OFFICE OF RIGHTS AND RESPONSIBILITIES

Promoting Respect on Campus

ANNUAL REPORT 2022-2023

NOVEMBER 2023

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Office of Rights and Responsibilities: Annual Report 2022-2023

Introduction

The present report refers to the activities of the Office of Rights and Responsibilities ("**ORR**" or the "**Office**") from **May 1, 2022 to April 30, 2023**. Submitted to the Secretary-General each year, the ORR's annual report aims to do the following:

- Offer an overview of the mandate of the Office;
- Present statistics on cases and consultations during the previous academic year;
- Make recommendations with respect to policies or operations of the Office.

The report is made available to the University community via www.concordia.ca/rights. It is also submitted, for information purposes, to Concordia's Senate and Board of Governors.

ORR's Mandate

The Office administers the Code of Rights and Responsibilities (the "**Code**"), which sets out the behavioral expectations that apply to all members of the University, including students, faculty, and staff. It explicitly prohibits a range of behaviours, such as threatening or violent conduct, sexual violence, sexual assault, harassment, and discrimination. The Code governs behavior that takes place on campus or on other premises during University activities or events.

When any University member has a behavioural concern, they may approach the Office to obtain impartial, confidential, and independent advice and support in resolving the situation. The Office helps members by reviewing all available options and assisting in selecting the most appropriate approach. Options include:

- Helping informally resolve disputes by providing shuttle diplomacy, mediation, crafting settlement agreements, and/or providing strategies for resolution;
- Initiating the appropriate formal complaint process, such as forwarding cases to the Office of Student Tribunals or to the appropriate human resources authority;
- Directing complainants to another, more appropriate mechanism for addressing their complaints, for example: union grievance, police complaints, etc.

In addition to resolving conflicts, the Office coordinates the University's response in handling urgent cases and managing behaviours that may pose a danger or threat to our community. Members may approach the Office to flag any such behaviour. The Office then takes immediate steps to direct an appropriate and time-sensitive response, in consultation with colleagues from across the University.

The ORR frequently participates in committees and other University bodies mandated to address behavioural issues, such as the Standing Committee on Sexual Misconduct and Sexual Violence.

Policies that Guide ORR's Work

In addition to administering the Code, the Office is guided in its work by several related University policies, including:

- *Policy Regarding Sexual Violence*
- *Protocol on the Coordination of Urgent Cases of Threatening or Violent Conduct*
- *Policy on Student Involuntary Leave of Absence* **("POSILA")**
- *Policy on Harassment, Sexual Harassment and Psychological Harassment*

Each policy sets out timelines, decision-making structures, and a selection of appropriate responses to potential situations. The policies aim to guide difficult decisions so that they can be made in a timely manner with input from experts from across the University.

The ORR Team

During the 2022-2023 year, the ORR team was composed of the following staff members:

- Director and Senior Advisor: Aisha Topsakal, the undersigned;
- Associate Advisor: Sarvi Ezzatpour;
- Department Assistant, shared with the Ombuds office: Andreea Constantinescu.

Unfortunately, our department assistant role was vacant from February 2023 until September 2023. Since the frontline role is key to the smooth functioning of our office, the vacancy was a difficult one to manage. However, we were able to maintain service due to the collaboration and assistance of various colleagues.

While we have a small team at ORR, we coordinate efforts with a vast number of colleagues to effectively address every dossier. On a daily basis, we collaborate with: Campus Safety and Prevention Services, Office of the Provost, Campus Wellness and Support Services, Sexual Assault Resource Centre, Equity Office, Legal Services, Employee and Labour Relations, Dean's Offices and Department Chairs. By coordinating actions and relying on the expertise of our colleagues, we were able to address the 400+ concerns and complaints brought to our office throughout the year.

Return to In-Person Activities

The ORR team has been working on-site since August 2021 on a full-time basis. We share office space on the 10th floor of the GM building with our colleagues from the Ombuds Office, who also returned to campus at the same time.

The 2022-2023 year was marked by a return to in-person delivery of large presentations and workshops. Starting with the New Faculty Orientation at Loyola Campus on August 23, 2022, it was a pleasure to once again participate in a range of in-person activities for our community, after favouring remote presentations during the previous year.

When meeting with ORR advisors, our clients have continued to favour the convenience of remote meetings, despite our availability to meet on campus. We had roughly one or two in-person meetings per week throughout the academic year.

As we noted in last year's report, the ability to collaborate remotely has been beneficial in our most urgent files. Our Student of Concern ("SOC") files require us to pull together senior administrators from across the university for emergency meetings.

We will continue to offer whichever service is preferable for our clients. In rare but critical situations, we do mandate in-person meetings. For example, when working with Campus Safety to assess concerning behaviour, we typically ask the individual to meet us on campus.

Data Analysis and Statistical Review

Activity Summary and Breakdown of Requests for Assistance

The Office categorizes its assistance to members in the following ways:

- **Consultations:** ORR provides information and guidance but usually does not play an active role in the conflict or concern.

- **Formal and informal cases:** ORR provides advice and may also directly intervene, review evidence or play an ongoing role in the situation. This can include forwarding a complaint to the appropriate authority. In informal cases, ORR typically assists in reaching a voluntary agreement to resolve a dispute.

- **Student of Concern ("SOC")/POSILA:** A SOC file is opened when a student is identified as presenting a potential threat or danger to themselves or others. ORR typically assembles a Case Team to review these files and recommend appropriate actions. Measures can include various interventions, such as connecting students with appropriate resources, restricting campus access, or placing a student on a leave of absence.

An ORR dossier typically begins as a consultation. If it ultimately evolves into a case, it is only counted once when reporting the data. Cases are generally categorized as behavioural issues under the Code or as SOC files under POSILA.

In the 2022-2023 reporting period, ORR received **372 new requests for assistance**, compared to 357 new requests recorded in the previous reporting period. In addition to new files, we managed 32 ongoing files carried over from the previous year, for a **total of 404 active files**, compared to a total of 394 active files in the previous reporting period.

Below, you will find a 3-year comparison of total active files processed by ORR in the relevant reporting periods. Our file numbers have remained fairly consistent.

TABLE 1: 3 YEAR ANNUAL COMPARISON OF TOTAL FILES PROCESSED IN REPORTING YEAR (NEW AND CONTINUING)

Year	Informal	Formal	SOC	Consults	Total
2022-2023	44	40	40	280	**404**
2021-2022	68	31	44	251	**394**
2020-2021	94	44	43	249	**430**

SOC files represent some of the most challenging cases at ORR, often involving complex problems of mental health and requiring threat assessments in collaboration with colleagues from across the university. This year, ORR had 40 active SOC files, similar to numbers in previous years.

The relative distribution of services remained consistent with previous years. As illustrated in the chart below, consultations accounted for a vast majority of services provided in 2022-2023. This year, a greater number of complainants opted to file formal complaints, while fewer pursued informal resolution.

When advising members on whether to pursue informal or formal mechanisms, we weigh a multitude of factors, including the seriousness of the behaviour reported and whether there appear to be conditions favorable to reaching a voluntary agreement. Ultimately, however, it is the right of the complainant to decide whether to file an informal or formal complaint.

CHART A: DISTRIBUTION OF SERVICES (2022-2023)
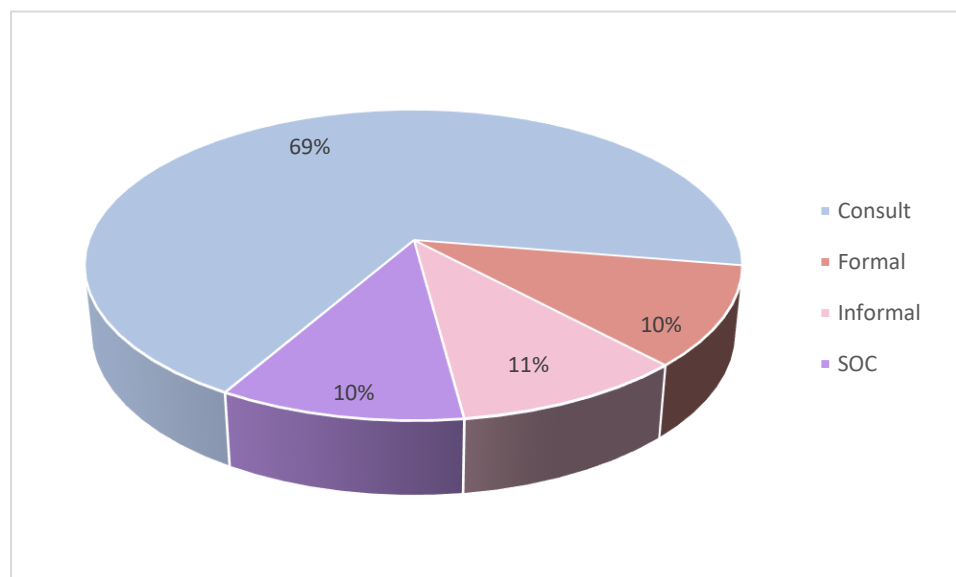
Complainant and Respondent Demographics

In the charts that follow, we take a closer look at our Complainant and Respondent demographics in both our complaint and consultation files.

The following definitions apply when we consider demographics:

- **Student** - Members registered in any academic program on a full-time or part-time basis, independent students, members registered in non-credit courses, auditors, exchange students and visiting students.

- **Staff** - Full-time and part-time employees who are not faculty members and/or do not perform administrative and/or supervisory functions as specified in the 'Administration' category.

- **Faculty** - Full-time and part-time professors including extended and/or limited term appointments, visiting lecturers, etc.

- **Administration** - Employees and/or units who fulfill specific administrative and/or supervisory functions including Deans, Associate Deans, Department Chairs, Campus Security, Residence Life, Directors, etc.

- **Other** - Non-members including alumni, contractors, non-academic visitors, volunteers, etc.

- **Joint** - Two or more Complainants and/or Respondents from different demographic categories

- **N/A** - Complainants and/or Respondents who are unknown, unidentified, or anonymous. Complainants in the 'N/A' category are typically anonymous and seeking consultation services from the Office, while Respondents in this category are generally either unknown to the Complainant or not identified by the Complainant.

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/or as part of their administrative role, 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. In 2022-2023, students most often requested assistance from the Office in both case and consultation categories, as can be seen in the following charts.

CHART B: COMPLAINANT DEMOGRAPHICS 2022-2023 (CASES)

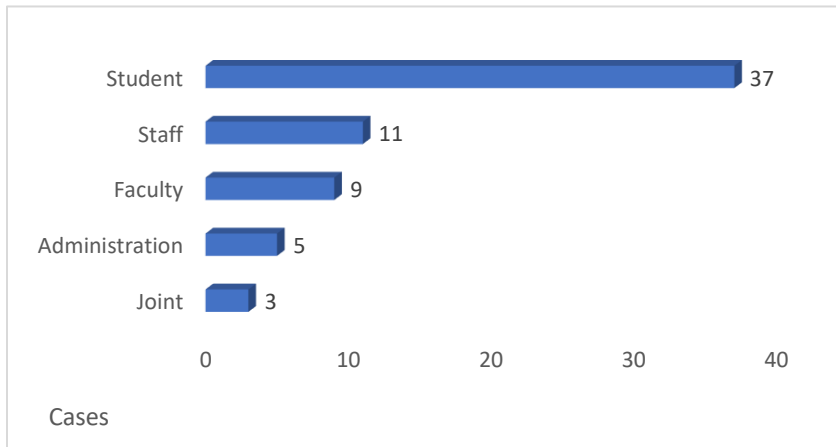*In cases, requests for assistance/complaints were generated by:*

Category	Cases
Student	37
Staff	11
Faculty	9
Administration	5
Joint	3

Cases

CHART C : COMPLAINANT DEMOGRAPHICS 2022-2023 (CONSULTATIONS)

In consultations, requests for assistance/complaints were generated by:

Category	Consultations
Student	103
Staff	59
Administration	55
Faculty	49
N/A	11
Joint	3

Consultations
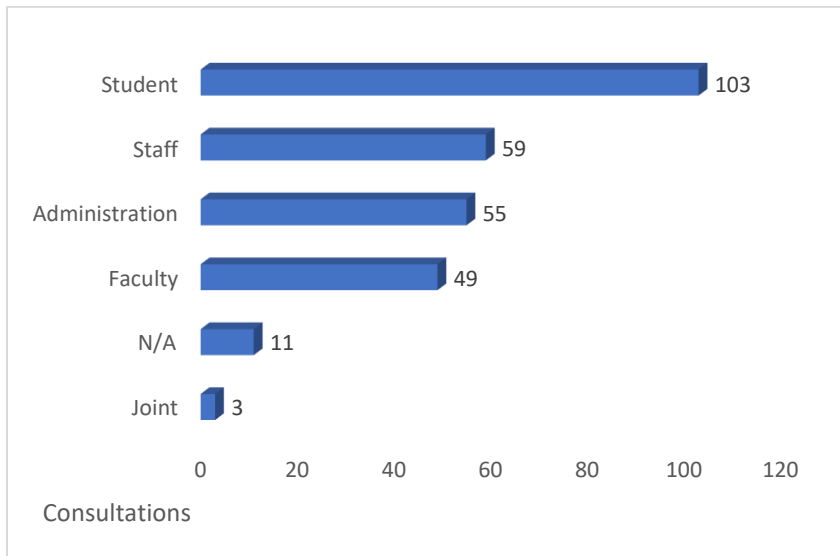
Who are complaints being made against?

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. Students were predominantly the respondents in both complaints and consultation dossiers.

CHART D: RESPONDENT DEMOGRAPHICS 2022-2023 (CASES)

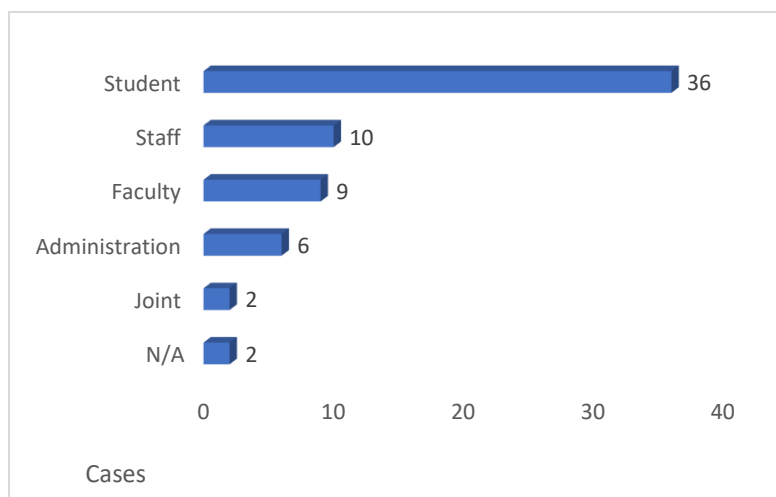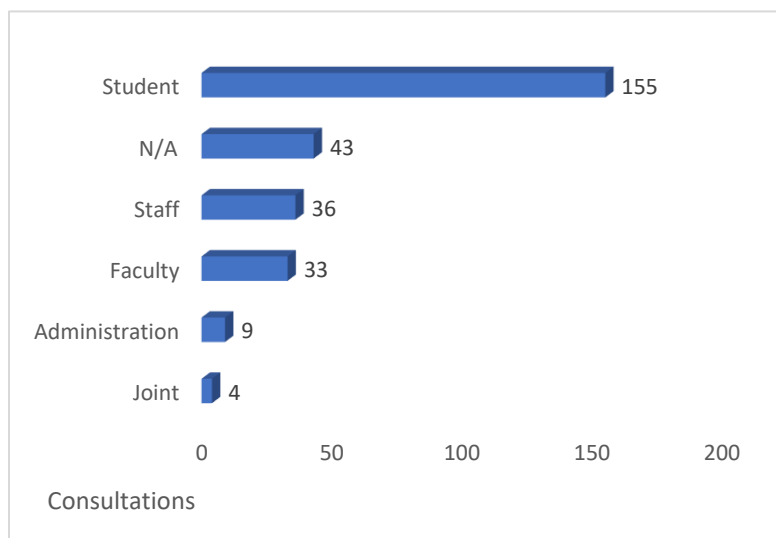*In cases, complaints were generated against:*

Respondent	Cases
Student	36
Staff	10
Faculty	9
Administration	6
Joint	2
N/A	2

CHART E: RESPONDENT DEMOGRAPHICS 2022-2023 (CONSULTATIONS)

In consultations, complaints were generated against:

Respondent	Consultations
Student	155
N/A	43
Staff	36
Faculty	33
Administration	9
Joint	4

What infractions are reported to ORR?

Some complaints allege multiple Code infractions. These complaints are counted as a single file, regardless of the number of offences cited. In consultations, complainants will not necessarily allege a complaint or issue that falls neatly under a specific Code article, accounting for the high number in the "Miscellaneous Consultations" category.

Below, you will see a breakdown of all infractions reported. Consistent with previous years, harassment and SOC reports accounted for the vast majority of concerns brought to ORR. Reports of discrimination and sexual violence were fairly consistent with last year's numbers, while psychological harassment citations increased. The Office will continue to monitor if any trends emerge through future reporting periods.

TABLE 2: BREAKDOWN OF INFRACTIONS ALLEGED IN CASES AND CONSULTATIONS (2022-2023)

| Offences reported	Cases	Consults	Totals 2022-2023	Totals reported in previous year 2021-2022
Harassment	30	95	125	107
*Miscellaneous Consultations	7	86	93	98
Student of Concern	28	34	62	98
Discrimination	25	30	55	50
Threatening or Violent Conduct	9	14	23	13
Psychological Harassment	9	14	23	7
Sexual Harassment	6	12	18	28
Communication of Discriminatory Matter	11	3	14	26
Sexual Violence and Sexual Assault	4	4	8	10
Obstruction or disruption of teaching, research, administration	1	2	3	0
Offences against property	1	0	1	0
Unlawful use, sale, etc. of controlled substances	0	0	0	1
Total	131	294	425	438

When do members reach out to ORR?

In analyzing new requests for assistance throughout the years, we noted that the Office typically receives more requests in the months of September to November. As illustrated in the chart below, this year was consistent with previously noted trends, with most requests coming to us in the Fall semester.

CHART F: MONTHLY DISTRIBUTION OF NEW REQUESTS FOR ASSISTANCE (372)
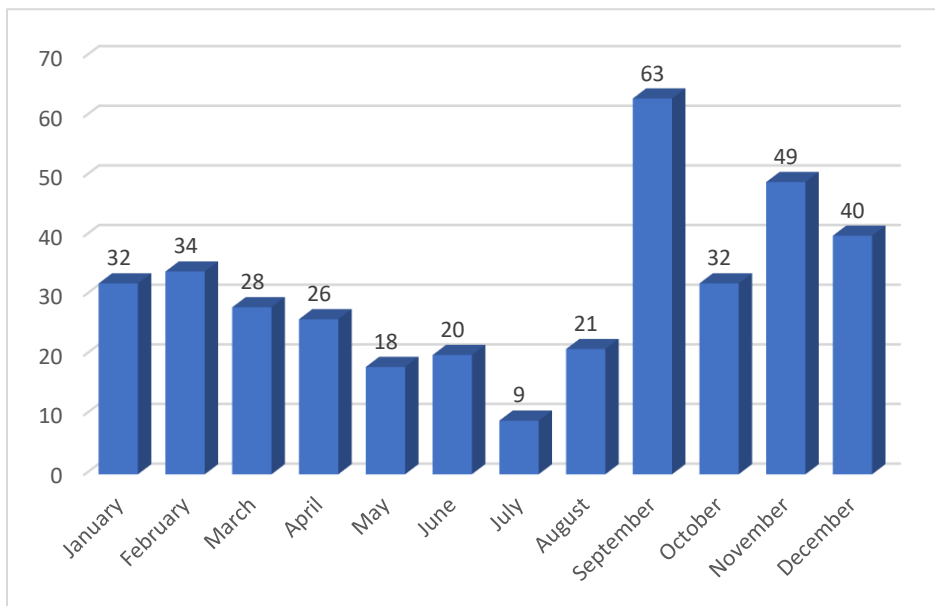
Note: Thirty-two ongoing requests for assistance were carried over from 2021-2022.

CHART G: NEW STUDENT OF CONCERN DISTRIBUTION BY MONTH
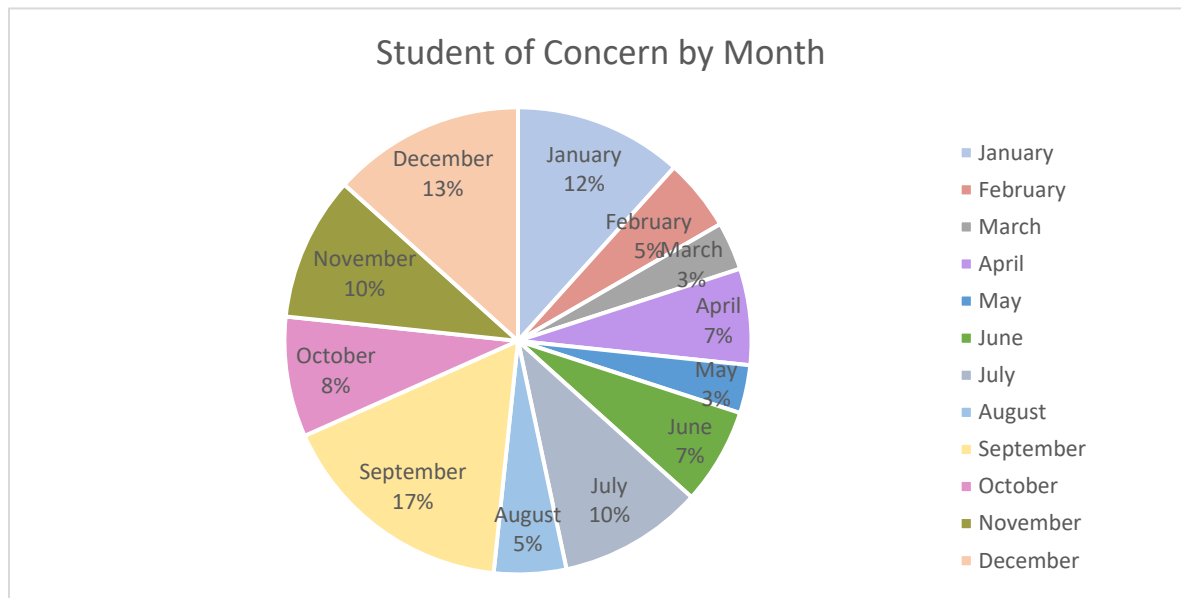
Note: Twelve ongoing SOC files were carried over from 2021-2022.

Of the 28 new SOC cases received in 2022-2023, the most were reported in the months of September, December, and January.

One student was placed on an involuntary leave of absence in 2022-2023, while three students opted for a voluntary leave from their studies. As always, the SOC dossiers received by the Office required varying levels of intervention, coordination and/or implementation of restrictions, where appropriate.

Education, Outreach, Promotion and Collaboration

ORR education and outreach takes place throughout the year and takes many forms. The staff participates in student, faculty, and employee orientations, offers workshops and training, and provides information regarding harassment, discrimination, threats and violent conduct.

Throughout 2022-2023, ORR participated in and presented at various University events and activities, primarily in person. We delivered a number of presentations along with the Ombuds office, Equity office, SARC, Campus Safety and other units. Examples include an "Inclusive Leadership" series for academic unit heads, graduate program orientations and class visits, a training on how to manage difficult conversations for Chairs in the Faculty of Arts and Science, a workshop for graduate supervisors with the School of Graduate Studies, New Faculty Orientation, and outreach meetings with departments and student groups.

General Recommendations

The Office may 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 protected by the Code. Often, these recommendations arise from specific issues or situations that are brought to the Office's attention. The Office also makes recommendations as needed regarding the Code, related policies, and its own operations. University members are welcome to submit recommendations for consideration.

Our main recommendation is that we must, as a community, continue to explore ways to encourage respectful dialogue, healthy debate, empathy and collegiality, before situations have erupted into conflict. To this end, ORR will continue to collaborate with the Equity Office, the Centre for Teaching and Learning and other units to ensure we are delivering workshops and seminars to help colleagues navigate difficult situations.

We also recommend that we continue to explore innovative ways of addressing the complex challenges we come across in many of our Student of Concern files, including mental health, financial and housing difficulties, to name a few. The University's partnership with Bartimaeus has been particularly fruitful, allowing us to pair our students with social workers in order to design a support plan. We recommend that we continue to explore innovative delivery models to support our most vulnerable students.
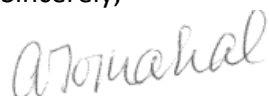
Closing Remarks

It is an absolute privilege to support the wider Concordia community as Director of ORR. In my role, I have a rare "behind the scenes" glimpse into how daily life unfolds at our university across many departments and units. Here is just a small sample of what we come across on a regular basis:

- Students who drop everything at a moment's notice to support a classmate who is in distress;
- Professors who actively seek out support to ensure they are providing a safe and respectful classroom environment;
- Staff members on the frontline who manage difficult interactions with grace and patience;
- Union representatives who go above and beyond to support faculty and staff;
- Department Chairs who are committed to de-escalating and resolving complex conflicts in order to support their colleagues and students;
- Student advocates who handle challenging behaviours with empathy and skill.

While our work at ORR is challenging, it is a joy to come to the office every day to work alongside my colleagues. I would like to thank our ORR Associate Advisor, Sarvi Ezzatpour, and our new Department Assistant, Michelle Sarrazin, for their support. Their boundless positive energy, optimism and enthusiasm is essential in allowing our office to effectively serve the Concordia community.

In closing, I would like to extend my gratitude to the Secretary-General and my colleagues in the Secretariat for their invaluable guidance. As we look ahead, I am confident that our Office will continue to play a key role in maintaining the collegiality and safety of our campus.

Sincerely,

Aisha Topsakal
Director and Senior Advisor, Office of Rights and Responsibilities

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