

November 22, 2023

## **Recommendations for Review and Updating of Crandall University's Harassment Policy and Procedures**

*The following outline summarizes the preliminary recommendations regarding Crandall University's Harassment Policy and Procedures, made in the Pink Larkin Report, presented to the Crandall University Board of Governors on November 15<sup>th</sup>, 2023. An internal review process had already begun at Crandall in early 2023 but was suspended when Crandall retained Pink Larkin to do its investigation, in anticipation of receiving recommendations based on their report.*

The Pink Larkin Report concludes with a number of specific recommendations, including the recommendation that Crandall reactivate its initiative to update and strengthen its Harassment Policy and Procedures, and undertake concrete plans to install a culture of openness and of transparency.

### **Policies and Practices**

Currently, Crandall has a Faculty Handbook that also includes an "Harassment Policy and Procedure" as well as a Workplace Violence policy. These two policies apply to staff members, volunteers, contract employees, Board of Governors members, and to students. The stated goal of these policies is the protection of the whole University community. The Harassment Policy is also included in an Appendix to the Student Handbook.

The recommendations note that Crandall needs to ensure proper processes are in place so that any future problems will be addressed in a constructive and timely fashion and that all involved, particularly young female students, feel supported, listened to, included, and most importantly, feel safe.

Further, the recommendations suggest that all stakeholders be given an opportunity to contribute to amendments to the policy and to a review of the practices of Crandall in these matters. This includes the Administration, Faculty members, non-Faculty employees, and most importantly, representatives of students. It encourages Crandall to ensure female students (and their allies or advisors) in particular be invited to participate in this process. In light of what has been discussed in the report, they are the ones whose interests need to be protected most.

### **Recommended Amendments to the Policy and Procedures**

Amendments to the policy and to practices related to harassment, including sexual violence, and bullying, should seek to address the following:

- a. The Policy should be clear to the effect that harassment (sexual or otherwise) and abuse of authority are not tolerated. This message should be conveyed and reiterated by way of regular employee (and student) training and visual reminders.

- b. There should be a review of the climate and management practices in those areas of the University where concerns of bullying and harassment are present or suspected. This could be commenced by anonymous surveys;
- c. Crandall should ensure that Harassment Advisors are properly trained to fulfill their responsibilities in a caring and objective manner. The report affirmed the value of the current process of having Advisors from a nearby university investigate and mediate matters but also encouraged that an internal process also be put in place for those who may prefer to utilize this route.
- d. Crandall now has its own in-house counsellors. The University should ensure they have the necessary competence and training to assist those who have been traumatized by abusive conduct;
- e. Crandall should ensure that advice is given, and investigations are conducted, by persons who are culturally competent and competent in a trauma-informed approach;
- f. Anonymous complaints should be permitted, and, where appropriate, investigated;
- g. The Policy provides that “all complaints should be received no later than one year after the incident occurred” but also that an “extensive or unreasonable delay in laying the complaint” could lead to a complaint not being pursued by the Harassment Advisor or the University. The recommendations note that: “Recent legislative amendments to the Province’s *Limitations of Actions Act* have eliminated limitation periods for certain torts, by adding section 14.1: ‘There is no limitation period in respect of a claim for damages for trespass to the person, assault or battery if the act complained of is of a sexual nature.’ This provision is not applicable to harassment policies. Nonetheless, (the author thinks) it reflects the will of society that there shouldn’t be a so-called sunset clause on sexual misconduct. Stale complaints can always be dismissed if the quality of the evidence is simply not there – a real danger where complaints are filed after an extensive or unreasonable delay. I think it would be preferable here to maintain the discretion but to shed the strict 1-year time limit”; and,
- h. Crandall should consider implementing a process of mandatory training on consent for first year and new students.

The recommendations note that a final list of items should be populated by those who will take part in this process.

## **Monitoring of Student Course Evaluations**

The recommendations suggest that Crandall needs to ensure there is a rigorous process in place where all student evaluations that flag inappropriate behaviours, or even border-line inappropriate behaviours, are properly documented, and where appropriate, followed up upon.

The report commended the move to electronic course evaluations which has recently been implemented.

## **Training**

Once a revised policy is put in place, structured training should be provided to employees, with periodic refresher training. A detailed presentation of the revised policy should also be made to students, yearly.

## **Conclusion**

The leadership and Board of Crandall University has been very successful historically in fulfilling its Mission and Mandate, but also, and particularly in more recent years, in bringing about significant growth. With this growth comes growing pains. It is facing challenges, some brought about by a changing or more enlightened society where everyone is more awake to historical disadvantages and sexism, that other universities have been wrestling with for years. As can be seen in Crandall's history, Crandall has adapted before; *(in the report author's words)* "I am sure it can do so again. In my view, it is essential action on the report happens quickly to ensure that not only a majority of Crandall's students feel included, safe, and valued, but to ensure that they all do."

Submitted on November 15, 2023