

# MAUT • APBM

McGill Association of University Teachers  
Association des professeur(e)s et bibliothécaires de McGill

## The Response of MAUT Executive to the Open Letter Published by the Students' Society of McGill University

17 April 2018

### Background:

On Wednesday April 4<sup>th</sup> the Students' Society of McGill University (SSMU) published an open letter addressed to Principal Fortier, Provost Manfredi and Dean of Students Buddle, calling for the launch of an external investigation into the office of the Dean of Arts' handling of complaints against faculty members. The letter asserts that there has been pervasive "mismanagement of sexual violence allegations against professors in the Faculty of Arts." It calls on the University to launch a third-party investigation and specifies what the mandate of such an investigation should be. Since then, a number of concerned faculty members have circulated their own letter in support of the SSMU's open letter. In response to the SSMU's open letter, Provost Manfredi sent an email to all members of the McGill community on Tuesday, April 10<sup>th</sup>, stating that the "University does not tolerate sexual misconduct in any form" and that all complaints and allegations that contain sufficient facts are investigated and where misconduct is found, appropriate disciplinary sanctions are applied.

### It is the view of MAUT's Executive that:

1. Sexual misconduct or any form of abusive behavior between members of the McGill community cannot be tolerated under any circumstances.
2. Whenever there are reports of such behavior, there must be a prompt and effective institutional response that both protects victims and "whistle blowers" from further harm while ensuring due process for the accused.
3. As a community, our activities and conduct are governed by a series of regulations, policies, and procedures which have been developed and adopted by representatives of the constituents of our community. It is essential that we respect these regulations and work within the parameters set by them.<sup>1</sup>
4. The regulations pertaining to the tenure process and those pertaining to disciplinary processes have different goals and mechanisms. They cannot and should not be conflated as each plays a distinct role in supporting core principles of academic integrity on the one hand, and community protection and due process on the other. Tenure, as outlined in the Regulations Pertaining to the Employment of Tenure Track Academic Staff is granted exclusively on the basis of an

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<sup>1</sup> With respect to reprehensible conduct such as sexual violence, sexual harassment, harassment, and discrimination, regulations, reference material, and resources include: Policy on Harassment, Sexual Harassment and Discrimination Prohibited by Law. Supportive reference documents include: Flowchart; Processes for Reporting Instances of Sexual Misconduct by Faculty Members; Discrimination and harassment factsheets; Contacts for students; List of assessors; Policies and other resources; Senior Equity Officer; Office of Dean of Students.

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assessment of academic performance. Procedures to deal with disciplinary action and to apply appropriate sanctions, including dismissal, are provided in the University's employment regulations.

Tenure in no way protects professors from disciplinary action, including reprimand, suspension, or dismissal for cause. Our regulations specifically allow for dismissal of tenured faculty members in cases of serious misconduct.

5. There are mechanisms in place for periodic reviews of our regulations, policies, and procedures and for ensuring their fair implementation. These mechanisms can and should be regularly invoked if the intent is to render the existing regulations, resources and tools more accessible and responsive. However, taking steps outside the parameters of these regulations, such as releasing confidential internal reports regarding sexual harassment to the media, also shows a disregard for these regulations.

We believe that McGill professors want their students to be healthy, happy, and intellectually productive. Any behaviour to the contrary, including sexual or other abuse, is abhorrent to us. To this end, MAUT along with student representatives have contributed diligently to the formulation of the existing policies on sexual harassment. MAUT is aware of cases where sanctions have been imposed following disciplinary action, but because of necessary confidentiality surrounding such cases, it is difficult to assess how effective the implementation of the policies and procedures has been overall.

An open investigation is one possible tool for identifying any shortcomings in our regulations pertaining to the Policy on Harassment, Sexual Harassment and Discrimination Prohibited by Law or other related policies, or shortcomings in their implementation. Although we do not independently know of evidence that argues current processes are inadequate, we would not in principle object to an investigation if its mandate was clearly defined in terms of identifying flaws and shortcomings in these regulations and/or their implementation, and remained respectful of the integrity of other regulations, due process, collegiality and confidentiality.

Alternatively, we urge the student representatives to present their issues at internal forums including Senate and the McGill Communities Council to sustain an open conversation that could lead to constructive steps towards making our community a safer environment for all.

On behalf of the Executive Committee,



Alenoush Saroyan  
President