senate Academic Appeals Committee, which hears appeals on professionalism matters that originate within Dentistry.

There was another opportunity to address the perception of conflict of interest when Student B raised the issue of the ASCC's impartiality, along with a number of other procedural fairness concerns, at the hearing into his suspension and in his submissions. In its decision of March 6, the ASSC did not address this issue.

The failure to address a significant conflict of interest concern damages public perception of the institution's commitment to fairness.

## Chapter 7. The Way Forward

The Facebook posts prompted our inquiry into specific equality issues inside Dentistry. We also considered the University's policies and processes and the broader social context. Throughout, our objective was to understand what happened, to learn as much as we could from this case study, and to offer useful guidance for the future. We know that the Facebook group was not unique, and we assume that Dalhousie and other universities will face similar challenges in the future. What can we learn from this experience that will aid in efforts to dismantle discrimination and harassment in the future?

Undeniably, these are complex problems with no easy solutions. The participants and observers we spoke with disagreed about how to characterize what happened, what caused the problem, how to analyze it, and what strategies would promote positive change. None of this is surprising. There are no right answers. But there are some wrong ones.

The most obvious wrong answer would be to minimize what happened. We were told that when some of the Facebook group members returned to the Clinic after the restorative justice (RJ) process, some faculty members told them that the whole thing had been an overreaction and that it would blow over. The male students rejected that view. They faulted their instructors for failing to understand the consequences of what had happened. For us, that underscored the significance of the RJ process.

It is true that within the range of the frequent misogynistic and homophobic incidents in our society, what happened here does not rank among the worst. It is also true that the emotions aroused by the posts and the institutional response need time to settle. But this was not an isolated incident, and the status quo is not acceptable. We have ample evidence of sexism, misogyny, and homophobia in universities, the professions, the media, the police, and the military. This incident is an opportunity to confront inequalities and make meaningful change.

Another obvious wrong answer would be to be defensive. When people and institutions are asked to recognize that their actions and beliefs are discriminatory, the immediate and understandable reaction, which we heard from many, is to simply deny it. Denial often reveals a lack of knowledge about inequality and the harm it causes. A person may make a sexist remark with no intention to offend, but the comments harm the individual and the group nonetheless. The most prevalent forms of discrimination often happen when there is no discriminatory intent. We are all part of a sexist and heterosexist culture, and we all need to get past our personal defensiveness in order to change it. We were impressed by the Dalhousie administrators, faculty, staff, and students we met who were less defensive, acknowledged the problems, and wanted to work for change.

One of the most positive messages we took away from the many participants and observers who spoke with us was the virtually unanimous agreement on objectives. Everyone agrees on the desired outcome. Everyone wants a safe campus, a non-discriminatory institution that provides a diverse community with an inclusive setting for education, employment, and research. Many told

us that they would like to see Dalhousie become a recognized leader, at the forefront on equity issues.

We have grouped our conclusions and recommendations about how to move forward into three parts:

- I. The dental school culture
- II. The University administration
- III. The wider context: the University community and society generally

## **I. The dental school culture**

### **A need to embrace progress**

The Facebook posts did not emerge in a vacuum, but within a particular culture. We found that modern norms about equity do not seem to have gained much ground in Dentistry. The culture condoned sexist, misogynistic, homophobic, and racist behaviour.

The dental school reflects the historical, male-dominated hierarchy where male dentists employ female dental hygienists, dental assistants, and office managers. Recent decades have seen the increasing integration of women, and the introduction of internationally trained men and a few women from predominantly racialized groups, but this has yet to transform the culture.

Dentistry is one of the faculties least integrated into the wider University culture. Its academic and clinical programs focus on skills-based professional training. This is true of many professional programs, but Dentistry seems to be more isolated than other professional faculties such as medicine and law. It is fundamentally important to graduate dental students who are technically competent, and this is something the dental school does very well. It is also important to recognize that publicly funded university education and research is not intended only to prepare competent professionals for practice. The public has an interest in ensuring that the structure and culture of the profession, as well as models of dental health care delivery, are being reviewed and critiqued rather than simply reproduced. More inter-disciplinary linkages, cross-appointments, and research projects with other faculties could help integrate dentistry into the wider University community and reduce its isolation. Such opportunities may be found in medicine, health professions, social sciences, humanities, gender and women's studies, law, and management, among others.

### **Rethinking competition**

We believe that the Faculty of Dentistry encourages an undue degree of competitiveness among students for access to patients and resources. This has been rationalized as useful preparation for the marketplace competition, but the dysfunctional aspects of the competition overwhelm the benefits.

The nearly universal perception among students and staff that the competition is unfair exacerbates the problem. Students pointed to obvious inequities in the operation of the patient allocation system. They also criticized the "guidelines" governing the number of different

procedures they must complete. These are effectively requirements for graduation, but they may be varied with little or no notice. This means that students are kept in suspense until the very last minute about whether they have met the clinical requirements for graduation.

### **Inequalities make everyone feel badly treated**

In this environment, everyone feels badly treated. Students disparaged by their classmates for being “favourites” with the faculty feel like targets. Students who pay higher tuition see themselves as short-changed, while others see them as prioritized. Students who are behind on their clinic requirements feel disadvantaged, but so do students who have completed their requirements and worry that unless they keep getting more patients, their skills will get rusty. Women who get extra attention from instructors feel sexually harassed, while others believe that they are using their bodies to gain advantage. In the end, all of the students are preoccupied with their experiences of disadvantage and no one sees the advantages they enjoy.

The hierarchy within Dentistry contributes to a culture of inequality. The school must take steps to ensure that faculty and students of dental hygiene are treated equitably, and that international students are given neither preferential nor inferior treatment compared with Canadian students.

Professors and students do not seem to be held to the same standards of behaviour. The students describe a punitive pedagogical style, where faculty members criticize students inappropriately in public and treat them like children. This is especially acute in the Clinic. Students who attempt to call professors to account for inappropriate behaviour are ignored or told they are being unprofessional. There is very little evidence that faculty members are regularly monitored or held accountable for inappropriate behaviour.

The predominantly female staff appear to carry out their responsibilities with competence and dedication, but do not feel that they are treated as part of a professional team. Based on the many blatant incidents of mistreatment recounted to us, there is good reason to believe that the management style in the dental school has rendered staff working conditions unacceptable. This must be addressed without delay.

### **Tools for moving forward**

Individual complaints cannot be relied upon to rectify faculty-wide problems. Systemic measures hold more promise. Other institutions have used “chilly climate” reports, anonymous workplace surveys, and spot audits to shift the focus. These are not meant to target individuals, or to result in specific disciplinary outcomes. The objective is to gather information that can be used to make structural changes and nurture healthier environments.

The RJ process benefitted many of the participating dental students. They developed a deeper and more sophisticated understanding of sexism, misogyny, and homophobia. Despite this outcome, we do not support a departure from the province-wide moratorium on the use of RJ in cases of sexual abuse and intimate partner violence. We recognize the serious concerns that led to the moratorium and the need to continue it. However, an independent external review of RJ in this

instance could answer some important questions. Did this RJ process replicate some of the problems that gave rise to the moratorium? Were there elements that reduced these risks and improved the prospects for success? Did the fact that the misconduct involved Facebook posts (words and images rather than specific acts of sexual or physical abuse) make a difference? Did the serious sanctions that would flow from failure to participate enhance its success? Was the inclusion of the larger peer group critical to the success of the process? RJ may have significant potential to create change within communities like the dental school, where generalized sexism, misogyny, and homophobia require intensive educational and cultural transformation. Fuller examination is essential, along with respectful consultation with the violence-against-women organizations and those who lobbied for the moratorium on RJ.

Teaching of ethics and professionalism must expand beyond the present curriculum. The courses could examine a wider range of questions about the delivery of dental services: Does dentistry, like other professions, have a problem with sexual harassment of staff and patients? Do survivors of intimate partner violence, sexual assault, and child sexual abuse have special vulnerabilities with respect to dental services? How do gender, race, disability, substance abuse, heterosexism, and class discrimination affect access to dental services and delivery of appropriate treatments? These are only a few examples of educational and research opportunities that might enhance dental students' understanding of equity.

Dalhousie's dental school is not unique. We heard that other faculties and other dental schools have the same or worse problems. The problems surfaced so publicly here because of the strength of the protesting voices and the receptivity in some quarters of the institution to hearing the message and bringing about change. Dalhousie has much expertise, and many people with specific skills and knowledge about equity issues who can contribute to change.

### **Recommendations:**

1. The professors and administrators within the Faculty of Dentistry should collectively agree on the necessity for fundamental change, including a commitment to implementing the recommendations in this Report. This should entail developing an action plan with defined goals, timelines, and identification of people to be responsible for implementation.
2. The Faculty of Dentistry should improve the complaint system so that faculty members, students, and staff understand clearly when, where, and how they may lodge a complaint. The complaint system should ensure that complaints are processed promptly, fairly, and transparently, and that complainants are made aware of the outcome.
3. Notwithstanding the implementation of an improved complaints system, the Faculty of Dentistry should use systemic, non-punitive ways to identify and obtain information about potential or actual problems. These may include "chilly climate" reports, anonymous workplace surveys, and spot audits.

4. The Faculty of Dentistry should implement measures to improve working conditions for staff, specifically those related to unacceptable treatment by managers and students.
5. The Faculty of Dentistry should change the patient distribution/clinical credit system to ensure fairness and reduce excessive competition and patient hoarding.
6. The Faculty of Dentistry should monitor social and other extra-curricular events at the dental school to prevent facilitation of sexist, heterosexist, misogynistic, or racist behaviour. Events that do not contribute to such behaviour should be reinstated.
7. The Faculty of Dentistry should improve the integration of the School of Dental Hygiene within the Faculty of Dentistry. One possible step might be to appoint an assistant dean from among the senior administrators for the School of Dental Hygiene.
8. The Faculty of Dentistry should eliminate any inequitable treatment of Qualifying Program students. They should be fully integrated into their classes, and recognized for the expertise they bring to the school. The Faculty of Dentistry should also seek to ensure that students from the United States do not receive either preferential or discriminatory treatment.
9. The Faculty of Dentistry should seek ways to celebrate the role that female, racialized, and LGBTQ dentists have played in the dental profession, recognizing both their struggles and their successes.
10. The Faculty of Dentistry should collect data to provide information on the diversity of the student body by inviting students who wish to do so to self-identify, confidentially, with regard to sex, sexual orientation, socio-economic background, racialization, indigeneity, and disability status. Aggregate data should be reported to the University's Senate and released to the public annually. The Faculty of Dentistry should also consider introducing a designated recruitment program for Indigenous and Black communities.
11. The Faculty of Dentistry should survey faculty members and staff to build longitudinal data on the same axes of diversity as set out in Recommendation 10.
12. The Faculty of Dentistry should create an internal council or committee on inclusion and diversity.
13. The Faculty of Dentistry should conduct an independent external review to determine whether RJ sessions, properly constituted to ensure voluntary and inclusive participation, could assist in attitudinal and behavioural change in the student body, staff, and faculty members of the dental school.



14. The Faculty of Dentistry should collaborate with other dental schools, professional licensing boards, and professional associations across Canada to address equity and sexual misconduct within the profession.
15. The Faculty of Dentistry should consider ways to reduce its isolation from the University as a whole, such as through cross-appointments with other faculties and by seeking to incorporate wider perspectives on inter-disciplinary research and education.
16. The Faculty of Dentistry should improve the effectiveness of ethics and professionalism education for dental students. Steps in doing so should include making the courses more central to the curriculum, integrating learning on these subjects with other courses and Clinic activities, and including issues relating to sexism, misogyny, homophobia, racism, disability, and discrimination.
17. Over the next three years, the Faculty of Dentistry should report regularly to the Senate and President on its progress in implementing these recommendations.

## **II. The University administration**

### **Preliminary observations**

The University's decisions and actions were taken under intense public scrutiny and pressure for immediate response. By contrast, we have the advantage of hindsight and reflection and can see what happened with a degree of objectivity and distance.

We believe that all decision-makers acted in good faith, and in what they believed to be the best interests of the University and the students involved. This was a complex situation with multiple ways of understanding what had happened. Reasonable people can differ on what should be done in such circumstances, and we see the differences that have emerged in that light. Our assessment of the University's actions does not cast aspersions on any individual's motives or intentions, nor does it assign blame.

Our critical review of the University's response to the Facebook posts is intended to be constructive, to provide guidance for the University for the future when incidents of this nature arise—as they surely will. Dalhousie certainly does not stand in isolation. What happened here could happen, and may already be happening, at other universities. We hope our comments may be of use to them in the future as well.

### **The University's decisions**

Looking back, the University's decisions in response to the Facebook posts can be grouped around three critical moments. The first was when Student A made the initial complaint. The second was when the media published the screenshots. The third was when Dentistry suspended the identified Facebook posters. These three points provide a useful framework for our analysis.

### **The initial complaint**

Student A met with the Vice-Provost on December 8, 2014. She brought the initial screenshot, and a written complaint that she wanted to file under the Code, and she would have provided further information in her discussion with the Vice-Provost. It is clear that Student A wanted to proceed under the Code; it is less clear whether she wanted to be the complainant or wanted the University to take action.

The Vice-Provost had a number of options. Both the Code and the Policy apply to allegations of sexual harassment. The Code permits the Vice-Provost to accept a complaint from an affected person, but it also permits the University to take action. Although not explicitly stated, it has been interpreted to permit University authorities, such as the director of security services, to make a complaint. The Policy only permits complaints made by the person(s) alleging sexual harassment. However, it authorizes “administrative heads” (the Vice-Provost in this case) to undertake a review of the work or study environment, even where there is no complaint. Both the Code and the Policy contemplate informal as well as formal processes. Even if a formal process starts, there are opportunities to try to resolve matters informally under both the Code and the Policy.

The formal processes under the Code and the Policy are similar. There is an information-gathering stage, such as an investigation, which includes a decision based on that information about whether the conduct violates the Code or Policy. The investigation stage does not result in any discipline. There is an opportunity for informal resolution at that point. If formal discipline is considered, a procedurally fair discipline process is required and any sanction must be based on the evidence produced in that process.

Both the Code and the Policy also permit interim measures where necessary. Once a complaint has been accepted under the Code, the President may impose an interim suspension. The Policy empowers the University to take any necessary steps during the processing of a complaint to ensure the health, safety, and security of anyone on campus.

Initially, the Vice-Provost declined to accept Student A’s complaint under the Code, saying she needed to consider what process was appropriate. She then initiated a different procedure, of which Student A could not have been aware because it is not a published University policy, and, at the time, had no written terms of reference. This was to convene a student-in-crisis team meeting. This is a process that allows the University to act quickly where a student may be at risk of harm or may pose a threat to the University community.

It is not clear why the Vice-Provost chose this option. We do not know of any evidence at the time that would have triggered the need for this option as it was described to us, but perhaps it was done out of an abundance of caution. Student A was not informed about this action.

The next day, having decided there was no need for interim action through the student-in-crisis process, the Vice-Provost decided that the matter should proceed under the Policy, not the Code. She directed Student A to the HREHP office.

The Vice-Provost clearly had the power to make this decision. What factors should be considered in making it? The only information she had at the time was the initial screenshot and what Student A told her. One factor should have been the respective expertise of those who would be involved in a Code complaint as compared with a complaint under the Policy. A further factor should have been resources and support, and which were best suited to the needs of the parties in this situation. One very important consideration was Student A's request that the University take action. Together with the screenshot identifying a substantial number of fourth-year dental students, Student A's description of her complaint should have aroused concern that this was not an incident between a few individuals, but potentially a much more complex situation that might require the University to assume responsibility.

Our Task Force has no basis for questioning the substance of the Vice-Provost's decision that there was no need for interim action or her decision that Student A should make a complaint under the Policy. Nonetheless, there are two matters of concern.

One is that with no written basis for the student-in-crisis process, it lacks a degree of legitimacy. The other is the lack of indication that anyone seriously considered the possibility of the University's assuming carriage of the matter. That option was available under both the Code and the Policy. Looking back, this was an opportunity missed.

#### **The screenshots are published in the media**

Student A provided many more screenshots. HREHP met with Student A and other women who came forward. There was a clear divergence of views, with Student A committed to a formal process. The dental school made arrangements for Student A to write her exams separately. All of this happened before December 15. Matters were progressing.

When the issue hit the media with publication of multiple posts, things changed. The President became involved, saying he needed 48 hours to decide what action to take. It is unclear why he needed 48 hours. The Vice-Provost had already directed Student A to make a complaint under the Policy. Student A had gone to the HREHP office, asked the University to take charge of the matter, and advised them that the informal process was unacceptable.

At this stage, the University might have considered exercising its powers under the Code or Policy to assume responsibility for the matter and address it as a systemic issue, but we do not know if this was discussed. The disagreement between the women who had come forward about a formal or informal process under the Policy could have been addressed by supporting Student A and others who wanted a formal process to complete a written complaint, giving it to the respondents, and appointing an investigator. HREHP could also have moved forward to find out the extent of students' interest in an RJ process. The students identified as Facebook posters could also have been suspended pending the outcome of the investigation.

The University only proceeded by initiating the RJ process. On December 17, the President announced that a number of women targeted in the Facebook posts had chosen RJ, and explained

what that was. He noted that others could pursue formal complaints under the Policy and that various disciplinary actions were available. He rejected the call for an investigation.

Four days later, a group of four Dalhousie faculty members outside of Dentistry lodged a complaint under the Code, calling for an investigation and the suspension of the Facebook posters. That complaint was rejected on January 10.

We have some concerns with what was decided at this time.

In our view, an investigation was critical, and it was not inconsistent with the RJ process. An investigation is not the same as a disciplinary proceeding. The Code and Policy make it clear that an investigation provides the basis for deciding whether disciplinary proceedings are needed. If the Facebook posts had been framed as a systemic matter, an investigation would have focused on those issues rather than on individual actions, and would have made findings and recommendations for change at the institutional level. Both Dalhousie faculty members and the public were raising concerns about what had happened and what was being done about it. There was much speculation and misunderstanding. An investigation could have provided an effective response. We do not question the Vice-Provost's reasons for rejecting the Dalhousie Faculty Complaint, but we note that by doing so, the University lost another opportunity to undertake an investigation.

Further, while we agree that RJ was a useful process that achieved significant results in this case, we have reservations about how it was established, some aspects of its process, and its relationship to other processes. In setting them out, we do not intend to diminish the great value of RJ to its participants.

First, RJ was established without adequate information on its mandate. It came as a surprise to many to discover in its report that its mandate was "to investigate the matter, address the harms it caused and examine the climate and culture within the Faculty that may have influenced the offensive nature of the Facebook group's content." We heard from many that they were surprised to find that RJ included an investigation and that its scope extended to Dentistry culture and climate. It is also not clear that all RJ students received the same information about the Facebook posts.

Second, it is not clear that the RJ process was capable of conducting the kind of independent investigation that leads to reliable findings of fact. Not all of those involved with or implicated by the Facebook incident participated in RJ. Certain key individuals, such as Student A and Student B, were not interviewed as part of an investigation, and it is not clear whether the RJ facilitators conducted investigation interviews with other non-participants.

Third, RJ was treated as a full response to the Facebook complaints. We know that some female students wanted to pursue a formal complaint, but no steps were taken. In particular, it is not clear to us what became of Student A's initial efforts to lodge a complaint. Her attempt to make a formal complaint under the Code had been rejected. Her discussions about using the Policy had

broken off. Student A felt that an informal process under the Policy, which seemed to be the preference of the HREHP, was unacceptable. But from her perspective, she was the initiator of the complaint about the Facebook group. She wanted the University to act. In her view, she was left dangling.

Fourth, the incorporation of “successful completion” of RJ into the ASCC’s determination of whether to lift student suspensions appears inconsistent with what we understood to be a voluntary and confidential process. For the identified Facebook posters in RJ, successful completion was essential to avoid the possibility of academic dismissal.

### **The ASCC process**

On December 22, the Clinic Assistant Dean decided to suspend the 13 identified Facebook posters indefinitely. It appears that this decision was made without consultation with the University administration. When the suspended students were informed of the decision on January 5, it appeared that they were being asked to choose to participate in RJ on top of being subject to an ASCC process. The ASCC’s confirmation of the Clinic Assistant Dean’s decision the next day continued the suspensions pending completion of RJ and required RJ facilitators to report regularly on their progress to the ASCC. We do not know whether this decision to involve RJ in the ASCC process was made in consultation with the University administration or even with the RJ facilitators.

In our view, the ASCC process raises serious questions about fairness. These include questions about whether the Clinic Assistant Dean and the ASCC had the authority to act as they did, whether requirements such as notice and the opportunity to be heard were satisfied, and whether there was a reasonable perception of a conflict of interest. Although it is not a disciplinary body, the ASCC effectively took on that role in this case, and was widely understood to be the body that decided on sanctions for the identified Facebook posters.

Clearly, the ASCC process, having started independently, could have continued independently of RJ. The ASCC’s proper focus was professionalism and the concern that the identified Facebook posters would not meet professional standards was the only basis for continuing the suspensions. This was not punishment for what the students had already done. In our opinion, the suspensions were only justified for as long as there was a risk that the students would continue to act unprofessionally. Further, there was no need to entangle the ASCC process with the process under the Policy.

### **The adequacy of the University’s policies**

Based on our review of comparable institutions, the University’s policies relating to sexual harassment issues are as good as, if not better than, those of other Canadian universities. Both the Code and the Policy create avenues for persons other than the complainants, especially institutional actors, to initiate complaints or similar reviews. Some other institutions do not have such provisions. The approach available under the Code and Policy is invaluable for addressing systemic complaints, which include climate and culture issues, and problems rooted in policies and

processes. We do not see a need for the University to redraft its policies. To the extent that there are unwritten practices that affect individual rights and interests, such as the student-in-crisis process, these should be documented and approved by the relevant body. The University should make clear how codes of conduct and similar policies apply to social media activity. Further, the Student Code of Conduct should deal explicitly with responsibilities arising out of the use of social media.

### Enhancing processes

We believe that the University can significantly enhance the protections afforded in its central policies, such as the Code and Policy, by taking steps to increase access to information, access to assistance in raising concerns, and awareness among decision-makers of the nature and importance of systemic complaints.

Based on our review, dissemination of information about how to make complaints needs to be increased. The bodies to which complaints can be made must be visible and public. The very name “HREHP” is impenetrable. Many members of the University community, including senior administrators, struggled to name this office and say what the initials stood for. A name change is long overdue. The office’s basement location and limited space sends a discouraging message about the University’s view of the importance of the issues it addresses. We understand that the office of the Vice-Provost, student affairs is being restructured. As this position has responsibility for Code complaints as well as complaints against students under the Policy, its visibility is vital. It is equally important that it provide clear information in a variety of formats, including ones accessible to students with disabilities, about how to make complaints and to whom they can turn for support.

We heard from a number of groups that the University had a part-time ombudsperson for students, jointly funded by the Dalhousie Student Union, but that this position has been eliminated. Many Canadian universities have an independent ombudsperson funded by the institution. Such offices may serve students, staff and/or faculty. Although they are a place of last resort, when no policy or process appears to fit the problem, they also provide a visible portal for those who do not know where to go to raise a concern. Such offices can be very effective in identifying systemic issues and emerging areas of concern, and can report on these matters to the University. We believe an ombudsperson would be a valuable addition to Dalhousie’s processes for dealing with complaints on all aspects of University life, and in particular, on sexism, misogyny, racism, and homophobia.

Our review demonstrates that opportunities to identify the Facebook posts as evidence of a systemic problem within Dentistry were missed. There was information about issues in Dentistry that pre-dated the disclosure of the Facebook posts, and there had been responses to them. However, each incident was considered in isolation and no links were made between them. This is not surprising. Our institutions, not only universities, but also human rights bodies, have a poor history of recognizing and responding appropriately to systemic problems. Early detection systems are needed to anticipate potentially systemic complaints. Bodies that receive complaints and

concerns relating to discrimination, harassment, culture, and climate, especially those who have the ability to take action without an individual complainant under the Code or the Policy, need to know how to identify systemic issues. This can include training, checklists of what to be alert for, and guidelines about what information to gather.

### **Anonymous complaints**

Many spoke to us about the need to be able to make anonymous complaints, especially in cases of sexual harassment and sexual assault. Others argued that an anonymous complaint is unfair. We think part of the problem lies in misunderstandings about the applicable policies. Anyone can seek the advice and assistance of the HREHP without providing any identifying information. An informal complaint process under the Policy does not entail any record of names, but the resolution process often requires that the complainant and respondent know the identity of the other. A formal complaint process requires disclosure of the identity of the complainant. However, the complainant might be someone other than the victim of the alleged misconduct. Investigations under the Policy will involve the investigator knowing the identities of witnesses, but this information may be excluded from the investigation report.

These protections are comparable to those in the discrimination and harassment policies at other universities. We think they strike a fair balance between the interests of complainants and respondents in the context of complaints. However, anonymous complaints can also serve a different function. The biggest concern about anonymous complaints is that there is no way to effectively assess the merits of a particular complaint. However, a group of anonymous complaints all reflecting the same concern provides a signal that there may be a problem that requires some attention. Soliciting anonymous complaints for this purpose could be very useful.

### **Whistleblowers**

Early on, the student who disclosed the hate fuck poll to Student A was called “the Whistleblower.” Later, the University was criticized for treating him more harshly than the Facebook posters who chose to participate in RJ. This raises a general question about the treatment of those who come forward to expose misconduct. In fact, Student B was not a whistleblower in the sense of a person who exposes wrongdoing to the relevant authority. He gave information to Student A, who then disclosed it to Dentistry and the University. However, both of these students believed that they had suffered retaliatory consequences similar to those experienced by whistleblowers in other situations, including from their peers.

Whistleblower policies in universities tend to focus on misconduct relating to research, employment activity, and fraud. Most discrimination and harassment policies explicitly prohibit retaliation against complainants and anyone assisting in or providing evidence about a complaint. The Policy contains this protection, but the Code does not. It is not clear whether Student A and Student B were advised of this protection or whether they informed the HREHP about the way they were being treated. It does not appear that they received any support from the HREHP in taking steps to address the harm they were experiencing.

We believe that the protections against retaliation in the Policy are appropriate and that there is no need for a separate whistleblower policy to address retaliation in the context of sexual misconduct. However, we are recommending that the University strengthen the retaliation protections under the Sexual Harassment Policy, make them easier to invoke, and publicize them more widely. We are also recommending that protection from retaliation be made available in the case of complaints of sexual misconduct accepted under the Code.

### **Restorative justice**

The Task Force recognizes that RJ is an important option, particularly for systemic issues. In many respects, it achieved remarkable success in this instance. Some of that success was due to the fact that it involved a peer group with close bonds and shared interests. There were incentives to participate, enough time was allocated, and there were resources devoted to it. The outcome is a tribute not only to the students who went through that process, but also to the RJ advisor and the facilitators.

In our view, the University should retain RJ as tool to be used in appropriate circumstances, particularly relating to systemic issues. However, the experience in this case suggests that in the future, RJ should not be used in place of investigations. Nor should students implicated in the events that give rise to RJ who do not wish to participate in RJ be excluded from other remedies and support.

### **Educational programs**

Education and training are at the core of a university's mandate. Thus, we believe that they are essential elements in addressing issues of misogyny, sexism, racism, and homophobia. Some of this is already being done through programs developed and presented by HREHP. More can be done both centrally and within faculties. The effectiveness of such initiatives varies with the content of the program, the skills of the facilitators, and the receptivity of the audience. That said, we caution against the assumption that any amount of training, whether mandatory or voluntary, can accomplish cultural change or acceptance of collective responsibility for sexism, racism, homophobia, and similar manifestations of inequality.

Cultural change and acceptance of collective responsibility happen when individuals recognize, whether individually or collectively, that change is imperative. It must be seen as the right thing to do. Leadership within an institution motivates and nurtures change, and the credibility of leadership will inspire others to follow. The Faculty of Dentistry will change when both its leaders and its faculty members believe that they should change and are prepared to take steps to do that. Education, research, and reflection can help, but they are not a substitute.

### **Recommendations**

18. The University should ensure that all of its policies are in written format and widely accessible.



19. The University should make clear how codes of conduct and similar policies apply to social media activity, whether by revising policies or otherwise.
20. The University should increase its dissemination of information about how to raise concerns and lodge complaints about sexual harassment and sexual misconduct.
21. The University should publicize more information about the institutions and processes that can address issues of inequality, including harassment and misconduct.
22. The HREHP should be located more visibly on campus with more adequate facilities and resources. Consideration should be given to renaming the office.
23. The University should publicize the role and responsibilities of the Office of Vice-Provost, Student Affairs in dealing with student complaints. Particular attention should focus on informing students how they can raise concerns and make complaints.
24. The University should consider establishing a fully funded ombudsperson office comparable to those at other Canadian universities.
25. The University should develop early detection mechanisms to identify issues of discrimination or harassment that may be systemic in nature, and issue guidelines that will assist those with the power to initiate complaints on behalf of the University to identify when and how to do so.
26. University leaders and decision-makers should draw on those with legal and social science expertise in systemic discrimination when responding to issues that may have systemic dimensions.
27. The University should make it more widely known that complaints of sexual harassment and sexual misconduct can be addressed in ways that protect the complainant's identity.
28. The University should strengthen the retaliation protections under the Sexual Harassment Policy, make them easier to invoke, and publicize them more widely. The University should extend retaliation protections to complaints about sexual misconduct made under the Code of Student Conduct.
29. The University should continue to include RJ specifically among the mechanisms it may adopt in dealing with issues of inequality, such as misogyny, sexism, and homophobia, but also continue to assess the circumstances in which it is appropriate. The University should ensure that when it adopts RJ, affected students who choose not to participate in RJ are provided with alternative courses of redress.
30. The University should maintain and develop a variety of educational programs on issues of inequality and widely disseminate them across the University. However, such programs

should not be seen as a substitute for leadership and institutional commitment to confronting inequality.

### **III. The wider context: the University community and society generally**

Our terms of reference focus primarily on the Facebook episode and Dentistry, but we were also asked to review the University's practices with respect to "tolerance for misogynistic, sexist, and homophobic conduct" and "sanctions for such conduct." Just as Dentistry functions within a wider university, the University functions within a wider society that also bears some scrutiny if these events are to be assessed properly.

#### **Public scrutiny**

The disclosure of the Facebook posts prompted a searching public interrogation of the University's ability to deliver a fair resolution to the crisis. Some referred to the University's reputation for dealing with equity issues in the past. Correctly or incorrectly, the University was thought to have been slow to deal with issues of sexism, homophobia, racism, and other forms of discrimination. The phrase "sweeping it under the rug" was heard repeatedly. This widespread perception generated suspicion and distrust, and it heightened criticism of every step the University administrators took. Building the University's reputation as sensitive and responsive to equity issues can make a difference to the way observers will perceive its actions in the future.

Most of the people we interviewed deplored the media spotlight on the Facebook group and Dentistry. They complained that the glare of publicity made it much harder to explore options and to take remedial steps. The media attention was certainly painful for those involved, but it is also important to recognize that someone chose to share the Facebook posts with the CBC for a reason. That person was concerned that Dentistry and the University were not dealing with the matter promptly and fairly. Clearly, many people were deeply hurt by the reports, but reporters covered this story because it was a matter of public interest. Sexual harassment and sexual abuse have increasingly put organizations under the media microscope. Universities are not, and should not be exempt from public attention.

#### **Listening to advice, encouraging debate, dealing with disputes**

The Dalhousie Student Union, which represents 18,500 students, is the organization that advocates collectively for student rights. Its executive members advised us that they had been informed of problems within Dentistry several months before the Facebook posts came to light. They expressed frustration that their efforts to advise the University about this had been unsuccessful. Through miscommunication, confusion, or misinterpretation, the message did not get through to the University administrators. This suggests that better linkages and consultations between the University and the Dalhousie Student Union are needed.

Faculty members outside Dentistry expressed different views about how the University should respond to the disclosure of the Facebook posts. The administration took advice and assistance from some and not from others, and it was entitled to do so in exercising its responsibility. However, those who were critical of the University's decisions were voicing legitimate

perspectives and deserved to be treated with respect, particularly in an institution committed to free and full inquiry. Universities thrive on the creative participation of their faculty members in University life. Anything that discourages them from participation is not good for the University. The fact that these individuals felt ostracized and perceived themselves labeled as trouble-makers must be addressed. The University needs to repair those relationships and re-establish respect for full and vigorous debate on equity issues. Doing so will stand the University in good stead as these controversies emerge in the future.

The debate about how the University should respond to the Facebook posts also sparked a wider controversy over the appropriate use of RJ within the criminal justice system generally. Fifteen years earlier, Nova Scotia had moved to expand its use of RJ. Women's organizations objected that this was dangerous in cases of sexual assault and intimate partner violence and that it re-victimized women. They pointed to a misplaced focus on individualized rather than community transformation and rejected the shift to the privatization of crimes against women. They convinced the province to place a Nova Scotia-wide moratorium on RJ for such cases. When RJ appeared to have been resurrected in the Facebook controversy, many feared that this was the thin edge of the wedge, and that it would lead to reintroducing RJ into criminal cases involving sexual violence. These are legitimate concerns. Regardless of RJ's success in the specific instance of the Facebook posts, it is no justification for lifting the wider moratorium.

### **Bad apples and blame**

When events like the Facebook posts reach a crisis point, there is a tendency to search for a culprit or dispose of a matter by calling it an anomaly. This is sometimes called the "bad apple theory." It was evident here at almost every level. The Facebook group members, the student who made the first complaint, and the student who disclosed the Facebook poll to her, were all depicted as bad apples. The whole fourth-year was a bad apple class. The faculty members whose alleged acts of discrimination attracted attention were bad apples. Bad apple managers mismanaged the staff in the dental school. Dentistry was a bad apple faculty.

There were other culprits. The faculty members outside Dentistry who attempted to intervene were troublemakers. Social media was to blame. The whole of the media was to blame. The President was to blame. This is never correct in the context of systemic problems that run so deeply within large institutions. It is also a strategy of minimal effectiveness. It is an illusion to think that ridding the University of bad apples will somehow leave us miraculously cleansed of inequity.

### **Interdisciplinary approach instead of more of the same**

The Facebook incident took place within a wider culture that celebrates sexualized violence, promotes aggressive masculinity, and objectifies women. The phrase "rape culture," first coined in the United States in the 1970s, has taken on renewed urgency in the 21<sup>st</sup> century as the phenomenon grows in strength and prevalence.

Researchers have concluded that universities offer a prime hunting ground for assailants, and governments are urging the institutions to intervene. Others point out that the anti-rape education and advocacy methods developed in the 1980s and 1990s, largely unchanged since, appear to have had little impact. Some of the people we met with urged us to be cautious about recommending “more of the same,” and not to “carry on as if we know what we are doing.” Some offered innovative suggestions about starting from the ground up, using an inter-disciplinary approach that might incorporate new knowledge from anthropology, social geography, environmental design, engineering, organizational change theory, complexity theory, and innovative research methods to develop radically different and more effective approaches.

The Task Force also heard from Dalhousie faculty members and administrators external to Dentistry who shared their observations and expertise on university disciplinary processes, the law, leadership and managerial practices, feminist perspectives, anti-racism, and LGBTQ issues. We had the benefit of the campus-wide consultation reflected in the *Belong* report. Many of its recommendations are relevant to our report. We have refrained from repeating them here. We were also fortunate to have contributions from faculty and administrators from other universities, policy analysts, and representatives from community organizations external to Dalhousie. We were left with the impression of an enormous pool of talent and capacity, a surfeit of goodwill, and a collective desire to improve the equity performance in our universities.

#### **Recommendations:**

31. The University should seek to enhance its reputation for responding to equity issues by ensuring that complaints receive fair and timely responses and establishing, over time, a visible track record of effective intervention.
32. The University should recognize that expertise in equity issues is a necessary skill for faculty, central administrators, and institutional decision-makers at all levels, up to and including the board of governors. The University should draw on the existing internal expertise of organizations such as South House, Gender and Women’s Studies and Black Canadian Studies, among others, in designing appropriate training and supports. Additional resources should be provided to increase the capacity of all of these organizations.
33. The University should seek ways to move toward greater inclusion of female, LGBTQ, racialized, disabled, and diverse ethnic and religious communities within its student, faculty, and administrative populations.
34. The University should expand its linkages with community organizations such as front-line anti-violence services and others with expertise in equity.
35. The University should ensure that faculty members, staff, and students who raise concerns about equity are not at risk of retaliation for doing so.

36. The University should continue research into the use of RJ, exploring whether there are ways to improve its process and content in disputes within areas not included in the province-wide moratorium.
37. The University should build on its strong reputation for research by undertaking studies, including new forms of interdisciplinary analysis, into the nature of rape culture and ways to reduce or eliminate sexual violence in society generally. The University should draw upon the expertise of its faculty members, staff, and students to develop world-class research, teaching, and activism to dismantle inequality.
38. The University should expand on its strong reputation for pedagogy by exploring new educational and communication techniques to improve teaching in the field of anti-discrimination, exploring why our current forms of training appear to be less successful than we had hoped, and experimenting with new methods.
39. The University should continue with its process to implement the recommendations in the 2015 Dalhousie Report, *Belong: Supporting an Inclusive and Diverse University*.

## Chapter 8. Summary of Recommendations

### *1. Recommendations related to the dental school culture*

1. The professors and administrators within the Faculty of Dentistry should collectively agree on the necessity for fundamental change, including a commitment to implementing the recommendations in this Report. This should entail developing an action plan with defined goals, timelines, and identification of people to be responsible for implementation.
2. The Faculty of Dentistry should improve the complaint system so that faculty members, students, and staff understand clearly when, where, and how they may lodge a complaint. The complaint system should ensure that complaints are processed promptly, fairly, and transparently, and that complainants are made aware of the outcome.
3. Notwithstanding the implementation of an improved complaints system, the Faculty of Dentistry should use systemic, non-punitive ways to identify and obtain information about potential or actual problems. These may include “chilly climate” reports, anonymous workplace surveys, and spot audits.
4. The Faculty of Dentistry should implement measures to improve working conditions for staff, specifically those related to unacceptable treatment by managers and students.
5. The Faculty of Dentistry should change the patient distribution/clinical credit system to ensure fairness and reduce excessive competition and patient hoarding.
6. The Faculty of Dentistry should monitor social and other extra-curricular events at the dental school to prevent excessive alcohol consumption and facilitation of sexist, heterosexist, misogynistic, or racist behaviour. Events that do not contribute to such behaviour should be reinstated.
7. The Faculty of Dentistry should improve the integration of the School of Dental Hygiene within the Faculty of Dentistry. One possible step might be to appoint an assistant dean from among the senior administrators for the School of Dental Hygiene.
8. The Faculty of Dentistry should eliminate any inequitable treatment of Qualifying Program students. They should be fully integrated into their classes, and recognized for the expertise they bring to the school. The Faculty of Dentistry should also seek to ensure that students from the United States do not receive preferential treatment.
9. The Faculty of Dentistry should seek ways to celebrate the role that female, racialized, and LGBTQ dentists have played in the dental profession, recognizing both their struggles and their successes.

10. The Faculty of Dentistry should collect data to provide information on the diversity of the student body by inviting students who wish to do so to self-identify, confidentially, with regard to sex, sexual orientation, socio-economic background, racialization, indigeneity, and disability status. Aggregate data should be reported to the University's Senate and released to the public annually. The Faculty of Dentistry should also consider introducing a designated recruitment program for Indigenous and Black communities.
11. The Faculty of Dentistry should survey faculty members and staff to build longitudinal data on the same axes of diversity as set out in Recommendation 10.
12. The Faculty of Dentistry should create an internal council or committee on inclusion and diversity.
13. The Faculty of Dentistry should conduct an independent external review to determine whether RJ sessions, properly constituted to ensure voluntary and inclusive participation, could assist in attitudinal and behavioural change in the student body, staff, and faculty members of the dental school.
14. The Faculty of Dentistry should collaborate with other dental schools, professional licensing boards, and professional associations across Canada to address equity and sexual misconduct within the profession.
15. The Faculty of Dentistry should consider ways to reduce its isolation from the University as a whole, such as through cross-appointments with other faculties and by seeking to incorporate wider perspectives on inter-disciplinary research and education.
16. The Faculty of Dentistry should improve the effectiveness of ethics and professionalism education for dental students. Steps in doing so should include making the courses more central to the curriculum, integrating learning on these subjects with other courses and Clinic activities, and including issues relating to sexism, misogyny, homophobia, racism, disability, and discrimination.
17. Over the next three years, the Faculty of Dentistry should report regularly to the Senate and President on its progress in implementing these recommendations.
18. The University should ensure that all of its policies are in written format and widely accessible.

#### *Recommendations related to the University administration*

19. The University should make clear how codes of conduct and similar policies apply to social media activity, whether by revising policies or otherwise.

20. The University should increase its dissemination of information about how to raise concerns and lodge complaints about sexual harassment and sexual misconduct.
21. The University should publicize more information about the institutions and processes that can address issues of inequality, including harassment and misconduct.
22. The HREHP should be located more visibly on campus with more adequate facilities and resources. Consideration should be given to renaming the office.
23. The University should publicize the role and responsibilities of the Office of Vice-Provost, Student Affairs in dealing with student complaints. Particular attention should focus on informing students how they can raise concerns and make complaints.
24. The University should consider establishing a fully funded ombudsperson office comparable to those at other Canadian universities.
25. The University should develop early detection mechanisms to identify issues of discrimination or harassment that may be systemic in nature, and issue guidelines that will assist those with the power to initiate complaints on behalf of the University to identify when and how to do so.
26. University leaders and decision-makers should draw on those with legal and social science expertise in systemic discrimination when responding to issues that may have systemic dimensions.
27. The University should make it more widely known that complaints of sexual harassment and sexual misconduct can be addressed in ways that protect the complainant's identity.
28. The University should strengthen the retaliation protections under the Sexual Harassment Policy, make them easier to invoke, and publicize them more widely. The University should extend retaliation protections to complaints about sexual misconduct made under the Code of Student Conduct.
29. The University should continue to include RJ specifically among the mechanisms it may adopt in dealing with issues of inequality, such as misogyny, sexism, and homophobia, but also continue to assess the circumstances in which it is appropriate. The University should ensure that when it adopts RJ, affected students who choose not to participate in RJ are provided with alternative courses of redress.
30. The University should maintain and develop a variety of educational programs on issues of inequality and widely disseminate them across the University. However, such programs should not be seen as a substitute for leadership and institutional commitment to confronting inequality.



### *Recommendations related to the wider context*

31. The University should seek to enhance its reputation for responding to equity issues by ensuring that complaints receive fair and timely responses and establishing, over time, a visible track record of effective intervention.
32. The University should recognize that expertise in equity issues is a necessary skill for faculty, central administrators, and institutional decision-makers at all levels, up to and including the board of governors. The University should draw on the existing internal expertise of organizations such as South House, Gender and Women's Studies and Black Canadian Studies, among others, in designing appropriate training and supports. Additional resources should be provided to increase the capacity of all of these organizations.
33. The University should seek ways to move toward greater inclusion of female, LGBTQ, racialized, disabled, and diverse ethnic and religious communities within its student, faculty, and administrative populations.
34. The University should expand its linkages with community organizations such as front-line anti-violence services and others with expertise in equity.
35. The University should ensure that faculty members, staff, and students who raise concerns about equity are not at risk of retaliation for doing so.
36. The University should continue research into the use of RJ, exploring whether there are ways to improve its process and content in disputes within areas not included in the province-wide moratorium.
37. The University should build on its strong reputation for research by undertaking studies, including new forms of interdisciplinary analysis, into the nature of rape culture and ways to reduce or eliminate sexual violence in society generally. The University should draw upon the expertise of its faculty members, staff, and students to develop world-class research, teaching, and activism to dismantle inequality.
38. The University should expand on its strong reputation for pedagogy by exploring new educational and communication techniques to improve teaching in the field of anti-discrimination, exploring why our current forms of training appear to be less successful than we had hoped, and experimenting with new methods.
39. The University should continue with its process to implement the recommendations in the 2015 Dalhousie Report, *Belong: Supporting an Inclusive and Diverse University*.

## **Appendix I. Terms of Reference and Members of the Task Force**

### **Terms of Reference for Task Force on Misogyny, Sexism and Homophobia**

#### **In Dalhousie University Faculty of Dentistry**

**WHEREAS** in December 2014, the President of Dalhousie University learned that 13 members of the fourth year class in the Faculty of Dentistry were members of a Facebook group (the DDS 2015 Facebook Group) which contained disturbing and degrading comments about their female classmates and other women;

**AND WHEREAS** the disclosure of the postings by the DDS 2015 Facebook Group raises concerns about misogyny, sexism and homophobia within the Dalhousie University Faculty of Dentistry;

**AND WHEREAS** such misogyny, sexism and homophobia is inimical to Dalhousie University's culture and values, including its commitment to a diverse, inclusive, non-discriminatory and safe environment for all students, staff and Faculty members;

**AND WHEREAS**, as set out in its Statement on Prohibited Discrimination, Dalhousie University commits itself to safeguard its students and employees against all forms of prohibited discrimination in the course of work or study or participation in University-sponsored organizations, activities and programs;

**AND WHEREAS** the President has determined that the culture within the Faculty of Dentistry must be investigated and, if systemic misogyny, sexism, and homophobia is found to exist, steps must be taken to eliminate it;

**THE PRESIDENT HEREBY ESTABLISHES A TASK FORCE ON MISOGYNY, SEXISM, AND HOMOPHOBIA IN DALHOUSIE UNIVERSITY'S FACULTY OF DENTISTRY, ON THE FOLLOWING TERMS:**

1. The Task force will consist of a Chair and two other members.
2. The Chair will be appointed by the President of Dalhousie University. The Chair will be an individual with expertise in equality and equity issues and be a

member in good standing of the law society of a Canadian province or territory. The Chair will not have any affiliation with Dalhousie University.

3. The other two members of the Task Force will be chosen jointly by the Chair and the President. They will have experience within the administration of a Canadian university or college, experience in dealing with equality and equity issues and no affiliation with Dalhousie University.
4. The President will also appoint a person within the Dalhousie University administration to assist the Task Force in obtaining information about policies and practices, and to act as a liaison between the Task Force and past and present Faculty members and students.
5. The Task Force may also mandate an investigator to assist obtaining information.
6. In the course of its investigation, the Task Force will:
  - 1) Review all documents in the University's possession which provide any information in respect of the facts under investigation;
  - 2) Interview any persons whom it believes have or ought to have information relevant to the investigation, and who consents to be interviewed;
  - 3) Receive and review any submissions from present or former Faculty of Dentistry students and Faculty; and
  - 4) Review all University policies and practices relevant to the investigation as well as relevant policies and practices in professional faculties at other Canadian universities.
7. The Task Force will consider in particular the following questions, as well as any other factual issues that it deems essential to carry out its mandate:
  - a) When was the DDS 20015 Facebook Group created? For what purpose?
  - b) Are there currently other similar groups currently within the Faculty of Dentistry? Have there been such groups in the past?

- c) What are the policies and practices of the Faculty and the University in respect of:
- Tolerance for misogynistic, sexist and homophobic conduct?
  - Sanctions for such conduct?
  - Communication by the Faculty and students of incidents which could violate expected standards of conduct?
- d) What training, if any, is given to students and Faculty in the Faculty of Dentistry on the standard of conduct expected of them in general and with respect to equality and equity issues in particular?
- e) Do any of the current teaching or clinical practices within the Faculty tolerate or promote misogynistic, sexist and homophobic views and practices?
- f) Do all students currently within the Faculty consider that they have the same academic and clinical opportunities? If not, why not?
- g) Do all students currently within the Faculty believe that they have the ability to complain about misogynistic, sexist and homophobic practices and policies and obtain meaningful remedies as a result of such complaints?
- h) What policies, standards and practices are in place at other Canadian universities to address the issues of misogyny, sexism and homophobia?
- i) What policies and practices could be put into place to permit University administrators to investigate anonymous complaints of harassment and discrimination and conduct investigations into allegations of systemic discrimination and harassment?
8. In the course of is investigation, the Task force may propose changes to these Terms of Reference to the President, which the President has the discretion to accept or reject.
9. The Task Force will convene in Halifax, although meetings may also be held in Ottawa.

10. Following its investigation, the Task Force will prepare two reports. The first report will set out its factual findings and recommendations with respect to policies and practices within the Faculty of Dentistry. The second report will set out any additional recommendations with respect to policies and practices within Dalhousie University.
11. The Task Force reports must be delivered to the President by no later than June 30, 2015.
12. The Task Force reports will be publicly disclosed, subject to redaction of personal information about individuals mentioned in the reports and information that could lead to the discovery of personal information.

Dated this Friday, January 9, 2015.

Richard Florizone, President.

**ADDITIONAL TERMS ADDED AT SPECIAL SENATE MEETING, JANUARY 19, 2015.**

As part of its investigation, the Task Force will:

Assemble a summary of the key facts surrounding the Facebook postings and the university's response;

Analyze and review this information to determine what we can learn from these events; and

Draw upon this analysis as the Task Force recommends how Dalhousie might improve responses in the future.

The President has provided the following commitment with respect to section 8 of the Terms of Reference in relation to changes in the Terms of Reference:

Changes to the Terms of Reference would be initiated by the Chair of the Task Force not by the President.

The President, as the representative of the University, commits to timely and meaningful discussion and consultation of any such changes with Senate, through the Senate Planning and Governance Committee.

**MOTION: THAT Senate endorse the Task Force on Misogyny, Sexism and Homophobia in Dalhousie University Faculty of Dentistry and the Terms of Reference as presented, with the commitment by the President to consult with the Senate Planning and Governance Committee on any changes proposed to the Terms of Reference.**

**PASSED.**

## Members of the Task Force

There are three members of the Task Force. Its chair, Constance Backhouse, holds the positions of Distinguished University Professor and University Research Chair at the Faculty of Law University of Ottawa and has a background in issues of gender equality and sexual harassment. Donald McRae holds the Hyman Soloway Chair in Business and Trade Law at the University of Ottawa, and during his 1987-94 term as Dean at the Faculty of Law, he dealt with issues relating to gender, race, ethnicity and homophobia. Nitya Iyer is a former law professor and a Vancouver lawyer who practices administrative and constitutional law, with special expertise in human rights, equality, information and privacy, and professional regulation.

## Appendix II. Useful Links/Related Reports

Tracey L. Adams *A Dentist and a Gentleman: Gender and the Rise of Dentistry in Ontario* (Toronto: University of Toronto Press, 2000)

Constance Backhouse *Colour-Coded: A Legal History of Racism in Canada, 1900-1950* (Toronto: University of Toronto Press, 1999)

Constance Backhouse *Carnal Crimes: Sexual Assault Law in Canada 1900-1975* (Toronto: Irwin Law, 2008)

College of Dental Hygienists of Nova Scotia (CDHNS) “White Paper – Dental Hygienists Prevent More to Treat Less” October 2014; [www.cdhns.ca](http://www.cdhns.ca).

K.C. Chretien et al. “It’s your own risk: medical students’ perspective on online professionalism” *Acad. Med.* 2010;85 (suppl. 10) at 568-571.

Gail Dines *Pornland: How Porn Has Hijacked Our Sexuality* (Boston: Beacon Press, 2010)

Nitya Iyer “Disappearing Women: Racial Minority Women in Human Rights Cases” in Caroline Andrew and Sanda Rodgers eds. *Women and the Canadian State*, (Montreal and Kingston: McGill-Queen’s University Press, 1997) 241-261.

Nitya Iyer and Shirley Nakata, *Implementing Inclusion: A Consultation on Organizational Change to Support UBC’s Commitments to Equity and Diversity*, <http://equity.ubc.ca/files/2010/06/Implementing-Inclusion-Equity-Diversity-Consultation-Report-April-2013.pdf>

A Jain, E.M. Petty, S. Tackett, J. Purkis, J. Fitzgerald, C. White “What is appropriate to post on social media? Ratings from students, faculty members and the public” *Med Educ* 2014; 48: 157-169.

Robert Jensen *Getting Off: Pornography and the End of Masculinity*

Jon Krakauer *Missoula: Rape and the Justice System in a College Town* (New York: Random House, 2015)

Lakehead University *Report of Task Force on Sexual Assault Education, Prevention, and Support* (2014)  
<https://www.lakeheadu.ca/sites/default/files/uploads/249/Report%2C%20Sexual%20Assault%20Task%20Force.pdf>

P. Neville & A. Waylen “Social Media and Dentistry: Some reflections on e-professionalism” *British Dental Journal* 219 (9) 24 April 2015 at 475-78.

Saint Mary’s University *Report from the President’s Council: Promoting a Culture of Safety, Respect, and Consent at Saint Mary’s University and Beyond* (15 December 2013)



A. Third, I. Richardson, P. Collin, K. Rahilly, N. Bolzan “Intergenerational attitudes towards social networking and cybersafety: a living lab” 2011. <http://www.youngandwellcrc.org.au/knowledge-hub/publications/intergenerational-attitudes-towards-social-networking-cybersafety/> (accessed March 2015)

University of Ottawa *Report of the Task Force on Respect and Equality: Ending Sexual Violence at the University of Ottawa* (2014)

<http://www.uottawa.ca/president/sites/www.uottawa.ca.president/files/report-of-the-task-force-on-respect-and-equality.pdf>

M. Von Muhlen & L. Ohno-Machado “Reviewing Social Media by Clinicians” 2012 (19) *J. Am. Med.* 777-81

Report on the Restorative Justice Process at the Faculty of Dentistry,

[www.dal.ca/cultureofrespect.html](http://www.dal.ca/cultureofrespect.html)

### **University Policies/Ombudsman**

#### **Queen’s University**

Queen’s University Student Code of Conduct,

[http://www.queensu.ca/secretariat/policies/Senateandtrustees/Code\\_of\\_Conduct\\_final\\_2008.pdf](http://www.queensu.ca/secretariat/policies/Senateandtrustees/Code_of_Conduct_final_2008.pdf)

Harassment/Discrimination Complaint Policy and Procedure, approved March 30, 2000

<http://www.queensu.ca/secretariat/policies/Senateandtrustees/harassment.html>

Non-Academic Discipline at Queen’s, approved May 21, 2003

<http://www.queensu.ca/secretariat/policies/Senateandtrustees/nonacademic.html>

Queen’s University Senate Policy on Student Appeals, Rights & Discipline, February 26, 2004

<http://www.queensu.ca/secretariat/policies/Senateandtrustees/SARDPolicy.pdf>

Code of Conduct & Non-Academic Discipline (Overview)

<http://www.queensu.ca/studentaffairs/student-safety/campus/code-conduct-non-academic-discipline>

Ombudsperson

<http://www.queensu.ca/ombudsman/faculty>

#### **University of Saskatchewan**

Standard of Student Conduct in Non-Academic Matters and Regulations and Procedures for Resolution of Complaints and Appeals, approved October 2008, further revisions October, 2012

<http://www.usask.ca/secretariat/student-conduct-appeals/StudentNon-AcademicMisconduct.pdf>

Discrimination and Harassment Prevention Policy, approved December 1, 1998, amended March 18, 2014

<http://policies.usask.ca/policies/health-safety-and-environment/discrimination-and-harassment-prevention-.php>

Student Discipline Policy, approved January 1, 2012

<http://policies.usask.ca/policies/student-affairs-and-activities/student-discipline.php>

Ombudsperson

<http://ombuds-blog.blogspot.ca/2013/03/students-launch-petition-for-ombuds-at.html>

<https://www.ombudsman.sk.ca/>

## **University of Western Ontario**

Code of Student Conduct, November 25, 2010

<http://www.uwo.ca/univsec/pdf/board/code.pdf>

Manual of Administrative Policies and Procedures, 1.52 Policy on Sexual Violence, effective dated September 23, 2014

[http://www.uwo.ca/univsec/pdf/policies\\_procedures/section1/mapp152.pdf](http://www.uwo.ca/univsec/pdf/policies_procedures/section1/mapp152.pdf)

Procedures for MAPP 1.52 - Responding to Sexual Violence

[http://www.uwo.ca/univsec/pdf/policies\\_procedures/section1/mapp152\\_procedure.pdf](http://www.uwo.ca/univsec/pdf/policies_procedures/section1/mapp152_procedure.pdf)

Manual of Administrative Policies and Procedures, Non-Discrimination/Harassment Policy, effective dated December 1, 2011

[http://www.uwo.ca/univsec/pdf/policies\\_procedures/section1/mapp135.pdf](http://www.uwo.ca/univsec/pdf/policies_procedures/section1/mapp135.pdf)

MAPP 1.35 Non-Discrimination/Harassment Policy - Administrative Procedures

[http://www.uwo.ca/univsec/pdf/policies\\_procedures/section1/mapp135\\_procedure.pdf](http://www.uwo.ca/univsec/pdf/policies_procedures/section1/mapp135_procedure.pdf)

Policies and Procedures, 1.46 Safe Campus Community, effective May 1, 2008

[http://www.uwo.ca/univsec/pdf/policies\\_procedures/section1/mapp146.pdf](http://www.uwo.ca/univsec/pdf/policies_procedures/section1/mapp146.pdf)

Schulich School of Medicine & Dentistry - Code of Conduct, approved November 7, 2014

[https://www.schulich.uwo.ca/learner-equity-wellness/equity\\_professionalism/Code%20of%20Conduct%20Schulich%20School%20of%20Medicine%2007-11-14%20Final%20II.pdf](https://www.schulich.uwo.ca/learner-equity-wellness/equity_professionalism/Code%20of%20Conduct%20Schulich%20School%20of%20Medicine%2007-11-14%20Final%20II.pdf)

Schulich School of Medicine & Dentistry, Charter on Medical/Dental Professionalism

[http://www.schulich.uwo.ca/learner-equity-wellness/equity\\_professionalism/charter\\_medical\\_dental\\_professionalism.html](http://www.schulich.uwo.ca/learner-equity-wellness/equity_professionalism/charter_medical_dental_professionalism.html)

Shulich School of Medicine & Dentistry, Procedure to Report on Incidents of Student Mistreatment or Unprofessional Behaviour for DDS Students

[http://www.schulich.uwo.ca/learner-equity-wellness/equity\\_professionalism/reporting/ProceduretoReportIncidentsofStudentMistreatmentandUnprofessionalBehaviourDDS.pdf](http://www.schulich.uwo.ca/learner-equity-wellness/equity_professionalism/reporting/ProceduretoReportIncidentsofStudentMistreatmentandUnprofessionalBehaviourDDS.pdf)

Ombudsperson

<http://uwo.ca/ombuds/>

## **University of Manitoba**

Faculty of Dentistry/School of Dental Hygiene, Professional Unsuitability By-Law

[http://umanitoba.ca/faculties/health\\_sciences/dentistry/media/Dentistry\\_Professional\\_Unsuitability\\_Bylaw.pdf](http://umanitoba.ca/faculties/health_sciences/dentistry/media/Dentistry_Professional_Unsuitability_Bylaw.pdf)

Governing Documents: University Community, Respectful Work and Learning Environment Procedure, effective January 27, 2009, revised March 15, 2010

[http://umanitoba.ca/admin/governance/governing\\_documents/community/566.html](http://umanitoba.ca/admin/governance/governing_documents/community/566.html)

Governing Documents: University Community, Violent or Threatening Behavior Policy, effective March 22, 2006

[http://umanitoba.ca/admin/governance/governing\\_documents/community/669.html](http://umanitoba.ca/admin/governance/governing_documents/community/669.html)

Governing Documents: Students, Student Discipline

[http://umanitoba.ca/admin/governance/governing\\_documents/students/student\\_discipline.html](http://umanitoba.ca/admin/governance/governing_documents/students/student_discipline.html)

Governing Documents: Students, Inappropriate or Disruptive Student Behaviour Policy, effective January 1, 2008

[http://umanitoba.ca/admin/governance/governing\\_documents/students/279.html](http://umanitoba.ca/admin/governance/governing_documents/students/279.html)

University of Manitoba, Student Advocacy Office Policy, effective January 25, 2011, revised October 15, 2013

[http://umanitoba.ca/admin/governance/media/Student\\_Advocacy\\_Office\\_Policy\\_-\\_2013\\_10\\_15.pdf](http://umanitoba.ca/admin/governance/media/Student_Advocacy_Office_Policy_-_2013_10_15.pdf)

## **University of Toronto**

Code of Student Conduce, effective July 1, 2002

<http://www.governingcouncil.utoronto.ca/Assets/Governing+Council+Digital+Assets/Policies/PDF/ppjul012002.pdf>

Code of Behaviour on Academic Matters, effective August 18, 1995

<http://www.governingcouncil.utoronto.ca/Assets/Governing+Council+Digital+Assets/Policies/PDF/ppjun011995.pdf>

Standards of Professional Practice Behaviour for all Health Professional Students, effective September 2008

<http://www.governingcouncil.utoronto.ca/Assets/Governing+Council+Digital+Assets/Policies/PDF/ppsep012008i.pdf>

Policy and Procedures: Sexual Harassment, November 25, 1997

<http://www.governingcouncil.utoronto.ca/Assets/Governing+Council+Digital+Assets/Policies/PDF/ppnov251997.pdf>

Discipline Appeals Board, Terms of Reference, June 1, 1995

<http://www.governingcouncil.utoronto.ca/Assets/Governing+Council+Digital+Assets/Policies/PDF/ppjun011995ii.pdf>

Statement on Equity, Diversity, and Excellence, December 14, 2006

<http://www.governingcouncil.utoronto.ca/Assets/Governing+Council+Digital+Assets/Policies/PDF/ppdec142006.pdf>

Statement on Prohibited Discrimination and Discriminatory Harassment, March 31, 1994

<http://www.governingcouncil.utoronto.ca/Assets/Governing+Council+Digital+Assets/Policies/PDF/ppmar311994.pdf>

Ombudsperson

<http://ombudsperson.utoronto.ca/>

### **University of British Columbia**

Discipline for Non-Academic Misconduct: Student Code of Conduct

<http://www.calendar.ubc.ca/vancouver/index.cfm?tree=3,54,750,0>

Discrimination and Harassment Policy, approved January 1995, revised September 2011

<http://www.universitycounsel.ubc.ca/files/2013/08/policy3.pdf>

UBC Statement on Respectful Environment for Students, Faculty and Staff, July 4, 2008

<http://www.hr.ubc.ca/respectful-environment/files/UBC-Respectful-Environment-Statement.pdf>

Ombudsperson

<http://ombudsoffice.ubc.ca/>

<http://ombuds.sites.olt.ubc.ca/files/2009/07/Ombuds-brochure-2013.pdf>

<http://ombudsoffice.ubc.ca/files/2009/05/Terms-of-Reference-20111.pdf>

### **University of Ottawa**

Policy 67 - Sexual Harassment

<http://www.uottawa.ca/about/policy-67-sexual-harassment>

Procedure 36-1 - Complaints of Harassment/Discrimination Initiated by Students, effective February 21, 2012

<http://www.uottawa.ca/about/procedure-36-1-complaints-harassmentdiscrimination-initiated-students>

Policy 66 - Violence Prevention

<http://www.uottawa.ca/about/policy-66-violence-prevention>

Statement on Sexual Violence

<http://www.uottawa.ca/respect/en/harassment-discrimination/statement-sexual-violence>

Policy 67a - Prevention of Harassment and Discrimination

<http://www.uottawa.ca/about/reglement-67a-prevention-du-harcelement-discrimination>

Ombudsperson

<http://www.uottawa.ca/ombudsperson/>

### **University of Alberta**

Code of Student Behaviour, November 12, 2014

[http://www.governance.ualberta.ca/en/CodesofConductandResidenceCommunityStandards/~/\\_media/Governance/Documents/Codes%20of%20Conduct%20and%20Residence%20Community%20Standards/Code%20of%20Student%20Behaviour/COSB-Updated-November-12-2014.pdf](http://www.governance.ualberta.ca/en/CodesofConductandResidenceCommunityStandards/~/_media/Governance/Documents/Codes%20of%20Conduct%20and%20Residence%20Community%20Standards/Code%20of%20Student%20Behaviour/COSB-Updated-November-12-2014.pdf)

Discrimination, Harassment and Duty to Accommodate Policy

<https://policiesonline.ualberta.ca/PoliciesProcedures/Policies/Discrimination-Harassment-and-Duty-to-Accommodate-Policy.pdf>

Discrimination and Harassment - Allegations Against Staff Procedure

<https://policiesonline.ualberta.ca/PoliciesProcedures/Procedures/Discrimination-and%20Harassment%20-%20Allegations-Against-Staff-Procedure.pdf>

Discrimination and Harassment - Allegations Against Students Procedure

<https://policiesonline.ualberta.ca/PoliciesProcedures/Procedures/Discrimination-and%20Harassment%20-%20Allegations-Against-Students-Procedure.pdf>

Ethical Conduct and Safe Disclosure Policy

<https://policiesonline.ualberta.ca/PoliciesProcedures/Policies/Ethical-Conduct-and-Safe-Disclosure-Policy.pdf>

Ethical Conduct and Safe Disclosure Procedure

[http://www.disclosure.ualberta.ca/Office%20of%20Safe%20Disclosure%20and%20Human%20Rights/~/\\_media/disclosure/Ethical-Conduct-and-Safe-Disclosure-Procedure.pdf](http://www.disclosure.ualberta.ca/Office%20of%20Safe%20Disclosure%20and%20Human%20Rights/~/_media/disclosure/Ethical-Conduct-and-Safe-Disclosure-Procedure.pdf)

30.3.4 Inappropriate Behaviour Towards Individuals or Groups

<http://www.governance.ualberta.ca/CodesofConductandResidenceCommunityStandards/CodeofStudentBehaviour/303OffencesUndertheCode/3034InappropriateBehaviourtow.aspx>

Ombudsperson

<http://www.ombudservice.ualberta.ca/>

### **Simon Fraser University**

Human Rights Policy, April 26, 1988, revised November 27, 2014

<http://www.sfu.ca/policies/gazette/general/gp18.html>

### **McGill University**

Policy on Harassment, Sexual Harassment and Discrimination Prohibited by Law, effective February 27, 2014

[https://secureweb.mcgill.ca/secretariat/files/secretariat/policy\\_on\\_harassment\\_sexual\\_harassment\\_and\\_discrimination\\_prohibited\\_by\\_law\\_2014.pdf](https://secureweb.mcgill.ca/secretariat/files/secretariat/policy_on_harassment_sexual_harassment_and_discrimination_prohibited_by_law_2014.pdf)

### **York University**

Draft Whistleblower Protection Policy, April 19, 2009

<http://www.yorku.ca/whistle/files/SampleWhistleblowerPolicy.pdf>

**University of Victoria**

Ombudsperson

<http://uvicombudsperson.ca/>

**University of Waterloo**

Ombudsperson

<http://www.hr.uwaterloo.ca/.jd/00002424.html>