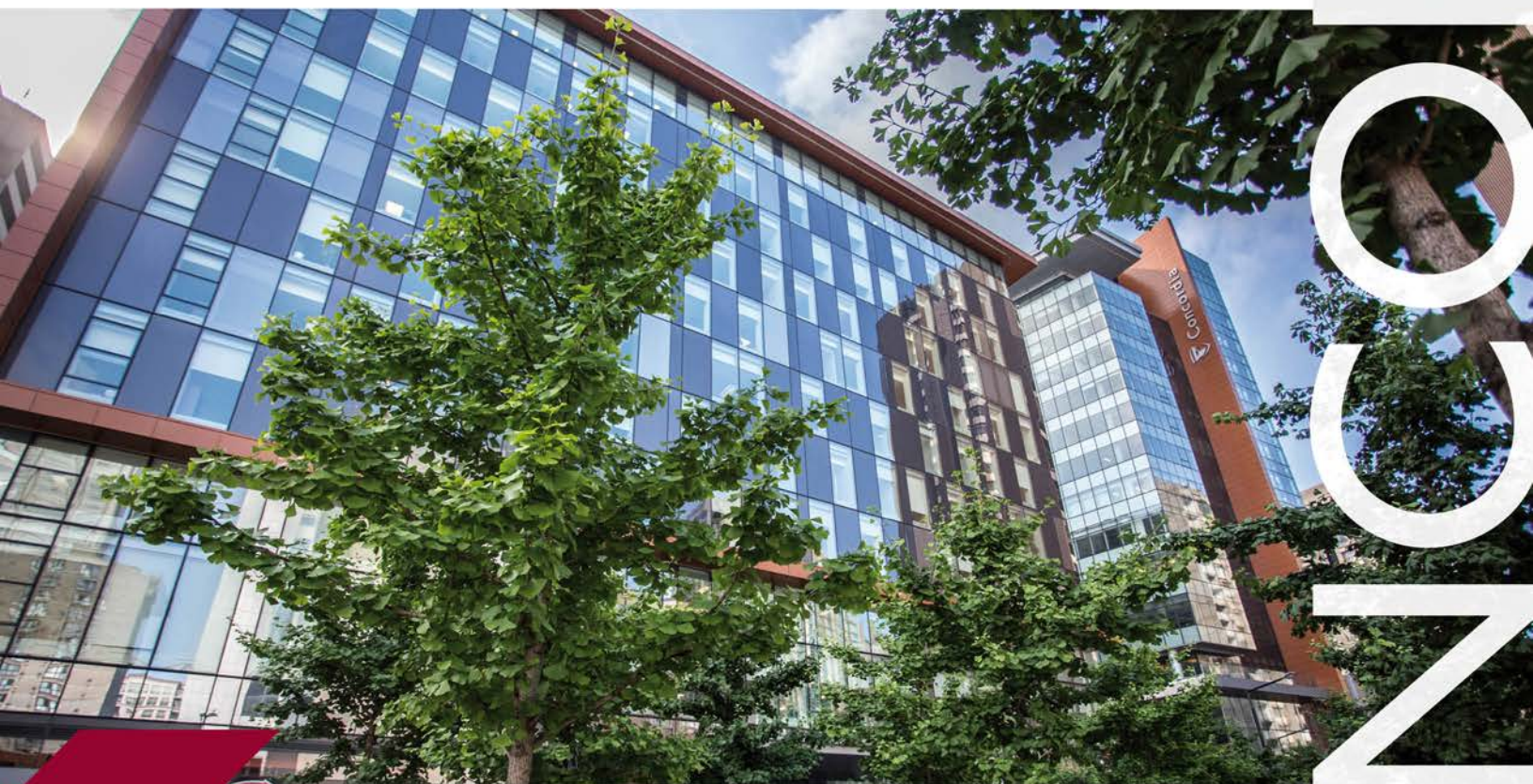


OFFICE OF RIGHTS AND RESPONSIBILITIES

Promoting Fairness on Campus



ANNUAL REPORT 2016-17

SEPTEMBER 2017

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Office of Rights and Responsibilities - Annual Report 2016-2017

Introduction

As provided in article 16 of the *Code of Rights and Responsibilities* (the “Code”), annually, the *Office of Rights and Responsibilities* (referred interchangeably as “ORR” or the “Office”) submits a report to the Secretary-General covering the previous academic year. The report details the activities of the Office, including statistics on complaints received, and makes recommendations, as necessary, with regard to either the Code or the operations of the Office. The report is made available by way of the University's publications and it is submitted, for information purposes, to Senate and to the Board of Governors.

This 2016-2017 Annual Report refers to the activities of the Office from May 1, 2016 to April 30, 2017.

Mandate of the Office and Key Policies

The Office offers impartial, confidential, non-judgmental, and independent services to all University Members (students, faculty, and staff). It has jurisdiction over alleged infractions involving Members that take place on University premises or on other premises in the course of any University activity or event. Among other things, the Office:

- Provides support and redress to Members who have behavioural complaints and/or concerns
- Manages a complaint resolution process that may include a range of responses such as:
 - Informal procedures (clarifying perceptions, shuttle diplomacy, mediation, settlement agreements, providing strategies, etc.)
 - Formal procedures (adjudication, hearing tribunals, investigations, sanctions, etc.)
- Coordinates procedures for managing behaviour that may pose a danger, risk and/or threat
- Directs the University's response in handling urgent cases

In this context, most of the Office's work is focused on applying and/or administering the following key Policies:

- The Code ([Code of Rights and Responsibilities](#)), [BD-3](#)
- [Protocol on the Coordination of Urgent Cases of Threatening or Violent Conduct, BD-3 Protocol](#) (the “Protocol”),
- [Policy on Student Involuntary Leave of Absence, PRVPAA-15](#) (“POSILA”),
- [Policy On Harassment, Sexual Harassment and Psychological Harassment, HR-38](#)

For more information about the Office and its services, please refer to the [ORR website](#).

Education, Outreach, Promotion and Collaboration

ORR education, outreach programming and promotion take place throughout the year and include participation in student, faculty, and employee orientations, offering workshops, training and generally, providing information regarding harassment, dealing with disruptive Members, threatening or violent conduct, POSILA, and the Code.

In this context, throughout the 2016-2017 year, ORR participated in and/or presented at a variety of University events, fairs, and activities. Outreach activities also included providing information to other educational institutions and organizations regarding ORR policies and approaches to behavioural incidents and concerns.

Recommendations

As provided in Article 15 of the Code, the Office may, when warranted, make recommendations regarding situations within a unit, department, faculty, or the University as a whole, when such situations have the general effect of violating the rights that are sought to be protected by the Code. Often, these recommendations arise from specific issues or situations that are brought to the Office.

Similarly, and as provided in Article 16 of the Code, when necessary or warranted, the Office will also make certain recommendations regarding the Code and the operations of the Office. Additionally, to the extent that a member of the Concordia community is interested in bringing forward a recommendation for revision(s) to the Code, that member may submit the recommendation(s) in question to the Office for consideration.

General Recommendations

It is recommended that information sharing processes be reviewed with regard to “*Student of Concern*” (“**SOC**”) cases in which there are separate, yet related incidents, impacting various University units so as to ensure optimal coordination and response. In this regard, it is recommended that when such situations arise an *ad hoc* group is constituted for this purpose. The *ad hoc* group could be convened by Security Services which would normally have the reports of incidents across the University. The members of this group would normally include representation from the Office, from Legal Services and where applicable, other stakeholders.

Past Recommendations

Following collaboration with the Registrar’s Office, the Office is pleased to report that the 2015-2016 recommendation regarding the review of processes related to the re-admission of SOCs has been satisfactorily addressed. Additional measures have been developed such as a new method of implementing on-campus restrictions and training.

Data Analysis and Statistical Review

Activity Summary and Breakdown of Requests for Assistance

Below is a snapshot of the Office’s activity for the 2016-2017 academic year, including the breakdowns by type of contact, the distribution of services by classification and month, Complainant/Respondent demographics and types of infractions reported.

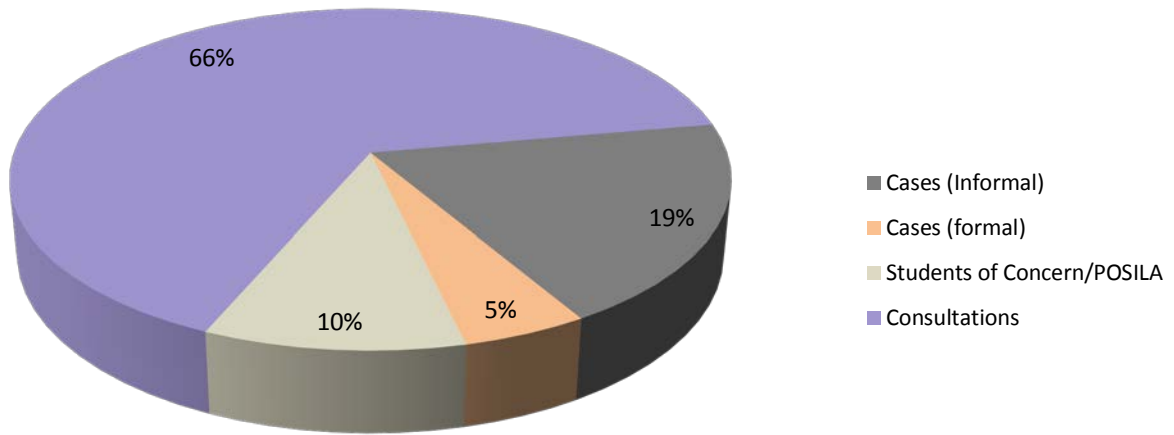
The Office may assist Members with behavioural complaints/concerns in the following ways:

- **Consultations** - the Advisor provides information and/or guidance but usually does not play an active or ongoing role in the situation, complaint, or concern
- **Cases** - the Advisor provides information and/or guidance and may also directly intervene, review evidence, or play an ongoing role in the situation, complaint, or concern

Depending upon the complaint, cases will be classified as “*formal*” or “*informal*.” A case typically begins as a consultation; however, if it ultimately evolves into a case, when reporting the data, it is only counted once. Cases (and consultations when applicable) are generally categorized as behavioural issues under the Code and/or the Protocol, or as Student of Concern (SOC) under POSILA.

Requests for assistance during 2016-2017 totaled 286. The breakdown by percentage is displayed in Chart A.

CHART A: DISTRIBUTION OF SERVICES (2016-2017)



Consultations accounted for a majority of all services provided. With regard to cases, informal resolution was employed significantly more often than formal resolution (19% versus 5%). 6 new formal complaints were processed this year in addition to 8 active formal complaints carried over from the previous reporting year, comprising approximately 5% of the Office’s activity.

The number of active cases involving SOCs and threat assessments was 29, up from the 19 administered in 2015-2016, and accounted for 10% of overall activity. SOC and threat assessment cases most often involve safety concerns, medical/mental health issues, and/or serious disciplinary matters, generally requiring an immediate response and intervention, and, more often than not, comprehensive cross-sectorial coordination.

TABLE 1: REQUESTS FOR ASSISTANCE (2016-2017)

2016-2017 Academic Year	Cases	Consultations	Total
May 1, 2016 - April 30, 2017	98	188	286

TABLE 2: 3 YEAR ANNUAL COMPARISON

Year	Months	Cases	Consultations	Total
2014-2015	12	126/144 ¹	162/164 ¹	288/308 ¹
2015-2016	12	95/147 ¹	184/192 ¹	279/339 ¹
2016-2017	12	98	188	286

¹ Includes additional consultations or complaints related to exceptional circumstances

Requests for assistance totalled 286 (98 cases and 188 consultations) as displayed in Tables 1 and 2 in 2016-2017. Overall requests for assistance (excluding those arising from exceptional circumstances) have remained stable throughout the last three year period. It should be noted that the statistics in Table 2 do not include requests of an administrative nature. In ORR reporting for years prior to this annual report, such requests were included and were referred to as “Other Requests”.

TABLE 3: BREAKDOWN BY CASE TYPE – 3 YEAR ANNUAL COMPARISON

Case Type	2016-2017	2015-2016	2014-2015
Informal	55	63/66 ¹	90
Formal	14	14/63 ¹	13/31 ¹
SOC/Threat Assessment	29	19 ²	23
Total Cases	98	95/147¹	126/144¹

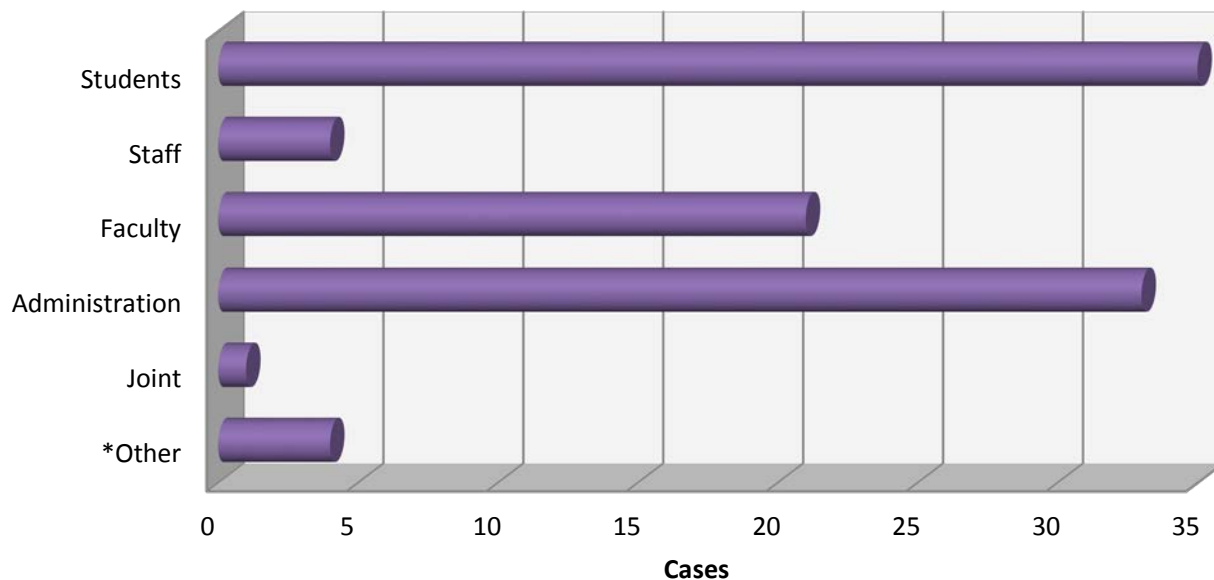
¹ Includes additional cases related to exceptional circumstances
² There were actually 18 SOC cases and one additional informal case that was also counted as an SOC case

Who is seeking assistance?

The term “Complainant” is used to refer to any member of the University community who is directly affected by someone’s behaviour and who raises a concern with the Office. The conduct in question should be within the scope of the Code. If warranted, a case file is opened regardless of whether informal resolution was sought or a formal complaint was launched.

CHART B: COMPLAINANT DEMOGRAPHICS (CASES)

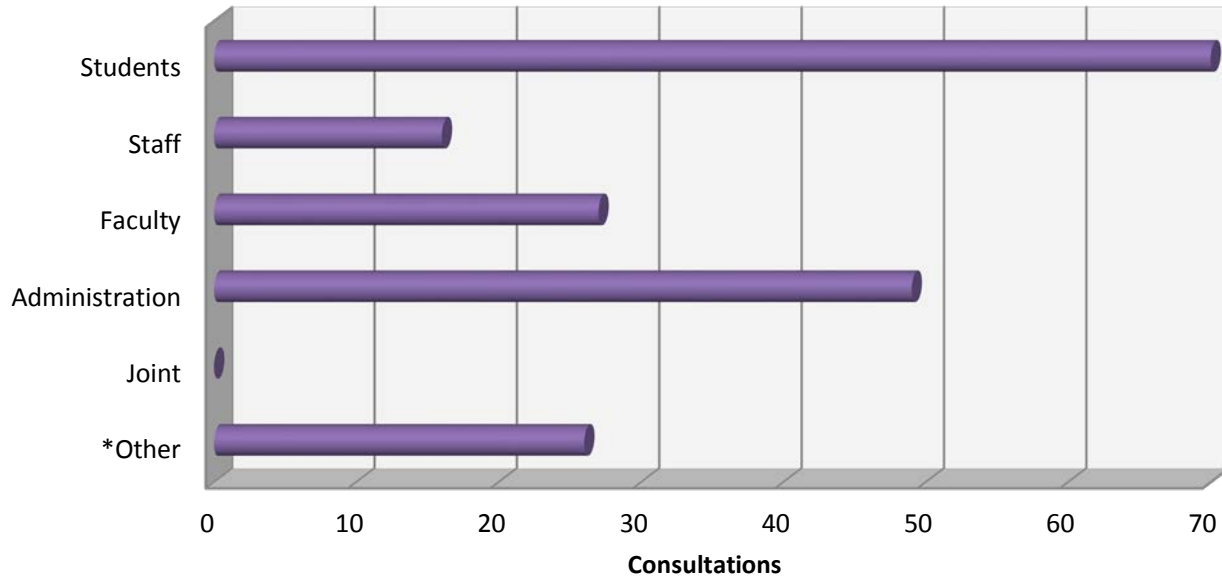
Requests for assistance/complaints were generated by:



*“OTHER” REFERS TO NON-MEMBERS, ALUMNI, ETC.

CHART C: COMPLAINANT DEMOGRAPHICS (CONSULTATIONS)

Requests for assistance/complaints were generated by:



*"OTHER" REFERS TO NON-MEMBERS, ALUMNI, ETC.

Who are complaints being made against?

The term "Respondent" refers to the person against whom a complaint is made. A "Respondent" is any Member who is alleged to be responsible for undesirable behaviour described as an offense/infraction under the Code, thereby giving rise to a Complainant seeking resolution within the scope of the Code.

CHART D: RESPONDENT DEMOGRAPHICS (CASES)

Complaints were generated against:

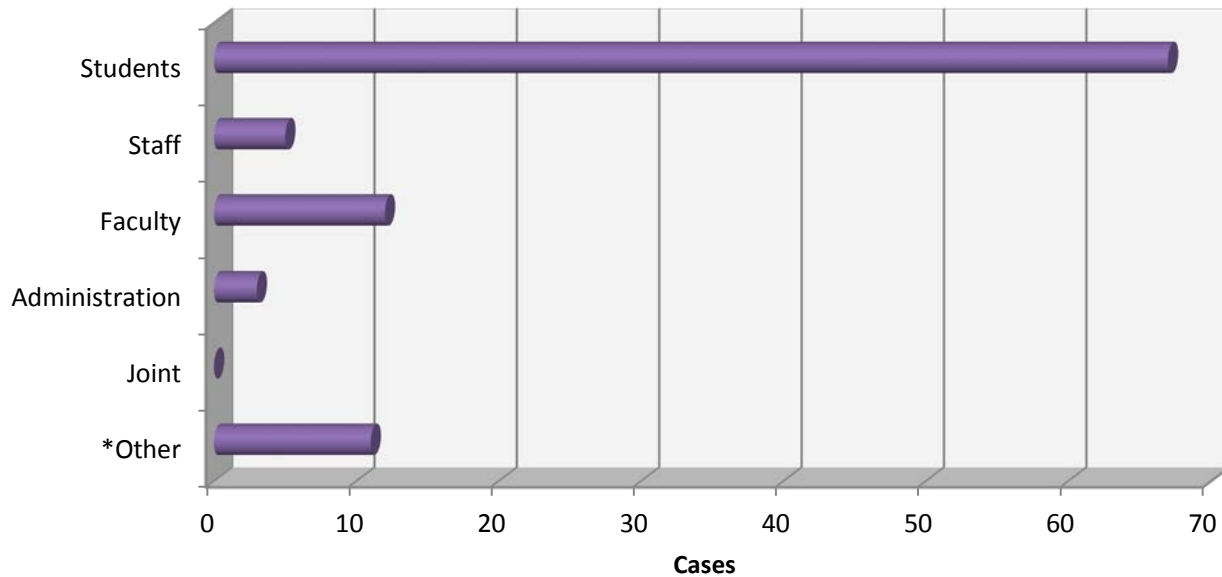
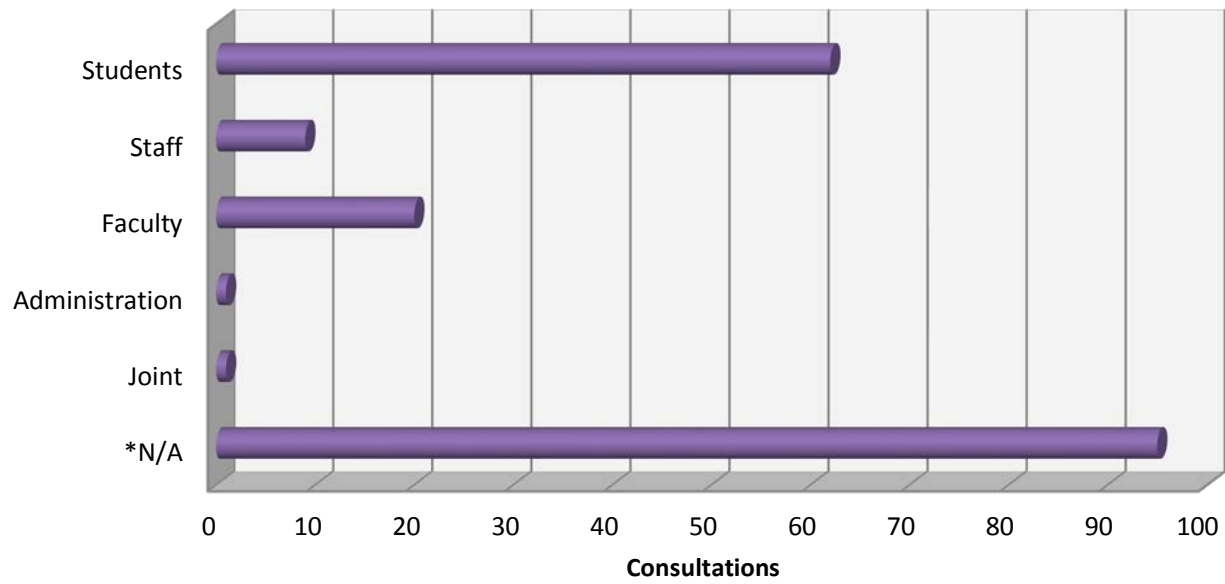


CHART E: RESPONDENT DEMOGRAPHICS (CONSULTATIONS)

Complaints were generated against:



**"OTHER" REFERS TO NON-MEMBERS, ALUMNI, ETC.*

***N/A REFERS TO CASES OR CONSULTATIONS IN WHICH THERE WAS NO RESPONDENT SPECIFIED*

TABLE 4: BREAKDOWN OF CASES (98) AND CONSULTATIONS (188) BY INFRACTIONS

Offence	Code	In 98 Cases	In 188 Consults	Total Infractions
Harassment	28a	34	33	67
Sexual Harassment	28b	15	8	23
Psychological Harassment	28c	6	3	9
Discrimination	28d	5	9	14
Communication of Discriminatory Matter	28e	3	7	10
Threatening or Violent Conduct	28f	17	4	21
Offences against property	29a	1	1	2
Furnishing False Information/Accusation/Emergency	29b	2	0	2
Maliciously activating fire alarms	29c	0	0	0
Bomb threats	29d	2	0	2
Theft or abuse of computing facilities or computer time	29e	1	0	1
Unauthorized entry into University property	29f	0	1	1
Obstruction or disruption of work or studies	29g	8	5	13
Camping or Lodging on University property	29h	0	0	0
Forging or altering University documents	29i	1	1	2
Hazing	29j	0	0	0
Unlawful use, sale, distribution, etc. of controlled substances	29k	0	0	0
Possession or use of explosives or destructive devices	29l	0	0	0
Possession or use of firearms, chemicals, or other weapons	29m	0	0	0
Unauthorized or duplication of University's name, logos, etc.	29n	0	0	0
Unlawful offense in the University context	29o	0	0	0
Student-of-concern/Threat Assessment/POSILA	(n/a)	29	4	33
*Miscellaneous Consultations	(n/a)	0	121	121

**MISCELLANEOUS CONSULTATIONS REFERS TO FILES/ISSUES THAT MAY INVOLVE PROBLEMATIC BEHAVIOUR NOT CLASSIFIED UNDER THE CODE, SITUATIONS OF ADMINISTRATIVE FOLLOW-UP, OR MATTERS IN WHICH THE OFFICE HAS LIMITED JURISDICTION, ETC.*

Some complaints and/or consultations allege more than one Code infraction. These complaints are still counted as a single file, regardless of the number of offences cited. Consultations more often than cases will not allege a complaint or issue that falls neatly under the Code. As such, these situations often require information and advice, do not evolve into cases and also, account for the high number in the “Miscellaneous Consultations” category.

In 2016-2017, the Office observed decreases in all harassment categories (general harassment, sexual harassment, and psychological harassment) and threatening/violent conduct while reported incidents of discrimination and communication of a discriminatory matter were higher. The Office also received an increase in new or ongoing requests for assistance involving Students of Concern and POSILA (up to 33 from 24 in 2015-

2016) and a significant decrease in complaints related to the obstruction/disruption of University activity. There were no other material variations in the number of reports regarding other Code infractions.

Data regarding sexual assault was manually generated this year as was the case in previous annual reports. In 2016-2017, the Office received a total of 23 reports involving sexual harassment (15 cases and 8 consultations). 2/15 of the cases under the umbrella of sexual harassment involved allegations of sexual assault. Of those 2, one was filed as a formal complaint. Out of 8 sexual harassment consultations, one of the Complainants reported incidents of sexual assault.

CHART F: PRESENTING ISSUES (CASES) 2016 -2017

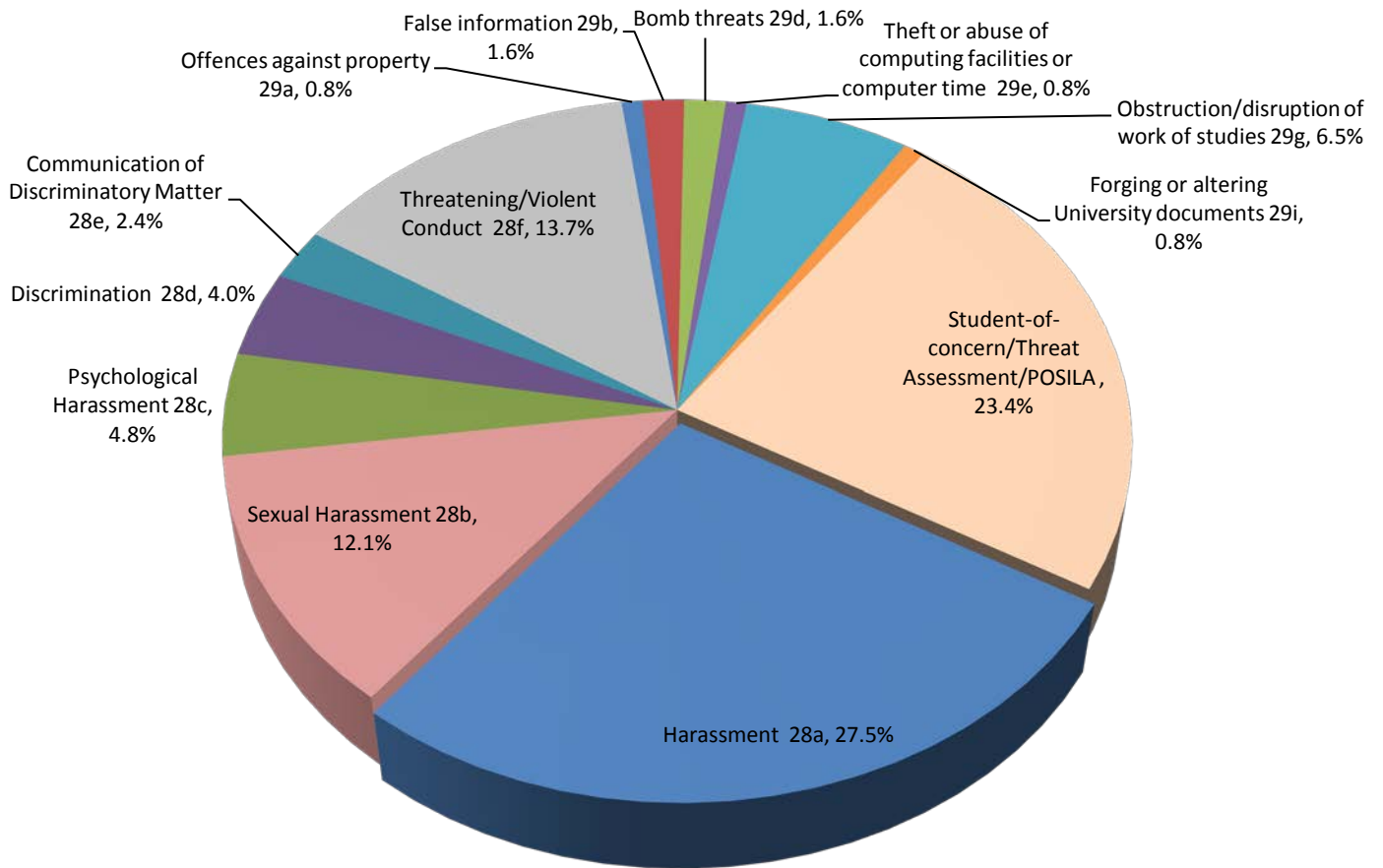
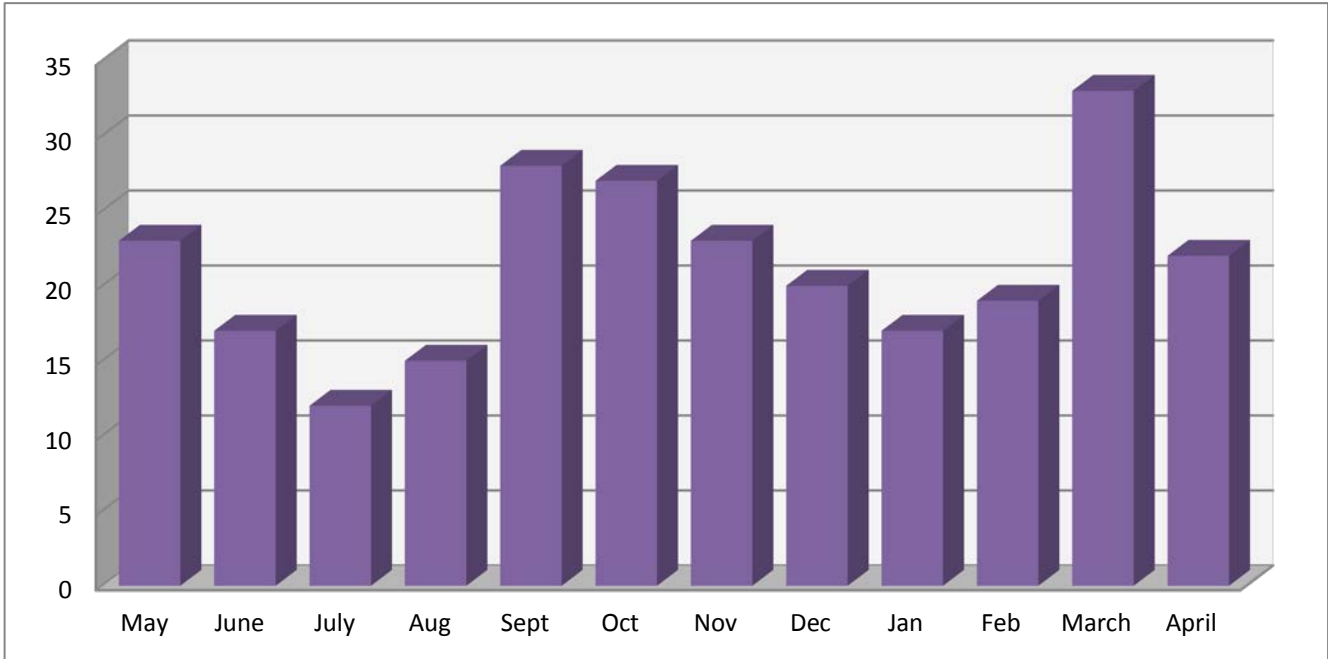


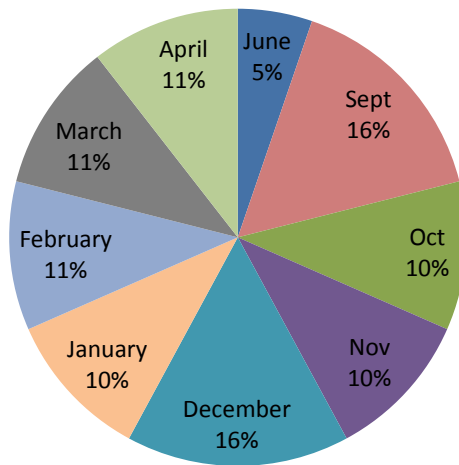
Chart F (above) provides an overview and percentage breakdown of the types of case offences reported.

CHART G: MONTHLY DISTRIBUTION OF NEW REQUESTS FOR ASSISTANCE (256)



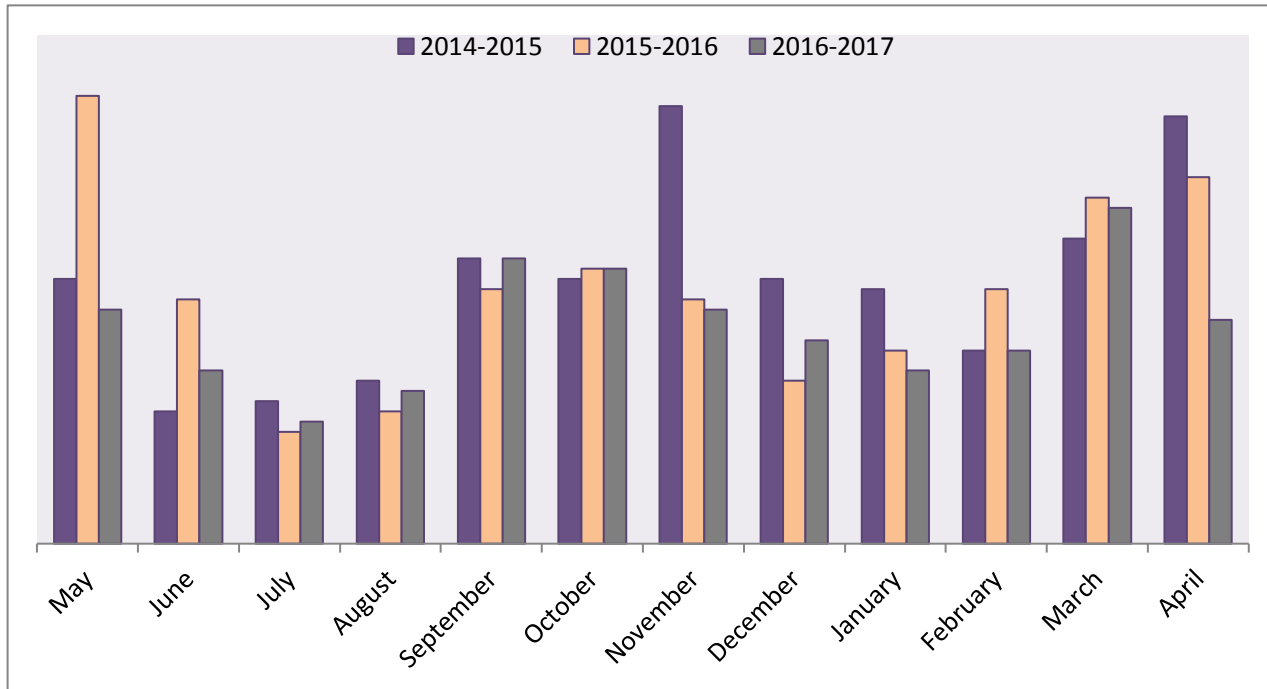
Note: 30 ongoing requests for assistance were carried over from 2015-2016 and are not reflected in this graph.

CHART H: STUDENTS-OF-CONCERN DISTRIBUTION



Of the 19 new SOC cases received in 2016-2017, there were none reported during the months of May, July and August. Only one SOC was placed on an involuntary leave of absence in 2016-17. To date, we have not observed a trend regarding time periods in which SOC files are most often brought to the attention of the Office, nevertheless we will continue to monitor the data for any relevant patterns.

CHART I: MONTHLY DISTRIBUTION OF NEW REQUESTS FOR ASSISTANCE (CASES AND CONSULTATIONS) - 3 YEAR COMPARISON:



Following last year’s distribution of the Annual Report to the Board of Governors, a request was made to identify trends in relation to when requests for assistance were most often received. In analyzing new requests for assistance over the last three year period (excluding exceptional circumstances), the Office typically receives more requests in the months of March, September, and October. Please note that requests of an administrative nature (“Other Requests”, also referred to at page 4 of this Report) which were historically reported are not represented in this graph and that the Office discontinued reporting such requests in 2016-2017.

Formal Complaints

In 2016-2017, there were 14 formal complaints filed with the Office. Formal complaints can be resolved informally or formally and a complaint can be withdrawn at any time prior to the start of a hearing or investigation. Additionally, an informal resolution may not work for any number of reasons and may end up going through a formal resolution process. Finally, even when there is a formal resolution, there is an appeal process which can be triggered in certain circumstances.

Closing Remarks

The number of requests for assistance received by the Office has remained relatively consistent throughout the preceding three years (excluding variations related to exceptional circumstances). Consultations are still the most requested form of assistance and informal resolution continues to be the preferred approach in resolving behavioural disputes with regard to cases. The 2016-2017 year included an increase in active SOC dossiers (29 from 19 reported last year). We will continue to monitor this increase while assessing ways in which students implicated in these dossiers can be proactively supported.

In closing, I would like to extend my thanks to Sraddha Bista, our Department Assistant, for her assistance throughout the year. I would also like to extend our thanks to the Secretary-General, our internal partners, and the Concordia community for their invaluable assistance to the Office in its work.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'L. White', with a long horizontal flourish extending to the right.

Lisa White

Associate Advisor, Rights and Responsibilities

DISRUPTIVE
BEHAVIOUR
EQUITY
DISCRIMINATION
COOPERATION
COLLEGIALITY
DIVERSITY
TRESPASSING
CIVILITY
HARASSMENT
THEFT
THREATS
CONNECTION
RESPECT
HARMONY