

REPORT

TO: Higher Education Quality Council of Ontario (HEQCO)
FROM: Lori Livingston, Provost and Vice President, Academic
DATE: August 28, 2019
SUBJECT: Ontario Tech University Freedom of Expression Policy Annual Report 2019

History

This report has been written in response to the memorandum dated June 12, 2019, received from the Higher Education Quality Council of Ontario, requesting the submission of a Free Speech Annual Report. In the absence of a specified form of report, the University has prepared the Report in the form of a memorandum and trust that you will find this satisfactory.

Please find the University's responses below related to questions found on page 2&3 of the June 12, 2019 memorandum:

Institutional Culture & Policies

- In the wake of the government's requirement for institutional free speech policies, has there been ongoing debate or dialogue on campus with regard to freedom of speech?

Yes, the University conducted a robust consultation process regarding free speech the proposed policy, which included sessions with the following groups on the specified dates:

- Board of Governors Orientation Session (October 4, 2018)
 - Policy Advisory Committee (September 17 & October 25, 2018)
 - Online Community Consultation (October 12-October 22, 2018)
 - Academic Council (September 25, October 23, & November 27, 2018)
 - Administrative Leadership Team (November 13, 2018)
 - University Student Union (November 1, 2018)
 - Audit and Finance Committee (November 19, 2018)
 - Board of Governors (November 29, 2018)
 - Senior Leadership Team (August 26, 2019)
- Have institutional practices changed as a result of the free speech policy? For example, has the new free speech policy led to a re-examination or amendment of other institutional policies? If yes, please describe.

As the promotion of freedom of expression has long been a university focus and central to university values, institutional practices have not changed significantly. During the development of the new Freedom of Expression Policy, the effect on other institutional policies was considered and policies affected were identified.

No significant amendments were required to any other policy instruments. The Freedom of Expression Policy ties into and informs the administration and application of the following policy instruments at the University:

- Student Conduct Policy
 - Policy on Recognition of Student Organizations
 - Student Association Accountability Policy
 - Safe Disclosure Policy
 - Safe Disclosure Procedure
 - Harassment and Discrimination Policy
 - Policy Against Violence, Harassment and Discrimination in the Workplace
 - Procedures to Prevent and Address Violence, Harassment and Discrimination in the Workplace
- Now that your free speech policy has been in effect for a period of time, have any issues emerged that would cause you to re-evaluate or amend your existing policy? If so, please describe.

No issues have emerged. The University has committed to reviewing the policy and its content as needed and at least every three years in accordance with its policy framework practices. An initial review will be conducted within the first year of its implementation (review set for November 2019).

Events

- To the best of your ability, please provide an estimate of the number of non-curriculum events that have been held at the institution since January 1, 2019.
To the date of this Annual Report, there have been just over three hundred non-curriculum events held at the institution since January 1, 2019.
- Is there a designated office at the institution where members of the institutional community (or guests) are directed when there is a free speech related question or complaint about an event on campus?

Yes, as outlined in the Freedom of Expression Policy, the following direction is provided:

- General complaints related to Freedom of Expression in University Space or the Online University Environment under this policy can be submitted to the Office of the Provost for resolution.
- Complaints related to decisions made by the University under this Policy are covered by the University's Safe Disclosure Policy. In other words, a complaint that the Freedom of Expression Policy has been improperly administered would be processed under the University's Safe Disclosure Policy and would be considered by the University's General Counsel.
- Complaints related to the activities of recognized student organizations are covered by the University's Policy on Recognition of Student Organizations.

- Complaints regarding conduct by Employees in contravention of the Freedom of Expression Policy are covered under the following applicable policy instruments:
 - Harassment, violence or discrimination complaints are investigated under the Policy Against Harassment, Violence and Discrimination in the Workplace, and in accordance with any applicable collective agreements.
 - Other violations can be addressed by the procedures for receiving and resolving complaints in section 9.1, in accordance with any applicable collective agreements.

- How did your institution navigate free speech related cost and/or safety concerns related to event on campus?

All events on campus are approved through a risk management framework, which includes discussions with the Office of Security and Emergency Management as necessary. No events gave rise to free speech related costs and/or safety concerns in the past year.

- To your knowledge, were there any instances where a non-curriculum event did not proceed due to these concerns?

No

Complaints

- Have any organized campus events or incidents on campus – curricular or non-curricular – caused members of the institutional community (or guests) to make an official complaint about free speech on campus?

No

- If there has been a complaint (or more than one), please describe:
 - What were the issues under consideration? Identify and points of contention (e.g., security costs, safety student unions and/or groups, operational requirements, etc.).
NA
 - How did the institution manage the free speech incident? Was the complaint addressed using the procedures set out in the policy? Did the policy/institutional process “work”? How were issues in contention resolved?
NA
 - Were there instances where members of the institutional community (or guests) sought redress or interpretation regarding the policy and/or requests for assistance with compliance?
NA
 - To your knowledge, were there any free speech complaints forwarded to Ontario Ombudsman?
Not to our knowledge.

Please include the following data for any free speech-related official complaints received by the institution:

- Number of complaints received under the free speech policy relating to non-curricular events and to curricular events.
0
- Number of complaints reviewed that were dismissed.
0
- Number of complaints or incidents where the institution determined that the free speech policy was not followed appropriately.
0
- Number of complaints or incidents under the free speech policy which resulted in the institution applying disciplinary measures.
0

Should there be additional questions, please feel free to contact the Provost's office via email at provost@uoit.ca.

Sincerely,



Lori A. Livingston, PhD
Provost and Vice-President, Academic