

# Sexualized Violence Policy Report – Public Release, 2019-20

September 1, 2019 - August 31, 2020

This report was presented to Dalhousie's President's Advisory Council on Sexualized Violence in February 2021, by Crystal Ragush.

Dalhousie Human Rights and Equity Services http://www.dal.ca/HRES HRES@dal.ca

#### INTRODUCTION

#### Executive Summary.

This report is only the second annual Sexualized Violence Policy Report created by Dalhousie's Human Rights & Equity Services; created as a requirement under our new Policy. We discuss transitions of our Sexualized Violence Advisor and the institutional changes brought about by Covid-19.

Unless otherwise stated, data pertains to the 2019-2020 academic year and includes details on the Disclosures and Reports received (Table 1) and displays a 5-year trend of case totals per term (Fig. 1). We delve into the demographics of complainants and respondents, including affiliation to the institution (Fig. 2), self-identified gender (Fig. 3), and self-identified underrepresented population (Table 2). Location of incidents (Fig. 4), actions undertaken by survivor/victims (Table 3) and disposition of a case at time of closure (Table 4) are also characterised for discussion. Among the increase in data analysis this year, was a suggestion to review the duration (Table 5) a case is open. On average, cases are open for about 2.5 months; although any of our cases can be reopened in the future should the survivor/victim request additional supports or to engage in a Report.

Our report ends with a look forward and contains recommendations for further analysis of comparator data and suggestions for additional prevention education on campus.

#### Transitions during the 2019-20 Academic Year.

The 2019-20 academic year brought a few changes to Dalhousie and their Sexualized Violence Advisor position. The Advisor position went through personnel changes when Melissa MacKay started parental leave in summer 2019. The position was initially filled by Lindsay Anderson, formerly Dal's Manager, Student Conduct. Crystal Ragush, formerly HRES' Intake Coordinator, commenced the role in October 2019 after Lindsay departed Dalhousie for a new opportunity at SMU.

March 2020 brought significant change to the Institution as the presence of Novel Coronavirus (Covid-19) in Nova Scotia caused Dalhousie to make the difficult decision to ask all students living in Residence to move home immediately, restrict access to campus buildings, and move to remote, online learning. Remote teaching continued for the remainder of this academic reporting period and was still ongoing at the time of writing. While the University has remained open during this time, operations were adjusted as employees pivoted to this new normal.

HRES' Advisor, Sexualized Violence experienced a lull in disclosures in Spring & Summer 2020.

#### Data represents September 1, 2019 to August 31, 2020.

Cases are recorded based on the academic year in which the incident was initially reported and logged into Human Rights & Equity Services' secure and confidential database, which is separate from academic and employee records.

It should be noted that the data complied in this report is limited to incidences of sexualized violence reported to HRES and sexual assaults disclosed to Residence Life and Security Services. Within this understanding, the information presented in this document is limited in its analysis and scope and may not accurately reflect the breadth of sexualized violence one might experience at Dalhousie. NCHA, iMPACTS, and StatsCan surveys collect large population data, which could be analyzed for Dalhousie and Canadian trends; recommendations for further data analysis is found at the conculsion of our report.

In this report, reference is made to individuals as victim/survivor commonly when discussing services rendered, and Complainant when referring to data; in either case reference is made to the individual who has experienced sexualized violence. The term Respondent is used when discussing an individual accused of perpetrating sexualized violence.

Even with this understanding of the terminology we use to discuss victim/survivor(s), this report can read as detached or impersonal; this shouldn't be read as a reflection of our teams' concerns over the people we work with. But rather is due to the author trying to remove themselves, and their connection to the people they support, from the report, to keep the language and discussions neutral & without identifying comments.

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#### Sexualized Violence Policy Data

Our office strives for an environment of transparency, while maintaining our priority supporting victim/survivor(s) and upholding their confidentiality. Our office takes a victim-centered approach, and the sexual violence advisor's primary responsibility, goal, and training is to provide service to victim/survivors of sexualized violence.

#### As outlined on page 8, **Section E.5**.:

Annual Reporting by Human Rights and Equity Services: At the end of each academic year, the Vice-Provost Equity and Inclusion will deliver an annual report to the Senate and Board of Governors, through the President's Advisory Committee on Sexualized Violence, which will include:

- a. the number of Disclosures and Reports;
- b. a representation of the Reports by type (Complainant or University-Initiated);
- **c.** representation of the Reports by kind of outcomes (e.g., dismissal of Reports, Non-Investigative Stream, Investigative Stream);
- **d**. a representation of Investigation Stream outcomes (e.g., no finding or finding of sexualized violence);
- **e.** a representation of the sanctions applied as a result of a finding that an act of Sexualized Violence was committed.

Table 1 represents, in total number, data relating to Section E.5a, b, c.

**E.5a**. Our data captured 52 Disclosures and 9 Reports; the remaining 5 cases were catalogued as inquiries/consultations, creating a total of 66 cases.

E.5b. All 9 Reports filed were initiated by the Complainant. Zero Reports were University-initiated.

**E.5c**. Of the 9 Reports filed, 7 were Non-Investigative Stream and 2 were Investigative Stream. Both Investigative Stream Reports were dismissed due to falling outside the jurisdiction of Dalhousie's Sexualized Violence Policy.

Table 6 Case Totals - 2020

Consultation - Advising	Consultation - Advising	3
Disclosures	Anonymous Disclosure	3
	Disclosure	36
	Third Party Disclosure	13
Inquiry	Inquiry	2
Reports	Investigative Report	2
	Non-Investigative Report	7
Grand Total		66

A note regarding Consultation-Advising and Inquiries:

These cases represent communication inquiring about options but do not further engage with the complaint process (i.e. asking if this is where they could report sexualized violence), consulting with a University Employee who gave referral suggestions to a victim/survivor, or advice to an Employee looking to debrief a situation or media release, etc.

A note regarding Investigative Stream and Non-Investigative Stream Reports:

The Sexualized Violence Advisor, in consultation with the appropriate Vice-Provost, determines whether the Report should proceed under the Investigative Stream or Non-Investigative Stream. In making that determination, we consider the voluntary participation of the Respondent. Non-Investigative Stream Reports are addressed without an investigation through remedial, educational and/or restorative outcomes. Investigative Stream Reports are investigated by an Investigator and where disciplinary, remedial educational and/or restorative outcomes may result.

A note regarding application of the Policy related to off-campus jurisdiction: The Policy applies to alleged incidents occurring off campus only during University-related programs, operations, or activities; or, in the case of non-University activities, where the conduct has a substantial connection to the University. Neither Reports fell within this framework.

**E.5d**. Due to both Reports being dismissed, no formal finding of sexualized violence was assessed. Following the dismissals, both cases were treated as Disclosures and all appropriate supports and referrals were provided to the victim/survivors.

**E.5e.** No formal sanctions were applied to the 9 Reports submitted. All 7 Non-Investigative Reports saw Respondents agree to remedial, educational and/or restorative outcomes, including education, one-on-one meetings, and restrictions on use of campus property.

#### Additional Sexualized Violence Policy Data

Figure 1 represents a breakdown of total cases reported under the Sexualized Violence Policy, per academic term where 2020 represents the 2019-20 academic year. During the 2019-20 academic year, the Fall term sustained its increase in number of case totals over prior fall terms. However, the following Winter and Summers terms saw a decrease in cases, akin to academic years before the new Policy was introduced. The decrease may be due to the immediate changes caused by the Novel Coronavirus. As notes in our previous Sexualized Violence Report, increases in 2019 case totals were attributed to implementation of a policy which identified a broader scope of behaviours and individuals covered under the policy, and the subsequent promotion of the policy increasing awareness of the support and resources available.

## Per Term

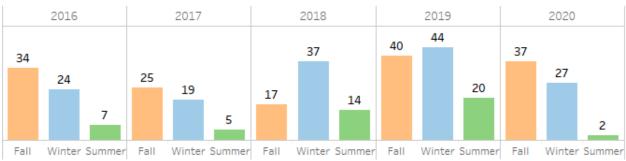


Figure 5 Case Totals per Term (5-Year Trend)

As mentioned in the introduction, Dalhousie rapidly switched to an online teaching model, students and employees left campuses, and individual provinces (& countries) implemented rules governing an individual's ability to interact with others. While this change created a significant increase in the use of provincial and nation-wide phone lines which support domestic violence survivor/victim<sup>1</sup>, it significantly reduced the requests for support coming to the sexualized violence advisor. This was most likely because the nature of supports individuals required during the government-instituted isolation (from shelters/domestic violence organizations) vs. supports offered by Dalhousie's HRES' (Policy advice, safety planning, accommodations, referral to supports). Due to the isolation, individuals commonly seeking Agreements of No-Contact or safety planning were not in immediate fear of seeing the accused/Respondent, nor were they seeking accommodations to their living, learning, or working environments. HRES continued to support all individuals and direct them to appropriate supports, both on-campus and off-.

<sup>1</sup> https://www.cbc.ca/news/canada/british-columbia/family-violence-bc-1.5547385

#### **Demographics**

Figures 2 & 3 review data specific to the 2019-20 academic year, while Table 2 incorporates data from the previous 4 academic years.

Figure 2 represents a breakdown of Complainant and Respondent affiliation to Dalhousie. (Note: External includes anyone without an affiliation to Dalhousie (i.e. Visitor, alumni, etc.).

As you can see below, Undergraduate Students make up the largest segment of individuals supported by HRES; represented as total number: Complainant (44) and Respondent (19). Under Dalhousie's new policy, a Visitor (labeled below as Complainant - External) (6) can make a Disclosure and will be provided with information about the option to report to the police and receive support referrals. The total number of Complainants (56) is lower than the total cases (66), this is due to Consultations, Inquiries and Third-Party Disclosures having Complainants remain anonymous. Disclosures don't require a Complainant to divulge the particulars of their case, therefore the total number of Respondents (43) often remain below the number of cases (66). It should also be noted, some cases have multiple Complainants or/and Respondents, making the 1:1 comparison of case totals to affiliation imperfect.

#### Affiliation

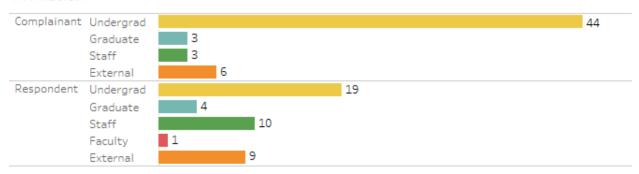


Figure 6 Complainant and Respondent Affiliation - 2020

Figure 3 displays Complainant and Respondent gender as known to HRES. (Note: when the individual's self-identified gender was not disclosed upon Intake, the individual's data from Banner was used; however Banner only reflects male or female, not given).

People of all genders are subjected to sexualized violence. However, sexualized violence is more commonly experienced by: Women and girls (both cisgender and transgender), and gender non-conforming, non-binary and Two-Spirit people<sup>2</sup>.

<sup>&</sup>lt;sup>2</sup> https://nscs.learnridge.com/wp-content/uploads/2017/05/Sexual-Violence-An-Introduction.pdf

## Gender

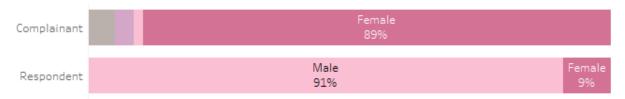


Figure 7 Complainant and Respondent Gender - 2020

As displayed in the data in Figure 3, female identified Complainants account for 89%. Although too small to label, the remaining Complainants were 4% non-binary, 5% did not self-identify, and 2% were Male identified. Upon comparison to the previous academic year (2018-19), Male-identified Complainants saw a significant decrease in representation, from 11% to 2%, however Female Complainants remained relatively constant (1% increase). The gender of Respondents was represented in the binary: Male identified representing 91%, and Female 9%. When we compare Respondents' gender to the previous academic year, Female Respondents saw an increase in percentage from 5% to 9%; while male identified remained consistent at 91%.

Table 2 combines 5-academic years' worth of Complainants' voluntary, self-identified demographics, integrated from the Dalhousie Census, admissions, and personnel records, to reveal the percentage of Complainants identifying with an underrepresented group. We have chosen to display the categories to which a Complainant's sexualized violence would have aligned with, rather than reporting type (ie Disclosure, Report), to better illustrate the concerns facing these groups.

Complainants may self-identify, and be recorded, under multiple columns of underrepresented populations. Column 'n' is total number of Complainants in each category (ie 19 victim/survivors of Intimate Partner Violence), while the remaining data is displayed as both a percentage and total number (in brackets). When considering our response rate, a 79% response meets our objective and allows for public disclosure of the related data.

As presented in Table 2, between the 5-years displayed 2016-2020, 19 Complainants experienced Intimate Partner Violence, 137 experienced Sexual Assault, and 174 experienced Sexual Harassment. Over this 5-year period, 330 people reported experiencing Sexualized Violence. When considering grand totals, 15% of Complainants identify as Racialized; 21% of Complainants identify as Persons with Disabilities; and 21% of Complainants identify as Sexual Orientation and Gender Identity minorities.

Note the data in this report does not reflect the prevalence of sexualized violence within these groups but of those reported to HRES. We consider the 21% response rate of both people with disabilities and SOGI minority groups to be a positive indication that members from these groups are fairly comfortable with coming forward to HRES to disclose their experiences with sexualized

violence. Likewise, we cannot assume that the low percentage of people who identify as Black/African Ancestry, African Nova Scotia, and Mi'kmaq being represented in our data, in our opinion, is an accurate measure of sexualized violence within these communities but just what is reported to HRES.

Table 7 Complainant Demographics - 2016-2020

		Resp														
	n	ons	RV		AB		PD		SOGI		BK		ANS		MK	
Intimate Partner Viol	19	74%	14%	(2)	0%	(0)	21%	(3)	29%	(4)	7%	(1)	7%	(1)	0%	(0)
Sexual Assault	137	82%	19%	(21)	9%	(10)	27%	(30)	25%	(28)	3%	(3)	2%	(2)	2%	(2)
Sexual Harassment	174	78%	13%	(17)	10%	(14)	16%	(22)	17%	(23)	3%	(4)	196	(2)	4%	(5)
Grand Total	330	79%	15%	(40)	9%	(24)	21%	(55)	21%	(55)	3%	(8)	296	(5)	3%	(7)

#### Legend

F	Female	
RV	Racialized Persons	
AB	Aboriginal & Indigenous Peoples	
PD	Persons with Disabilities	
SOGI	Sexual Orientation and Gender Identity minorities	
BK	Black/African Ancestry	
ANS	Historical Black/African Nova Scotian ancestry	
MK	Mi'kmaq	

### Location

Off Campus 56%	Residence 23%	On Campus 21%

Figure 8 Incident Location - 2020

Figure 4 illustrates that slightly more than half (56%) of the cases reported to HRES take place off-campus, with slightly less (44%) taking place on-campus. Of the on-campus incidents, 23% have taken place within a Dalhousie Residence building. As with previous academic years, the location of incidents reported to HRES is usually approximately a 50/50 split, with slightly more incidents commonly reported on-campus. This slight change in reported location is likely due to the majority of the academic year being remote learning, with students living off-campus. Residence specific data hasn't previously been reported; for comparison, during the 2018-19 academic year, 21% of incidences reportedly took place in Residence.

Location data is displayed based on case totals and has not been further broken down by Disclosures, Reports, etc due to the comparatively small, potentially identifying, data produced.

Note: Off-campus represents any location outside the boundaries of the University campuses and includes out of province or country locations. Any Dalhousie University owned or leased buildings or office space outside of the boundaries of University campus, but acquired for the purpose of University activities, would be considered On-Campus for the purpose of this report (i.e. the Office of Advancement located at 6389 Coburg Road, 4th floor is considered On-Campus).

Table 8 Actions Taken - 2020 (cases can have multiple)

Academic Accommodation	21
Educational 1:1	3
Follow Up Communication (respondent)	1
Interm Measures	4
Living Accommodation	0
No-contact Agreement	8
PEGaSUS	7
Safety Planning	4

Table 3 offers a representation, in total number, of actions taken by the Complainants, as facilitated by the Sexualized Violence Advisor. Complainants might engage in multiple actions and receive supports from other units which would not be captured below, such as Counselling from Student Health and Wellness. Despite the overall decrease in cases reported during this academic year, the number of individuals who received Academic Accommodations (21), Educational 1:1 (3), Interim Measures (4), No-contact Agreement (8), and joined PEGaSUS (7) didn't decrease by more than 1 or 2, if at all.

Academic accommodation supported by HRES include extensions to assignments/papers, quiz re-writes, exam deferrals, etc.; HRES works closely with Student Accessibility Services when long term accommodation plans, note-taking, or technological accommodations are required. Nocontact Agreements are signed by both parties and outline expected conduct between the parties and address outcomes for breaching the contract. A copy of the signed No-contact Agreements is provided to Security Services, for their assistance in supporting the agreement. Security also aides in the formation of safety plans. PEGaSUS is a psycho-educational group for student survivors of adult sexual assault and is facilitated by HRES Advisors Crystal Ragush and Amina Abawajy.

Note: While Complainants might engage in multiple actions, only 3 actions can be logged in any case, therefore Follow Up Communication (Respondent) is often unselected. It should be

assumed that in the majority of cases where the Respondent is identified, a conversation does take place. Follow Up Communication (Respondent) was initially identified as an action in which multiple discussions needed to take place with a Respondent.

Table 9 Disposition - 2020

Activities Completed	34
Inactive	10
Complainant Requested No Action be Taken	7
Residence Code of Conduct	4
Complaint Unsubstantiated	3
Complaint Withdrawn by Complainant	2
No Further Action Taken	2
Human Resources Action	1
Security Action	1
Student Code of Conduct	1

Table 4 displays, in total number, the Disposition at the time a case is closed; only 1 disposition can be selected, and this serves to act as an indication of a cases' conclusion, as determined by the Advisor. Dispositions also serve to illustrate cases where the resolutions were undertaken by stakeholder units, such as Human Resources, Security Services or Student Affairs. All closed cases can be reopened in the future, should a Complainant request further resolutions or support. As such, the Dispositions are in flux and the figure displayed below is representative of a snapshot taken in January 2021.

In 34 cases all activities/requests were deemed to be completed; 10 became inactive (i.e. a Complainant no longer responds to communications); 7 cases had Complainants which requested no action be taken; 3 cases were deemed unsubstantiated or unfounded; and in 2 cases the Complaint withdrew their complaint. The remaining cases were resolved by stakeholder units: 4 cases were resolved by Residence Code of Conduct; 1 resolved by Student Code of Conduct; 1 case resolved within Human Resources; and 1 case resolved by Security Services.

Previouly, students reporting an incident of sexual assalt within Dalhousie Residence were able to Report their incident under the Residence Code of Conduct. Due to process updates undertaken in the Fall 2019, between HRES and Student Affairs, all future Reports of sexual assault's followed the process layed out within the University's Sexualized Violence Policy. Due to this change, we don't expect to see Dispositions of Residence Code of Conduct in future repots. It should be noted, that students are still able to make disclosured to Residence Staff; but the case will be referred to the Sexualized Violence Advisor for Reporting options.

65 cases have Dispositions listed; the remaining case is active at the time of writing this.

Table 10 Duration of Cases Reported in 2020 (days)

Avg. Duration	74
Median Duration	29
Max. Duration	468

Table 5 displays the average, median and maximum number of days a case is open. Duration is defined by the date an incident is reported to HRES (not the date an incident took place), until the case file is closed by the assigned Advisor. In cases which have become inactive, the case closure date is that date of last contact. On average a case of sexualized violence is open for 74 days, with the maximum duration being 468 days. As discussed above with Figure 9 – Dispositions, all closed cases can be reopened, should a Complainant request further resolutions or support. As such, Figure 10 is a snapshot of duration captured at the time of writing this report and adjustments to these numbers are possible, should a case reported in the 2019-20 academic year be reopened.

The Sexualized Violence Advisor is aware of 15 Complainants that have self- reported their experience of sexualized violence to the applicable police oversight in their incident's jurisdiction (i.e. Halifax Regional Police, RCMP, etc). Dalhousie University has a legal obligation limiting our confidentiality in circumstances where members pose serious and credible risk of harming themselves and/or another, or where the sexualized violence involved a child. None of our 66 cases met this test; all 15 incidences reported to the police were undertaken directly by the victim/survivor.

Sexual assault is among the crimes which are least likely to be reported to the police<sup>3</sup>; the reporting rate shown in our data is 22.73%, representing the average expected by community-based sexualized violence support centres.

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<sup>&</sup>lt;sup>3</sup> https://www.justice.gc.ca/eng/rp-pr/csj-sjc/ccs-ajc/rr06\_vic2/p3\_4.html

#### Recommendations and Looking Ahead to 2020-2021

Currently (Winter 2021), the majority of Dalhousie's courses are continuing to be offered online, and sexualized violence cases are quieter than previous Fall terms. As such, the sexualized violence advisor (SVA) is working with 2 students (thanks to a Department of Labour and Advanced Education grant) to complete reccomendations from the 2016 report 'Changing The Culture of Acceptance'. HRES' SVA, with assistance from the Education Advisor and these students, are reviewing the University's sexualized violence prevention and response strategy with the aim at address long-term prevention goals for addressing systemic change.

Dalhousie University is set to review the Sexualized Violence Policy in Spring 2021, with feedback sought from key stakeholders and the broader Dalhousie community. When considering the data displayed in Table 2, including the service gap identified, we will ensure all efforts are made to engage underrepresented communities when conducting our policy review.

Dr. Diane Crocker has undertaken an evaluation project assessing Nova Scotia's 10 post-secondary institutions sexualized violence policies and scoring them against recommendations found within WAGE's National Draft Framework, OurTurn Committee Checklist, CCLISAR Independent Review. Dr. Crocker is set to review Dalhousie's current policy against these recommendation and will provide results to the sexualized violence advisor. This assessment and feedback sought from our community will guide our policy review. It is our aim to have feedback compiled, integrated, and set for aproval from Senate and Board of Governors, for implementation Fall 2021.

A refresher module will be developed and offered to investigators currently on our investigator roster (our roster includes employees who had completed our July 2018 training and subsequent modules). Investigators looking to remain on our roster will be required to complete this refresher module in an effort to keep promising-practise and emerging sexualized violence matters informing their investigation process. Continued education and self-study also remains a priority for the sexualized violence advisor and HRES team.

With regards to the analysis completed in this report, it has been brought to our attention that additional data comparisons and/ or analysis would be welcomes. In HRES' opinion, the total number of cases is relatively small for valid quantitative analyses, to discern reliable patterns, and for generalizability, and can lead to biased conclusions. Nevertheless, the Office of the Vice-Provost, Equity and Inclusion recognizes that for a proper assessment of sexualized violence at Dalhousie there is the need for broader research, data analyses, and disaggregation to capture the gaps that HRES data and cases cannot address.

On September 28, 2020 the Senate approved a motion to develop reporting practices that contextulize and analyze the patterns observed annually in administration of the Policy. In

addition to the following resources and recommendations, the feedback was incorporated in the 2019-2020 report.

- 1. Dalhousie Climate Survey 2019: Disaggregated demographic data is available for approximately 1,600 anonymous <u>students</u>, <u>faculty</u>, <u>and staff</u>. It is recommended that more detail be added to the sexualized violence question so it can be disaggregated by type and incorporated into future Sexualized Violence Policy Reports.
- 2. National College Health Assessment (NCHA): Disaggregated demographic data is available for 1,331 Dalhousie <u>students</u> and 55,284 students in the Canadian Consortium for six questions on sexualized violence in 2019. It is recommended that this and the 2013 and 2016 survey years be analyzed for Dalhousie and Canadian trends, and incorporated into future Sexualized Violence Policy Reports.
- 3. iMPACTS: Collaborations to Address Sexual Violence on Campus: A SSHRC funded study from McGill University supported by the Council of Nova Scotia University Presidents (CONSUP). The campus climate survey will be administered to <u>students</u> at as many institutions across the country as possible, pending COVID-19 delays. The research proposal was submitted to the Dalhousie Research Ethics Board by Dr. Diane Crocker, regional lead. It is recommended that results from this survey be incorporated in to future Sexualized Violence Policy Reports.
- 4. StatsCan Survey on Individual Safety in the Postsecondary Student Population 2019: Funded by the Department for Women and Gender Equality (WAGE), the report includes disaggregated demographic data for 14,882 <u>students</u> living in Canada and attending Canadian institutions regarding unwanted sexual and discriminatory behaviours, and sexual assault. It is recommended that this report be used to inform Dalhousie policies and procedures.

Dalhousie's Sexualized Violence Prevention and Response Strategy will be updated to include new initiatives and recommendation to tackle sexualized violence on campus. Within this Strategy, we will make educational recommendations for employees and students, including targeted ByStander Intervention Training and responding to Disclosures of sexualized violence.

A Report for the office of Human Rights & Equity Services is also created annually, which contains data pertainint to the University's Personal Harasment Policy (for Employees) & Prohibited Discrimination Policy, overarching goals of the office and highlights prevention & education efforts undertaken. Please refer to the annual HRES report for details regarding sexualized violence prevention education undertaken by our staff and student team.

All media inquiries should be directed to Janet Bryson, Associate Director of Media Relations and Issues Management, Dalhousie University. Phone: 902-494-1269, email: janet.bryson@dal.ca
Data reported above has been collected and maintained by Human Rights and Equity Services, Dalhousie University. Phone: 902-494-6672, email: <u>HRES@dal.ca</u>
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