

December 13, 2021

Disciplinary Meeting with Elizabeth Evans, Provost and Vice-President, Academic, Sara Gibson, Human Resources, and Kelly Sundberg, Senior Grievance Officer, MRFA

RECORDING1

FW: Hello there sorry my sound was off and so I just had to change that

EE: So before we begin I just wanted to clarify that Sarah Gibson has joined us today rather than Mark Friesen. She'll be the person from HR sitting in with us. Sarah I think you know everybody on the call here

SG: I haven't met Frances before, just by email. Nice to meet you Frances

FW: Nice to meet you.

EE: And any clarifications from your end on from HR's end before I begin?

SG: Also just to note I'm going to be taking notes during the meeting and I'm going to be using my laptop for that so if it looks like I'm not looking at you, I'm just going to be taking notes and I thought I would also ask as well if anyone else is recording this meeting.

FW: I'm recording the meeting.

SG: okay and you're taking notes too Kelly?

KS: okay yeah and I've got two screens, I'll be doing the same as you, I'll be looking this way

EE: okay thank you then I'd like to start with some opening remarks before we get into a conversation here and I think it's fair to say that we're here to discuss what is a significant issue for both you Frances and for MRU but I want to be clear that we're here to fairly consider the issues and determine how we're going to best proceed at this point in time. There are two external investigations that are the subject of our discussion today - one by Steve Eichler with respect to Dr. [Redacted] and the other one by Geoff Hope with respect to Renae Watchman and I think it's important to put in context you know that these are associated with ongoing matters that are being discussed and that I want to discuss today in terms of you know sort of the endless investigation processes that we've been through that are costly both the institution and to others. I think that we have bordered on some issues around the reputation of the institution through this whole process and I am mindful that as we've gone through this it is increasingly surfacing that colleagues are now starting to refuse to work with you Frances because of all the interactions that have taken place. So we are here obviously as part of Article 25.10.3.2 and this meeting is to discuss the outcomes of the investigations and the potential for disciplinary measures. I've actually I've reviewed all of the investigation reports. I've also reviewed your two comprehensive written responses Frances to those investigation reports and thank you for responding in detail and stating your position for those. There is no decision made at this point with respect to disciplinary measures but I have to say that what I really want to is to hear from you as to what you say about the serious findings that have come out of these two investigations and that will be the topic of our conversation today. We obviously at MRU take complaints about harassment seriously and as a significant matter and I trust you know that this has weighed heavily on your Dean as it has weighed

heavily on myself as Provost. So you've certainly shared significant detailed responses in writing but I do have some additional information or if you have some additional information that you want to share at this time then I would ask you to do so.

FW: Well I have tons of information but I have been subjected to allegations of frivolousness and vexatiousness now so you can imagine that I'm somewhat cautious as to what it is that Mount Royal would like from me, that sort of situation. As well I had a question before we proceed. You mentioned Provost Evans that colleagues are refusing to work with me. Could you please substantiate that claim.

EE: Well I have it on authority from your Dean that there have been requests not to participate in committee meetings. I don't have the specific details of that in front of me but I do know that those requests have been made.

FW: Because no one has alerted me to any of these circumstances and I'm not on any committees right now so I don't know what, how could that possibly be that people are not working with me, or refuse to work with me.

EE: So as I've said, I don't have any of those details in front of me but it has been shared with me that that has come forward in potentially in consideration that you may be on some of committees. I don't know, as I've said I don't have the details with me.

FW: But I want to put it forward right now that that is an unsubstantiated allegation and it appears that it cannot be true.

EE: I can't speak to that. That's obviously your perception of the situation.

FW: Well there is no evidence, there's no evidence to support that allegation that has been made and I find it to be highly prejudicial as well to make those kinds of allegations without evidence.

EE: Frances I have not been privy to the conversations that you have with your Dean or conversations that you've had with others. I'm just making you aware of something that has been shared with me.

FW: But I'm just letting you know that I've had no such conversations with my Dean about this. There have been no conversations about this.

EE: Okay we're going to have to leave that matter because this is not going to resolve itself here. Was there something else that you wanted to say at this time?

FW: Well, I don't know, at this point I have no, I just wanted to say, first of all, from what I understand from your email, you seem to be putting forward the claim that you value fairness and transparency.

EE: Yes

FW: That is a value that you would agree that Mount Royal has?

EE: Yes.

FW: I do not think that things have unfolded at all in a fair or transparent way and I can provide many many examples of how things have been both unfair and lacking in transparency and I think that all

discussions of the situation should consider the terrible unfairness and secrecy that has surrounded everything that has happened since June 2016. Now you have all those documents in front of you as to what I've been alerting administration about since June 2016 and you can see through many years I tried in good faith to work with my colleagues at Mount Royal only to have terribly unprofessional, unethical and discriminatory behaviour being put forward and then when I tried to defend myself after years of Mount Royal not doing anything about it then I get slammed with a vexatious and frivolous complaint by [Redacted] who initiated the entire affair in July 2020 with nothing that I had done whatsoever to [Redacted] and then I am now privy to information, or I actually was in on [Redacted]'s interview for a Canada research chair position at Mount Royal University after she claims she left Mount Royal because of the culture of fear, the white supremacist environment and so on and so forth and if that doesn't give Mount Royal some kind of understanding of [Redacted]'s fomenting and involvement in this entire terrible affair I, I'm amazed about that. I've told the MRFA and I believe you're aware of this I am willing to drop all of my complaints, which were, I never wanted to go this route ever, I made this clear since 2016. I'm a person who always wants to argue things out and doesn't want to punish people but when I was subjected to vexatious and frivolous complaints after enduring years of harassment, I, in the interest of equity, wanted all Mount Royal faculty members to be held to the same standard that I was being held to and I am happy just to let things drop as long as I get a six month sabbatical to make up for all the effort that I've had to put in in trying to hold Mount Royal to account for its lack of fairness and secrecy with respect to all of these proceedings. So that's the way I approach this. I don't want to punish anyone. That was never my intent but I'm a serious academic who is trying to pursue a very very difficult area with no help whatsoever from Mount Royal University. So that's the situation and Mount Royal should think about this very very carefully. They're worried about reputational risk? Well think about what they have done to me over the last five years. That is a horrendous situation and that deserves to be understood and I'm very very disturbed by how everyone is continuing, and this last accusation that people don't want to work with me is just in a long line of these kind of tactics. People are treating me as if I'm the problem when I am the person who has tried in good faith for many years to try to argue these issues out and have been repeatedly undermined and defamed constantly without any response from Mount Royal. So that's the situation that we're dealing with and I would appreciate if Mount Royal would at least recognize the role that they have played in this situation.

EE: So let me see if I can understand what you're saying here is that you take no responsibility for your conduct and you feel no remorse for your conduct?

FW: I responded. I was dealing with at least 30 professors 63 of them who were hiding behind an anonymous account and mobilizing a student, a supposed student group, that was also hiding behind an anonymous account. I was responding to that after many many years of trying to get Mount Royal to do something about the situation - the toxic environment that was being created by people like Renae Watchman, Liam Haggarty, [Redacted], [Redacted] and [Redacted] to name just a few. Not to mention [Redacted] who commandeered the MRU education account and was using an official MRU Twitter account to defame me on social media. So these are the people that have been going after me. Because Mount Royal made it clear for many years that they did not see social media as a workplace issue, that was basically how they responded, I reacted by defending myself on social media and then that is now resulted in these ridiculous complaints which if we held all MRU faculty to the standard of the [Redacted] Jennifer Hawkins investigation then all of those people would be found to be harassers so this is the situation. So although I found that my response when I was doing things at that time between July and October [2020] I had no idea whatsoever that MRU regarded social media as a workplace issue. That only happened after the fact when these investigations started and I got the responses of the investigation reports in the beginning of February and the middle of February [2021].

There was no indication whatsoever by Mount Royal that they saw social media in this way. No one said anything no one did anything and as you know in terms of the collective agreement, 25.4.1 says that we may not be disciplined unless a rule has been promulgated and that rule was never promulgated as I saw for many years with the activities of Liam Haggarty and Renae Watchman, [Redacted] etc. So you can forgive me for not understanding what the standards are and I still continue to not understand what those standards are because Mount Royal has no social media policy. It has not made clear any of its expectations except your directive in May [2021], which was that, I, although I can be provocative and controversial, I cannot direct my activities at any member of the MRU community. But that standard has now changed with the Hope investigation because Hope is not looking at matters directed at any member of the MRU community. He is talking about any comment that I might make about an MRU policy that people working at Mount Royal might find to be demeaning of their viewpoint. So is not even about them as a person; it's about a particular idea that they hold dearly and if I say something that is upsetting to them this is what he claims is now going to be harassment and a creation of a toxic workplace. So I'm, I am one person. I am under serious fire. I have tried to conduct myself very very rationally and very calmly up until 2020 but that is when everything has become completely impossible to deal with rationally and this is where we're at at this point and I would like Mount Royal to take some responsibility for the terrible situation that they've created at this university. This administration has provided no guidance whatsoever to faculty and I'm perfectly willing to back off completely let's have some discussions let's have open and honest debates about things. But that's not what these 30 people who are part of this anonymous MRU Antiracism Coalition that have been mobilizing students and trying to get me fired are interested in. They are a serious problem. They have totalitarian characteristics and they do not want to have certain issues discussed openly and honestly at a university and that's what I was hired at the university. I was not hired to be a propaganda arm for Mount Royal University. I was hired to be a critical analyst of especially indigenous policy but now I am heavily involved in the area of reified postmodernism, which includes trans activism, critical race theory, decolonization etc. That's my area and Mount Royal is sending serious signals that they don't want that to be discussed and there's encouragement of various faculty members and I just want to say the two indigenous scholars Renae watchman and [Redacted] have been led to believe if you look at those reports that any criticism of their viewpoints is harassment and discrimination and they are happy to paint me as a white supremacist and a racist with no evidence and I have been asking for evidence for years in a very even-keeled way and that has been completely rejected by these two people.

EE: So Frances, we're not here to talk about other people today. And in the same way that I don't discuss what our conversation, what has been the processes that are undertaken with you with anyone else I'm not here to discuss what the situation is with any of the other individuals that you've just named. That is not what we're here to talk about today and I'm going to go back and ask you the question that I asked you before: Do you not take any responsibility for your own actions in this, for your own conduct throughout this period? And do you have no remorse for any of the situations that have been created here?

FW: First of all, no one has established that this social media activity is a workplace issue. That has not been established. So my behaviour on social media and of course now that I have your directive of me and I understand, well I don't know any more because the Geoff Hope investigation has a different standard, but now I know what your expectations are I do not direct any of my social media activity at any member of the MRU community. That and I have been perfectly happy to orient my behaviour in that way but I don't take responsibility, like it says in the collective agreement, for not abiding by a rule that Mount Royal has arbitrarily set and not and not let this be known amongst faculty members so that's the situation is that I'm perfectly happy now to change my behaviour now that I know what the

expectations are but since Mount Royal didn't do anything to promulgate that and seemed perfectly happy to allow all sorts of people to defame me constantly on social media, I don't see how, I don't see why it is that I should feel remorse. It was not, I was not the aggressor in this situation. I feel very very disturbed that Mount Royal allowed me to be treated in the way that I was treated. That's what disturbs me. And what disturbs me even more is how they are continuing to double down on this very very unfair and secretive treatment. You can't expect me to feel badly for something that I could not have known was an expectation. So I don't understand why you're even asking me that question. Does Mount Royal feel badly about how it has never let its expectations be known and has dragged dozens of faculty members through incredibly unfair and secretive procedures? Does Mount Royal feel some remorse about that?

EE: Sorry you're freezing

FW: Does Mount Royal feel some remorse about that?

EE: You're freezing up

FW: Does Mount Royal feel remorse?

EE: We're not here to talk about what Mount Royal feels and clearly you're not taking what I can see responsibility for your own actions throughout this. I think the investigations were given, you were given the opportunity to present your position on things and these two investigator reports have come back not necessarily agreeing with your perspective on this.

FW: That's another thing that I wanted to mention. Those investigation reports, your supposedly Mount Royal is wanting to be transparent, that's its claim. I don't even know what those investigation reports have said because one of them, especially, has almost half of it redacted. Now Mount Royal is going to say that that's because this is private information, but that is not true. That is not true. There are court decisions the Brazeau decision says that matters that are put forward in an investigation are not third party private information and this is going to go to the Privacy Commissioner and as well is going to go to arbitration and those reports will be accessed because of that. So although Mount Royal has the privilege of knowing what was said in those reports the respondent, which is me, does not which means that I cannot determine the case to meet in this situation. This is a violation of natural justice and procedural fairness. So Mount Royal should feel very disturbed about that situation if it values transparency as it claims.

EE: It seems to me Frances based on what I'm hearing you say that we really have come to a place that maybe this employment relationship is not viable anymore.

FW: That's your view. I am doing what I've always been hired to do. It's Mount Royal that's changed. So Mount Royal used to be an academic institution. I worked with wonderful people Robin Fisher and manual Mertin and if you notice Manual Mertin wrote a blurb in the beginning of my book *Indigenizing the University* so he thinks that I'm doing good work still Mount Royal. I'm perfectly happy to continue at Mount Royal and to provide my analysis of various circumstances. I've abided by your directive which is the May [2021] directive that you put forward. The Geoff hope situation, his investigation has no legal reasons whatsoever that have been given for his his claims and it is inconsistent with any kind of understanding of a university. He's talking about it like we work for Walmart or something like that and therefore the brand, we've got to protect the brand. We have academic freedom so that we can criticize the University that's why we have, The Crowe, the Harry

Crowe affair, was what got professors at university. So I would suggest that Mount Royal doesn't have a very good understanding of what an academic university is and I think that Mount Royal should really consider this as to what it's doing. I certainly don't consider it to be unviable. My situation I'm doing my research, I'm doing my teaching, everything is going very well. I've never heard about this claim that people don't want to work with me, which sounds like a false allegation anyway since I'm not any committees so I don't understand what's being talked about. That seems to be no evidence to support that so I certainly don't see that. What you want is you want me to submit to your unfair and secretive processes, which are violating my academic freedom and freedom of expression rights. And all that has to happen is for Mount Royal just to stop acting as if it's a corporate entity and [be] an actual academic institution.

EE: [Kelly Sundberg raises his hand]: I'll come to you in a moment Kelly. I want to be clear Frances. This is not about your academic freedom. This is not about the content of your research this is about your conduct and the way you have engaged with some of your colleagues and whether it's on social media, whether it's in meetings, whether it's in faculty council, whether it's in other forms of written information, but that is what has been identified in these investigations.

FW: None of the conduct on campus has been identified as being harassing. That has all been found not to be harassing and, in fact, Geoff Hope makes the claim that Renae Watchman is acting in a ridiculous manner. She thinks that any criticism of ideas pertaining to indigenization is harassment of her and that it's any kind of disagreement is somehow indicative of racism and has constantly smeared me as a racist without any evidence. So that I want to make very clear. There has been no conduct of mine at any meeting at any event on campus that has been found to be harassing. In fact, [Redacted] and all these other people - their conduct - I went to an Arts Faculty Council meeting, which is recorded and I was harassed by five other faculty members at that meeting. I have a recording of that, and I could easily file harassment complaints against them. Now I'm not going to because that's not what I want. I don't want to be doing this, but Mount Royal is forcing this because they are incapable of allowing an academic discussion to occur with respect to these reified postmodernist issues.

EE: Kelly you want to say something at this time?

FW: You're muted Kelly.

KS: I was just wondering if it would be o.k. if Frances and I just had a quick discussion between the two of us and then if we could just come back, if that would be if Frances wants that.

FW: I'm fine

KS: Would that be okay if we just took a very quick recess for a moment here? I'd just like to speak with Frances very quickly.

EE: That's up to the two of you.

FW: That's fine with me.

KS: okay we'll be back in just a moment, I'll send another, Thank you. Frances I'll send you a link to another meeting. I don't know how to do it, it will take me a second

BREAK

KS: Thanks for the interlude there .

FW: Thanks very much. I just really want to reiterate, in case I did not make much myself clear about some points. The first is that Provost Evans asked me about do I take any responsibility for this and my answer for that is, because these rules were not promulgated, I don't see how I have this responsibility. It is Mount Royal's responsibility to make these rules clear. In terms of remorse, you know, again I am, I don't understand how this, how I should I have remorse for things that were not orchestrated by me. And the third that I want to say is I am perfectly happy to continue in my role as a researcher producing very very important work, as a teacher, which I had no problems with my classes, and working with all my colleagues - even those colleagues who have acted very very inappropriately towards me over a number of years. So I don't see any problem with continuing on. That is my view. And if Mount Royal wants me to admit wrongdoing for something that is not, that I had no ability to be able to predict or to be able to deal with, that is not something that is going to happen. You can put a gun to my head, maybe if you put a gun to my head. But this whole thing started by me defending the journalist Wendy Mesley and I was right. That is right. We should all have defended Wendy Mesley. But instead of that happening everyone capitulated to a gotcha kind of politics and unfortunately Mount Royal has not stood behind those important principles that were behind that case by entertaining [Redacted]'s version of gotcha politics, which everything before that was just unhappiness because I was criticizing some ideas which they seem to think shouldn't be criticized in universities.

EE: okay

FW: And one final thing. Mount Royal prides itself as an academic institution. When this all becomes public when it goes to arbitration I don't think the public is going to look favourably on the kinds of unfairness and lack of transparency and capitulation to activism, to reified postmodernist activism, that has happened with respect to my case.

EE: Obviously I take your points and I must say that I will give very serious consideration to much of what you said. I just I feel that there is a lot that has happened and that this is not and I will reiterate and this is not about academic freedom. This is not about freedom of speech .

FW: I disagree with you. The whole of the Renae Watchman complaint was about academic freedom. Renae Watchman thinks that all of my activities, my research activities, are harassing, racist and discriminatory. She has no acceptance whatsoever in the academic realm. Neither does [Redacted]. So Mount Royal can either stand behind its academic mandate or it can capitulate to this activism. If you look at Renae Watchman's complaint and what the investigator says in the first half of that complaint, Renae watchman makes all sorts of arguments that are that basically I shouldn't be able to argue question indigenous science or the other things which I think are true. Like I think my views are true and I am obligated as an academic to pursue the truth as I see it and state the truth as I see it and it appears that Mount Royal University has no respect for those academic values anymore. And that's a tragedy because Mount Royal was great institution. We had great people we had just a fantastic institution. It was a great place to be and it's gradually just been whittled away by corporatization and diversity managerialism. But I will fight to the end to protect the university as an academic space. That is my duty as an academic and Mount Royal can get behind me or it can fight it out with me but I will fight to the end.

EE: Okay well I am certainly going to reflect on everything that has been said here today. I obviously want to arrive at a fair decision on where we are and what comes next and unless you have some final

comments or thoughts you want to share Frances. I take it that I probably heard most of what you wanted to say today.

FW: My final thoughts is that I don't think it's understood, not just at Mount Royal but in universities generally, that there is a fundamental conflict between academic universities academic values and these ideological types of intrusions which are put forward under a number of different names whether it be diversity inclusion and equity policies. And that's not to say, I am a big supporter of assisting indigenous students in becoming successful academically, valuing non-discrimination, so not discriminating against people including everyone in the university but that's not what these terms mean. These terms mean that you can include people as long as they don't oppose the sacred cows that are being put forward and then if you apply critical analysis to these sacred cows you will be pushed out of the University. That's what's happening to me is that I'm being pushed out because I can't accept things that I believe to be untrue. I can't say that I think something is true when I don't think it's true and I think it would be a violation of my academic position to do that. And unfortunately there's people who are either opportunistic or just afraid who won't stand behind the academic foundation of the university.

EE: And I think we probably have concluded our session here today.

FW: okay

EE: thank you

FW: Thank you. I look forward to hearing your thoughts on all of this.

EE: thank you