

Response to the Acting Vice-Provost, Student Affairs' decision on the Complaint against members of the "Class of DDS 2015 Gentlemen"

On Saturday, January 10, 2015 we received by e-mail a letter from Anne Forrestall, Acting Vice-Provost, Student Affairs informing us that the Complaint against members of the "Class of DDS 2015 Gentlemen" is not eligible for consideration under the Code of Student Conduct.

We regret that we were not able to trigger a formal process under the Code of Student Conduct for the women who wanted this in order to be: 1) heard in relation to past harms caused by the Facebook posts; and 2) protected from future harms in the classroom and Clinic.

Why was the Complaint "not eligible for consideration"?

The Acting Vice-Provost, Student Affairs deemed the Complaint ineligible for consideration under the Code of Student Conduct because "The 'Class of DDS 2015 Gentlemen' Facebook Page is currently under review by the Faculty of Dentistry Academic Standards Class Committee for DDS4". There is a clause in the Code of Student Conduct that says the Code will not apply to conduct that: "is subject to action as an alleged failure to meet standards of professional conduct as required by a college, faculty or school." (B(ii))

Was the Complaint "not eligible for consideration" from the start?

The Complaint was unarguably compliant with all aspects of the Code of Student Conduct policy when it was submitted on December 21, 2014.

The Complaint became (arguably) non-compliant when the Faculty of Dentistry took an action on December 22, 2014.

We learned of the action taken by the Faculty of Dentistry on January 5, 2015 when President Richard Florizone announced "the suspension of 13 fourth year dental students from clinical activities pending consideration by the Faculty of Dentistry's Academic Standards Class Committee." This was some 15 days after we had submitted the Complaint asking for an interim suspension pending the conclusion of the complaint process.

A timeline is useful to understand what has happened

December 12, 2014 (at the latest): The Faculty of Dentistry had knowledge of the conduct of the Facebook group.

December 17, 2014: The President announced that an informal resolution procedure (using a restorative justice process) was "already underway" and that formal complaints under the Code of Student Conduct could also proceed.

In his words, "The formal complaint procedure would involve a university investigator being assigned following a formal complaint. If the investigator determines a violation has occurred, the Vice-Provost Student Affairs could then refer the case to the Senate Discipline Committee under

the Code of Student Conduct for consideration of appropriate disciplinary action. There is also the possibility that other women affected may pursue the formal complaint procedure from the outset, although we have not yet received a formal complaint to proceed under this model.” (“Statement from President Florizone on next steps to address offensive social media comments”)

December 19, 2014: We spoke with the President by telephone and told him that we were going to submit a Complaint under the Code of Student Conduct.

December 21, 2014: We e-mailed the Complaint to the Acting Vice-Provost, Student Affairs.

December 22, 2014: We hand-delivered the Complaint to the office of the Acting Vice-Provost, Student Affairs first thing in the morning.

January 2, 2015: In response to e-mails from us dated December 27, 2014 and January 1, 2015 inquiring about the status of the Complaint, Acting Vice-Provost Student Affairs informed us that “I expect to make a decision next week.” This notice, and concerns about classes starting on January 5, 2015, prompted us to release the Complaint and our names to the public on January 3, 2015.

January 5, 2015: The President announced “the suspension of 13 fourth year dental students from clinical activities pending consideration by the Faculty of Dentistry’s Academic Standards Class Committee.” The President also communicated that the decision to suspend had been made on December 22, 2014.

January 10, 2015: We received a letter by e-mail from the Acting Vice-Provost, Student Affairs informing us that our Complaint was not eligible for consideration under the Code of Student Conduct. The letter was dated January 7, 2015.

Our final thoughts

We are ending our engagement around the Complaint with mixed feelings.

We are sad that our actions have not resulted in a formal discipline process, as this would have served the goal of protecting and promoting the interests of those harmed by the conduct of the “Class of DDS 2015 Gentlemen.” It is distressing that the only formal process the student conduct is subject to now is “review by the Faculty of Dentistry Academic Standards Class Committee for DDS4”. According to information available on the Faculty of Dentistry’s website, this Committee is internal to the Faculty of Dentistry. The President has publicly announced that the Faculty of Dentistry needs an external investigation in relation to misogyny, sexism and homophobia. Given this, we are concerned and bewildered by the fact that a Committee within this Faculty is tasked with reviewing the apparent misogynistic, sexist, and homophobic conduct of students in the Facebook group.

We are comforted by the fact that significant positive steps are being taken by the University, including the appointment of an Independent Task Force to be chaired by Professor Constance Backhouse. It is our hope that through these and other steps, the harms caused by and associated with this incident will not be repeated.