



**OFFICE OF RIGHTS
AND RESPONSIBILITIES**

Promoting Respect on Campus



ANNUAL REPORT 2014-2015

SUBMITTED BY:
LISA WHITE
ASSOCIATE ADVISOR,
RIGHTS AND RESPONSIBILITIES

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Office of Rights and Responsibilities - Annual Report 2014-2015

Introduction

As stipulated in article 16 of the *Code of Rights and Responsibilities* (the “Code”), an annual report is to be submitted to the Secretary General, detailing the activities of the *Office of Rights and Responsibilities* (referred interchangeably as “ORR” or the “Office”), covering the previous academic year. The 2014-2015 Annual Report includes the activity of the Office from May 1, 2014 to April 30, 2015 and is made available to the community via the [ORR website](#) and University publications as well as submitted, for information purposes, to the Senate and Board of Governors. The annual report is usually presented by the Director and Senior Advisor (the “Director”), Louise Shiller. As the Director is on maternity leave, the undersigned has been tasked with the presentation of this year’s activity. Some material from previous annual reports (such as general information) remains unchanged. For more information about the Office and its services, please refer to the [ORR website](#) and the annual reports of the Office from previous years.

The Office:

- Offers services to all University Members (students, faculty, and staff)
- Is impartial, confidential, nonjudgmental, and independent
- Provides support and redress to Members who have behavioral violation complaints and/or concerns
- Has jurisdiction over alleged infractions involving Members that take place on University premises, either rented or owned, or on other premises in the course of any University activity or event
- 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

Policies used or administered by the Office include:

- [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

Education, Outreach, and Promotion

ORR education, outreach programming, and promotion take place throughout the year and generally include:

- Participation in student and employee orientations
- Facilitation of workshops and training activities
- Providing information on topics such as harassment, dealing with disruptive Members and threatening or violent conduct, POSILA, the Code, etc.
- Acting as a resource on relevant topics to the community

The following were some events, fairs, and activities ORR participated in and/or presentations given in 2014-2015:

- Orientation for New Chairs and Unit Heads (June 5, 2014)
- New Faculty Orientation (August 27, 2014)
- Discover Concordia New Student Undergraduate Orientations (August 26, 27, and 28, 2014)
- Graduate Students Orientation (September 4, 2014)
- National Post-Doctoral Appreciation Day (September 16, 2014)
- Discover Concordia Fair 2015, hosted by Counselling & Development (January 13, 2015)
- Fine Arts Information Session Panel (February 6, 2015)
- Collaboration with the Sexual Assault Resource Centre for a provincial working group on sexual harassment and assault (February 2015)
- Harassment in the Workplace Workshop: This workshop is offered at various times throughout the year by the Director in conjunction with the Department of Human Resources.

Other universities have also consulted the Office in dealing with specific behavioural situations at their institutions and/or for assistance with policy development. Concordia's policies related to ORR are often viewed as a progressive standard of practice (Shiller, 2014). POSILA, for example, was the subject of in-depth discussion in the Université de Montréal's Ombudsman 2013-2014 report. This Concordia policy formed a significant part of the report's recommendations regarding measures the Université de Montréal may consider adopting in order to support students who may pose a risk to themselves and/or others while concurrently addressing potential security concerns (Descary, 2015). Additionally, the Director's assistance was instrumental in the policy development for institutions such as the University of Saskatchewan and the Université de Sherbrooke (UDS). As such, Concordia was acknowledged and cited in UDS' new policy dealing with emergency situations and violent/threatening behaviour.

As part of ORR's education and promotion mandate, the Office promoted its services in the following ways throughout 2014-2015:

- distribution of brochures
- distribution of educational posters (also available for download online)
- advertisements in University publications, University calendars, the graduate and undergraduate handbooks, and digital screens throughout campus
- offering various information, workshops, and educational training
- collaborating on various communiqués regarding ORR policies and documents sent to Members, such as the following article published on [Cspace](#):

[3 Concordia policies you need to know about](#)

(Posted on October 22, 2014 by Concordia Human Resources)

[Avoiding social media mishaps](#)

(Posted in September 2014, republished on August 19, 2015 by Marisa Lancione)

Professional Development

In 2014-15 the Director/Advisor/ORR staff:

- received certified training in "Violence Risk Assessment and Management" for Higher Education (hosted by ProActive ReSolutions)

- remained a Member of CAPDHHE, the Canadian Association for the Prevention of Discrimination and Harassment in Higher Education
- participated in a Restorative Justice Teleconference Roundtable, hosted by the Canadian Academic Integrity and Student Judicial Affairs (SCAIA, a division of CAUCUSS)
- attended “Human Rights in the Workplace” workshop, Commission des droits de la personne et des droits de la jeunesse (hosted by Counselling and Development)
- attended “Non-Violent Crisis Intervention” workshop (hosted by the Concordia Security department)

Recommendations

Recommendations are formally made on a yearly basis and are included in the Annual Report (as specified in articles 15 and 16 of the Code respectively). Recommendations usually arise from specific situations that may originate from a particular case, unit, department, faculty, or may apply to the University as a whole. Recommendations may focus on the Code itself, Office operations, and/or related policies. Specific policy recommendations are compiled and retained for the next scheduled policy review. The below recommendation section is condensed (in comparison to previous annual reports) and relates specifically to the Code itself. Recommendations made to date, since the last Code review, are expected to be compiled for further examination. To review these recommendations, please consult the annual reports available on the [ORR website](#).

CODE Recommendations

General questions raised/Considerations:

- Article 27 of the Code discusses the prohibition on reprisals as follows: “... no Member who seeks the services of, files a complaint with, or cooperates in any manner with the Advisor, shall be subject to any reprisals for so doing. The procedure set out in the relevant University policy or collective or employee agreement shall be followed in cases of alleged reprisals.” This article should be reviewed and expanded on, particularly in terms of how it may relate to student Complainants and/or Respondents. Specifically, further examination as to potential recourses and/or available next steps in cases in which there are allegations of reprisals would be a worthwhile discussion. While alleged reprisals can be included and form part of an existing or future Code complaint, the issue would benefit from more clarity. Reprisals are sometimes mentioned in collective and/or employee agreements; however, this is not the case for Members who fall outside of those categories. It would be helpful to entertain further discussion on the topic within the Code itself including non-exhaustive examples of what may constitute a reprisal, potential options for redress, etc.
- In the 2013-2014 Annual Report, there was discussion on managing Code proceedings (i.e. hearings) in cases in which Respondents are potential graduates who may lose Member status upon graduation, and the related implications for resolving such complaints (Shiller, 2014). It is recommended to expand this discussion in view of Complainants who may also graduate before obtaining a resolution to his or her complaint, particularly in cases in which the Respondent(s) are also student members.
- The University recently released [a report of its review of sexual assault policies](#). Certain recommendations and/or outcomes from this review will be considered/incorporated in the next Code review (scheduled for 2016), including expanded and/or new definitions capturing the nuances of sexual assault, currently classified under the headings of sexual harassment (article 28b) and threatening or violent conduct (article 28f) (Concordia Media Relations, 2015; Shiller, 2014).

Following discussion with the Director, the undersigned has also included the below recommendations:

- Article 92 of the Code states, in reference to formal complaints made against faculty, administrative or support staff members or members of the administration, that “... *the Advisor shall invite the Complainant to consider an informal resolution...*” It is recommended that emphasis on informal resolution also be conveyed in sections describing formal complaints involving student Respondents.
- The issue of the standards of proof used in the adjudication of behavioural complaints has been a topic of discussion (e.g. networking groups, media, etc.), and can sometimes be controversial. As per article 64 of the Code, the standard of proof is the preponderance of evidence, meaning that “...*the Complainant must establish that his/her version of the facts is significantly more probable.*” Similar to other universities, Concordia’s standard of proof should be re-examined/discussed at the next Code review in order to ensure best practices.

Data Analysis and Statistical Review

Activity Summary and Breakdown of Requests for Assistance

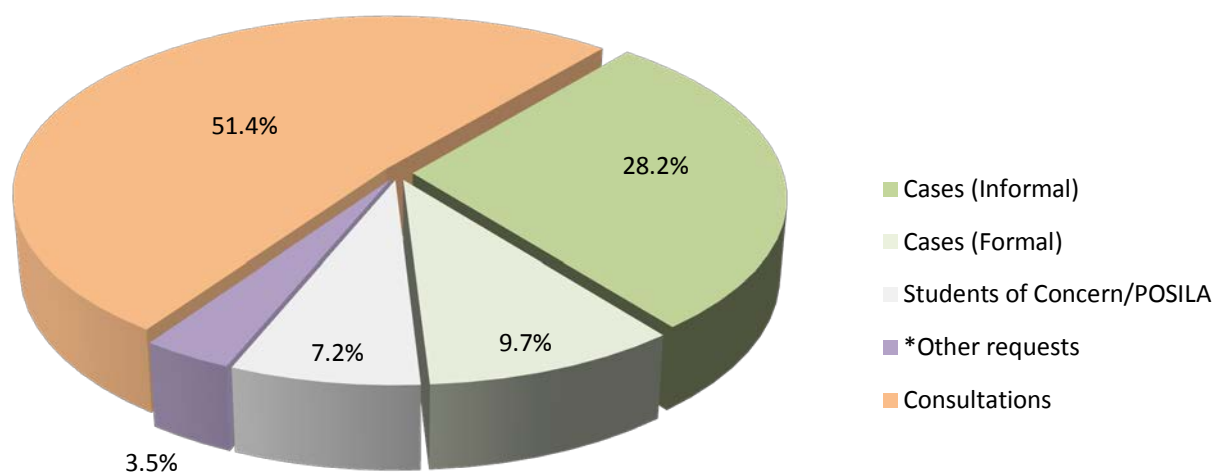
Below is a snapshot of ORR’s activity for the 2014-2015 academic year, including the breakdowns by type of contact, the distribution of services by classification and month, Complainant/Respondent demographics, and types of infractions reported.

The Office may assist Members with behavioral 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 situation, complaint, or concern

Depending on the complaint, cases will be classified as “formal” or “informal.” Outcomes of formal complaints including those that were dismissed by the Advisor, founded, or unfounded are listed in Table 5. A case typically begins as a consultation; however, if it 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 SOCs under POSILA. “Other” most often refers to administrative follow-up, a non-jurisdictional complaint, or another matter that cannot be classified using the infractions specified in the Code. In addition to cases and consultations, the Office also provides other routine services (“other requests”) such as security assessments/clearance of applications for authorization to access controlled goods (for work and/or study).

Requests for assistance during 2014-2015 totaled 319 (cases, consultations, and other requests). The breakdown by percentage is displayed in Chart A (next page).

CHART A: DISTRIBUTION OF SERVICES (2014-2015)

**Other requests refers to controlled goods applications, access to information requests, background/disciplinary verification, etc.*

Consultations accounted for slightly more than half of all services provided. With regard to cases, informal resolution continues to be the preferred approach (when appropriate) to address conflict at 28%. 31 formal complaints were processed this year, comprising approximately 10% of the Office's activity. The majority of formal complaints in 2014-2015 involved allegations of Code infractions related to student protest activity in response to austerity measures advanced by the provincial government. While similar complaints continued to come in at the beginning of the 2015-2016 year, April 2015 marked the beginning of such complaints being brought to the Office.

The number of cases involving SOCs and threat assessments was 23, down from the 28 received in 2013-2014, and accounted for 7% of overall activity. As previously reported, SOC and threat assessment cases involve an immediate response and intervention, and are often the most time-consuming, requiring immediate action, extensive follow-up, and comprehensive coordination of a variety of personnel. These urgent cases most often involve safety concerns, medical/mental health issues, and/or disciplinary matters (Shiller, 2014).

TABLE 1: REQUESTS FOR ASSISTANCE (2014-2015)

2014-2015 Academic Year	Cases	Consultations	Other Requests	Total
May 1, 2014 - April 30, 2015	144	164	11	319

TABLE 2: ANNUAL COMPARISON

Year	Months	Cases	Consultations	Other	Total
2008-2009	12	119	65	NA	184
2009-2010	12	121	72	NA	193
2010-2011	11	107	105 ¹	NA	212
2011-2012	12	121	112/209 ²	12	245/342 ²
2012-2013	12	126/184 ²	198	38	362/420 ²
2013-2014	12	131	160	26	317
2014-2015	12	126/144 ²	162/164 ²	11	299/319 ²

¹ The number of consultations was only recorded during the last 7 ½-months of the year

² Includes additional consultations or complaints related to limited time period of a situational/out of the ordinary activity (for more explanation see Annual Report of the corresponding year)

Requests for assistance totalled 319 (including 308 cases and consultations) as displayed in Tables 1 and 2 in 2014-2015. Over the last few years, there has been a steady increase in overall activity. While the number of cases has been somewhat constant, consultations have nearly tripled over this time period. Total requests for assistance are comparable to last year as seen in Table 2. This year also saw an increase in the number of formal complaints due to situational activity (i.e. related to student protests) and a marginal increase in consultations.

TABLE 3: BREAKDOWN BY CASE TYPE - ANNUAL COMPARISON

Case Type/Year	2014-2015	2013-2014	2012-2013	2011-2012	2010-2011
Informal	90	78	83	85	78
Formal	13/31 ^{1,2}	25	24/82 ¹	17	15
SOC/Threat Assessment	23 ³	28	19	19	14
Total Cases	126/144	131	126/184 ¹	121	107
	¹ Includes additional cases related to limited time period of a situational/out of the ordinary activity ² Includes 5 cases carried over from 2013-2014 ³ Includes 3 cases carried over from 2013-2014				

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 raises a concern with the Office of Rights and Responsibilities. The conduct in question should be within the scope of the Code of Rights and Responsibilities. If warranted, a case file is opened regardless of whether informal resolution was sought or a formal complaint launched.

CHART B: COMPLAINANT DEMOGRAPHICS (CASES)

Requests for assistance/complaints were generated by:

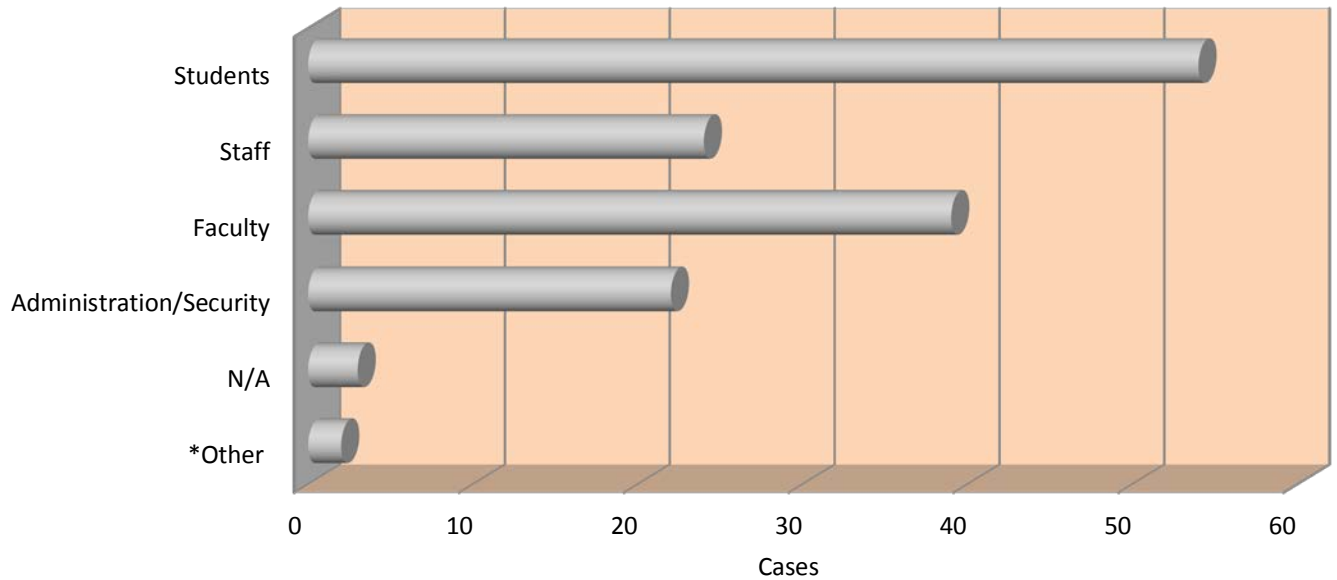
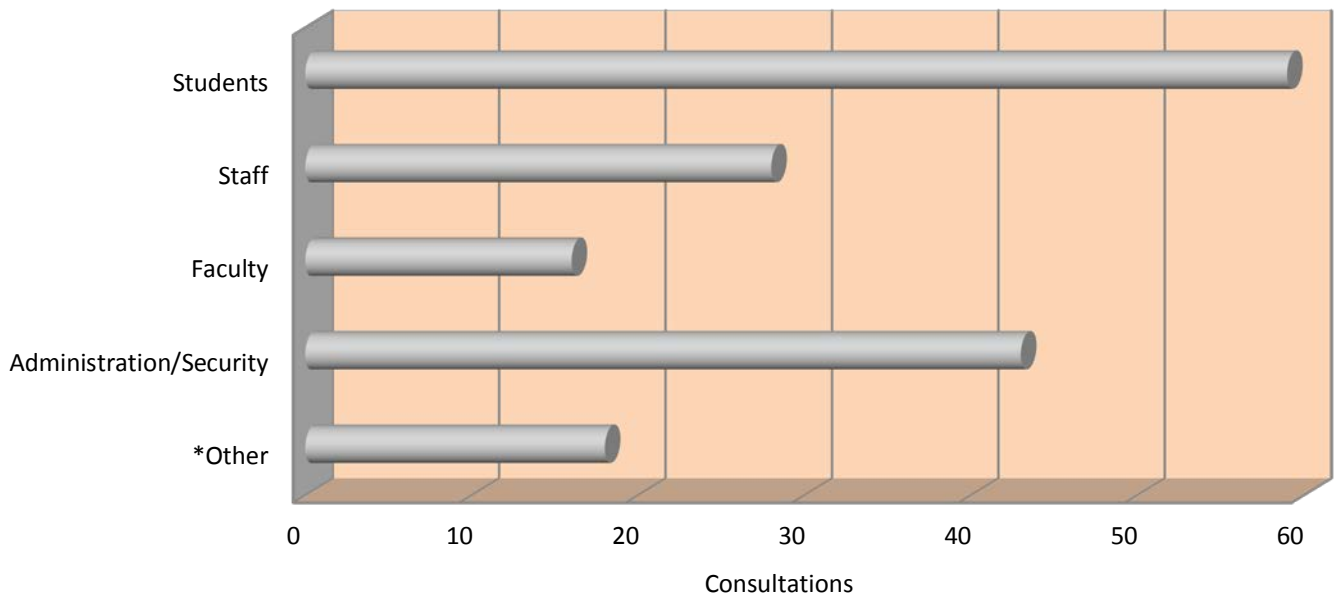


CHART C: COMPLAINANT DEMOGRAPHICS (CONSULTATIONS)

Requests for assistance/complaints were generated by:



*“Other” refers to non-members, Alumni, etc.

Who are complaints being made against?

The term “Respondent” is used to refer to the person against whom a complaint is made. It may concern any member who is seen as allegedly responsible for undesirable behaviour as described as an offense/infraction under the Code of Rights and Responsibilities, thereby instigating a Complainant to seek resolution within the scope of the Code.

CHART D: RESPONDENT DEMOGRAPHICS (CASES)

Complaints were generated against:

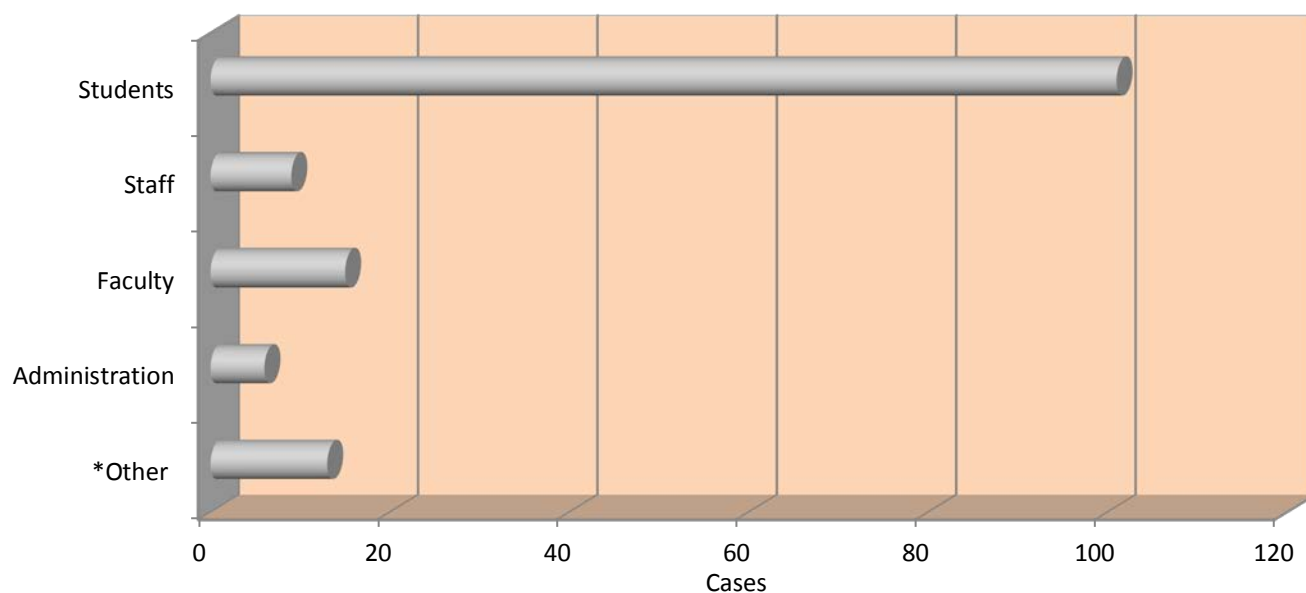
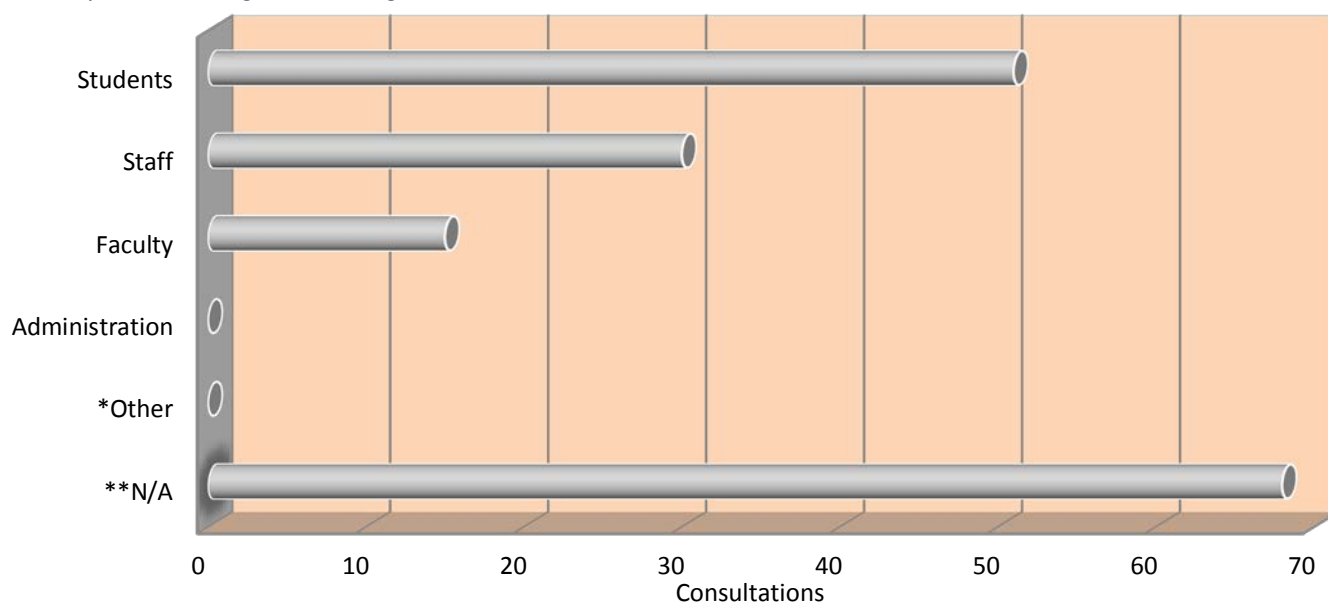


CHART E: RESPONDENT DEMOGRAPHICS (CONSULTATIONS)

Complaints were generated against:



**“Other” refers to non-members, Alumni, and unknown Respondents

*N/A refers to cases or consultations in which there was not a Respondent specified

TABLE 4: BREAKDOWN OF CASES (144) AND CONSULTATIONS (164) BY INFRACTIONS

OFFENCE	CODE ARTICLE	CASE TOTAL	CONSULTS TOTAL	TOTAL INFRACTIONS
HARASSMENT	28a	45	18	63
SEXUAL HARASSMENT	28b	16	13	29
PSYCHOLOGICAL HARASSMENT	28c	12	1	13
DISCRIMINATION	28d	2	8	10
COMMUNICATION OF DISCRIMINATORY MATTER	28e	14	1	15
THREATENING OR VIOLENT CONDUCT	28f	17	4	21
OFFENCES AGAINST PROPERTY	29a	1	4	5
FURNISHING FALSE INFORMATION/ACCUSATION/EMERGENCY	29b	0	0	0
MALICIOUSLY ACTIVATING FIRE ALARMS	29c	0	0	0
BOMB THREATS	29d	0	0	0
THEFT OR ABUSE OF COMPUTING FACILITIES OR COMPUTER TIME	29e	2	1	3
UNAUTHORIZED ENTRY INTO UNIVERSITY PROPERTY	29f	3	0	3
OBSTRUCTION OR DISRUPTION OF WORK OR STUDIES	29g	24	5	29
CAMPING OR LODGING ON UNIVERSITY PROPERTY	29h	0	0	0
FORGING OR ALTERING UNIVERSITY DOCUMENTS	29i	2	0	2
HAZING	29j	0	0	0
UNLAWFUL USE, SALE, DISTRIBUTION, ETC. OF CONTROLLED SUBSTANCES	29k	3	0	3
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 USE OR DUPLICATION OF UNIVERSITY'S NAME, LOGOS, ETC.	29n	0	0	0
UNLAWFUL OFFENSE IN THE UNIVERSITY CONTEXT	29o	4	1	5
*STUDENT-OF-CONCERN/THREAT ASSESSMENT/POSILA	(n/a)	25	7	32
**OTHER	(n/a)	26	123	149
TOTAL		196	186	382

*OUT OF THE 25 SOC/THREAT ASSESSMENT/POSILA CASE INFRACTIONS REPORTED, 23 WERE CLASSIFIED AS NEW OR ONGOING SOC CASES WHILE 2 WERE CLASSIFIED AS ADMINISTRATIVE FOLLOW-UP AND INCLUDED IN THE "OTHER" CATEGORY.

**OTHER 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. While the total number of cases and consults during 2014-2015 was 308 the number of infractions reported was 382. Comparing the total cases in Tables 1 and 4, there were 144 cases alleging 196 infractions and 164 consultations alleging 186 infractions or raising other issues. Consultations more often than cases will not allege a complaint or issue that neatly falls under Code infractions and provisions. As such, these situations, often requiring information and advice, do not manifest into cases and account for the high number in the "other" category (Shiller, 2014).

Reported infractions (and unreported infractions) vary from year to year. Unreported offences in 2014-2015 as displayed in Table 4 (29 b, c, d, h, j, l, m, n) are not represented in Chart F (below). In the cases reported, there were increases in the following Code infractions from 2013-2014: 28a, 28b, 28c, 28e, 29f, 29g, and 29o, and decreases in: 28d, 29a, 29b, 29i, and 29n. The Office also observed marginal decreases in the SOC/Threat Assessment/POSILA and "other" categories. In summary, reported incidents of harassment (general, sexual, and psychological) were somewhat elevated in comparison to the previous year. The Office also received an

increase in complaints involving the communication of discriminatory matter (up to 14 from two in 2013-2014) and a decrease in reports of discrimination. In addition, the Office received significantly more complaints regarding obstruction and/or disruption of University activity in 2014-2015 (up to 24 from 0 in 2013-2014). There was also a slight increase in complaints involving unauthorized entry onto University property and unlawful offences within a University context. The Office received far fewer complaints involving offences against property, furnishing false information, and forging and/or altering University documents in 2014-2015 while reports of threatening and violent conduct remained consistent at 17. Data regarding sexual assault was manually generated this year as was the case in the 2013-2014 Annual Report. In 2014-2015, the Office received 16 cases under the umbrella of sexual harassment with four cases involving allegations of sexual assault. Out of those four, two were filed as formal complaints (see Table 5). Out of 13 sexual harassment consultations, none of the Complainants reported incidents of sexual assault.

CHART F: PRESENTING ISSUES (CASES) 2014-2015

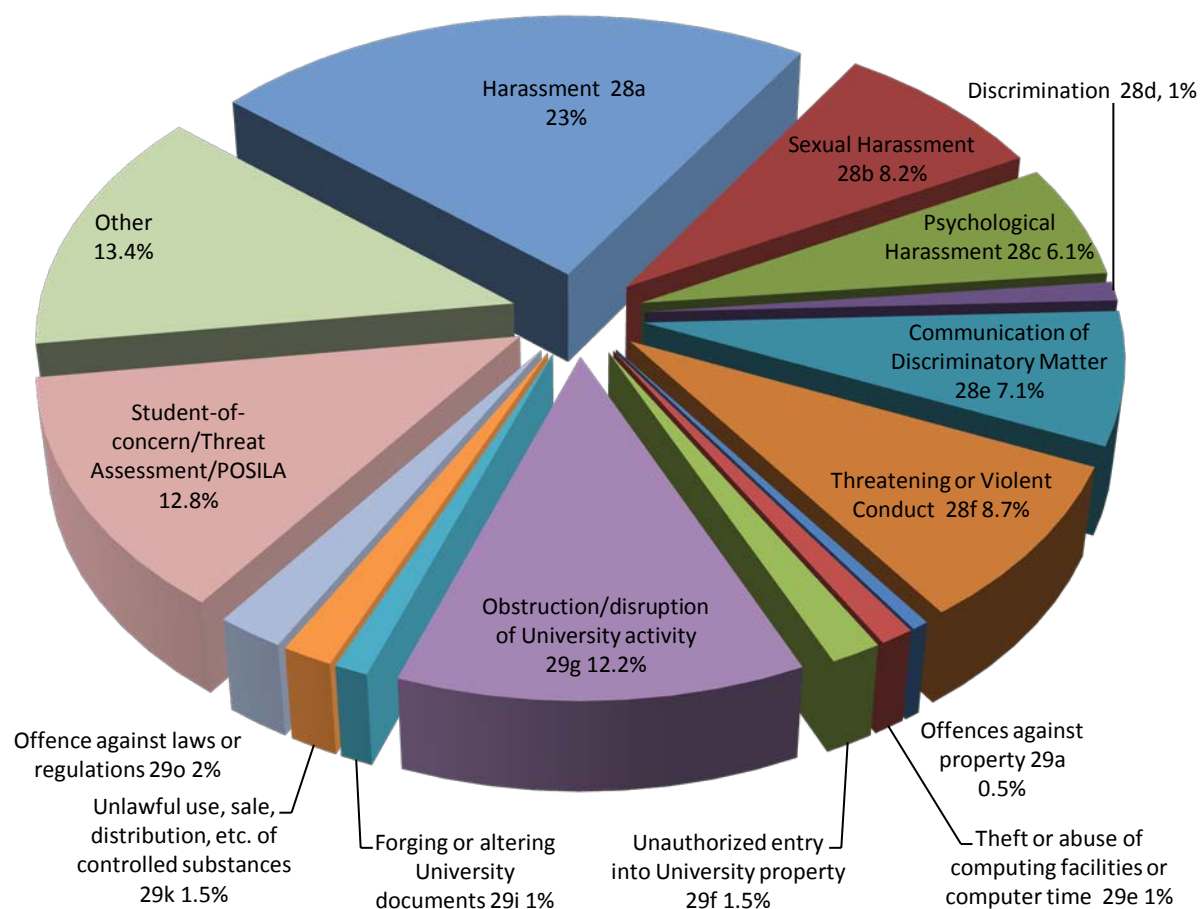
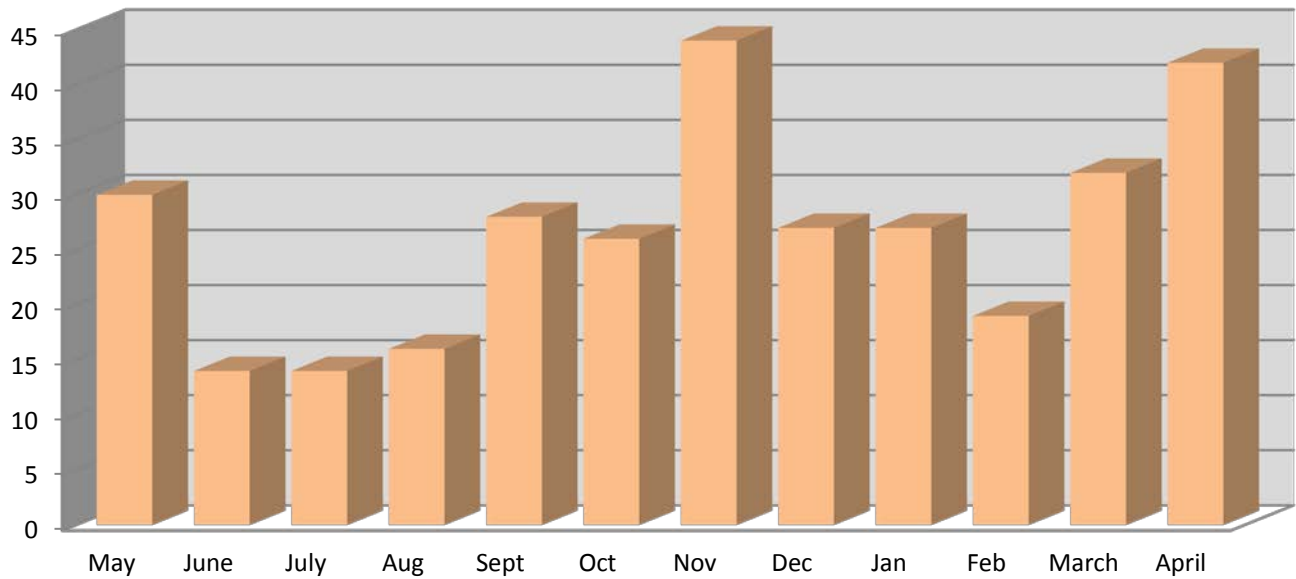


Chart F (above) provides an overview and percentage breakdown of the types of case offences/reported. General Harassment (article 28a) remained the most reported infraction under the Code at 23% followed by “other” at 13.4%. Threat assessments and cases invoking POSILA were next at 12.8%, followed by complaints of obstruction/disruption of University activity at 12.2%.

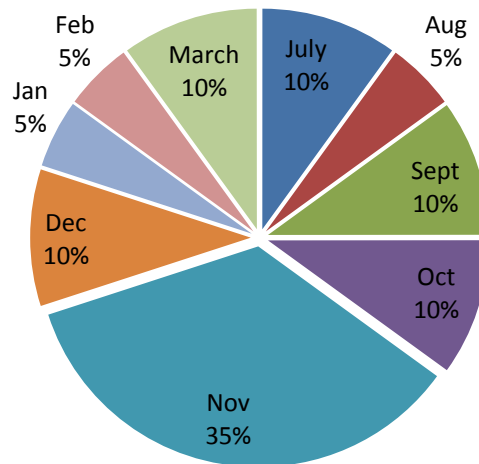
CHART G: MONTHLY DISTRIBUTION OF REQUESTS FOR ASSISTANCE (319)



Note: Includes Cases (144), Consults (164) and Other Requests (11).

CHART H: STUDENTS-OF-CONCERN DISTRIBUTION

New Students-of-Concern by Month



Of the 20 new SOC cases reported in 2014-2015, there were none reported in the months of May, 2014; June, 2014; and April, 2014. The highest number of SOC files was reported in the month of November, totaling seven. No new SOC cases were mandated to take an involuntary leave of absence in 2014-15; however, one student was placed on a short-term leave of absence arising from a breach in the designated return-to-campus management plan.

TABLE 5: 2014-2015 FORMAL CASES

Date	Infraction	Respondent	Complainant	Hearing/ Investigation	Outcome	Action Taken	Informal Attempt
May/14	29i	Student	Administration	Hearing Suspended ^{1,2,3}	N/A	N/A	N
May/14	29i	Student	Administration	Hearing ¹	Founded ⁴	a) Sanction(s) b) Appeal - decision upheld	N
May/14	29a	Student	Administration	Hearing ¹	Founded ⁴	Sanction(s)	Y
May/14	28b	Faculty	Student	Investigation ^{1,7}	N/A	N/A	N
May/14	28b, 28f	Student	Student	Hearing ¹	a) Informal Resolution b) Founded ⁴	a) Mediated settlement (breached) b) Sanction(s)	Y
Dec/14	28a,28c,28e	Student	Student	Hearing ²	Founded ⁴	Sanction(s)	N
Dec/14	28a,28c,28e	Student	Student	Hearing ²	Founded ⁴	Sanction(s)	N
Dec/14	28a,28c,28e	Student	Student	Hearing ²	Founded ⁴	Sanction(s)	N
Dec/14	28a, 28c,28e	Student	Student	Hearing ²	Founded ⁴	Sanction(s)	N
Jan/15	28a	Student	Student	Hearing Suspended ²	N/A	N/A	N
Jan/15	28a, 28c,29o	Student	Student	Hearing ²	Not Founded ⁴	N/A	Y
Jan/15	28a, 29o	Student	Student	Hearing Suspended ^{2,7}	N/A	N/A	N
Feb/14	28b, 28f	Student	Student	Hearing ²	N/A	N/A	N
Apr/14	29g	Student	Faculty	Hearing ²	N/A	N/A	Y
Apr/14	29g	Student	Faculty	Hearing Suspended ^{2,7}	N/A	N/A	N
Apr/14	29g	Student	Faculty	Hearing ²	N/A	N/A	Y
Apr/14	29g	Student	Faculty	Hearing Suspended ^{2,7}	N/A	N/A	N
Apr/14	29g	Student	Faculty	Hearing ²	N/A	N/A	Y
Apr/14	29g	Student	Faculty	Hearing Suspended ^{2,7}	N/A	N/A	N
Apr/14	29g	Student	Faculty	Hearing ²	N/A	N/A	Y
Apr/14	29g	Student	Faculty	Hearing ²	N/A	N/A	Y
Apr/14	29g	Student	Faculty	Hearing ²	N/A	N/A	Y
Apr/14	29g	Student	Faculty	Hearing ²	N/A	N/A	Y
Apr/14	29g	Student	Faculty	Hearing Suspended ^{2,7}	N/A	N/A	N
Apr/14	29g	Student	Faculty	Hearing ²	N/A	N/A	Y
Apr/14	29g	Student	Faculty	Hearing ²	N/A	N/A	Y
Apr/14	29g	Student	Faculty	Hearing ²	N/A	N/A	Y
Apr/14	29g	Student	Faculty	Hearing ²	N/A	N/A	Y
Apr/14	29g	Student	Student	Hearing Suspended ^{2,7}	N/A	N/A	N
Apr/14	29g	Student	Student	Hearing Suspended ^{2,7}	N/A	N/A	N

¹ Case was carried over from 2013-2014² Case continued into 2015-2016³ Student no longer registered or withdrawn⁴ Outcome/decision in 2015-2016⁵ Non-jurisdiction⁶ Refers to Non-member⁷ Complainant or Respondent no longer a Member⁸ Student-of-concern

Formal Complaints and Outcomes

In 2014-2015, there were 31 formal complaints filed with the Office. Table 5 (previous page) provides a detailed breakdown including the applicable process that took place, the outcomes, and actions taken (if applicable). Formal complaints can be resolved informally or withdrawn at any time prior to the start of a hearing or investigation. In addition, an initial outcome can be overturned or changed following a supplemental process, such as an Appeal, Grievance, or breach in an agreement (Shiller, 2014).

Of the 31 complaints represented, five had been carried over from the previous year, making the total number of new formal complaints 26 in 2014-2015. The 26 new formal complaints were filed against students, primarily as a result of alleged code violations arising from the anti-austerity student protest movement.

16 of the new complaints made against student Respondents were filed by faculty members. The remaining ten complaints against student Respondents were made by student Complainants. This report is limited to activity taking place during the 2014-2015 year; however, results/outcomes which became available in 2015-2016 prior to the release of this Annual Report have been included. Out of the 26 newly filed complaints, 21 are currently pending. Results above include outcomes (if the process was completed) and whether or not informal resolution was attempted.

Closing Remarks

A cornerstone of the Office's mandate is impartiality. The Advisor, in efforts to assist Complainants who raise behavioral concerns and work with Respondents, in order to resolve complaints, must maintain said impartiality. This is made possible through the consistent application of policies in which the tenets of natural justice are enshrined (the obligation to be heard, the obligation to hear the other side, and the right to a decision-making process free of bias). In daily practical terms, the impartiality of the Advisor also denotes ensuring that all parties' rights to confidentiality are respected and that Complainants and Respondents are informed as to what the complaint and/or resolution process entails, as well as any potential consequences, if applicable. If a complaint does not fall under the jurisdiction of the Office, the Complainant then has the right to know where that complaint should be directed in order for it to be heard. This referral component is another important aspect of the Advisor's work as it is predicated on referring a Member based on an accurate understanding of the Complainant's concerns and desires.

When a Code infraction occurs, the decision as to whether a formal complaint is founded or unfounded will be borne out through an investigative or hearing process. Such processes allow both parties the opportunity to present their version of events along with any evidence when the issues presented are not or cannot be resolved through informal resolution efforts.

In cases in which an informal resolution process is undertaken by the Office, in lieu of or prior to a formal complaint process, the principle of impartiality remains. Both Complainants and Respondents retain their rights to confidentiality, and they are made aware what the informal resolution process entails, what this undertaking means and, equally important, what it does not mean. While the informal resolution process is not disciplinary in nature, it can often result in satisfactory outcomes for both parties. The Advisor reserves judgement in cases (formal or informal) and when acting in the informal resolution context, is an intermediary facilitating communication between the respective parties and working to achieve a resolution, but not a finding.

In reflecting on the above, it is important to mention that a rewarding part of the Office's work is to encounter Members of the Concordia community who are committed to promoting and living the values of the Code. Such encounters include interactions with those who seek to address potential behavioral infractions through the Office and those whose behaviour has been put into question and who are nevertheless open to the pursuit of a resolution. While not all conflicts can or should be resolved informally or through alternative dispute resolution methods, many can be. It is heartening to know that Members often genuinely wish to resolve conflicts with good faith, regardless of the final outcome.

In closing, I would like to extend my thanks to the Director, Louise Shiller and Sraddha Bista, our Department Assistant, for their assistance in this year's Annual Report. I wish to also congratulate my supervisor on the recent birth of her daughter and thank her for continued support and assistance behind the scenes. We look forward to her return.

Respectfully submitted,



Lisa White

Associate Advisor, Rights and Responsibilities

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