

ANNUAL REPORT

Equity, Diversity and Human Rights Office

For the period:

May 1, 2017 to April 30, 2018

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Laurentian University

Equity	Équité
Diversity	Diversité
Human Rights	Droits de la personne



Executive Summary

This Annual Report is mandated by Laurentian University's Policy and Program on a Respectful Workplace and Learning Environment. The report provides details as to the number, type, and disposition of cases. A copy of this report is available to the members of the Laurentian University community by contacting the Equity, Diversity and Human Rights Office (EDHRO) or on our website.

During the 2017-18 fiscal year, the EDHRO saw many exciting new developments including the first full reporting year on conduct falling under the Policy on Response and Prevention of Sexual Violence as well as the transfer of responsibility of the Code of Student Conduct (Non-Academic).

The Equity, Diversity and Human Rights Office

The mandate of the EDHRO is to lead the Laurentian University community in fostering an inclusive and respectful learning and working environment for all students, staff and faculty by providing expertise, guidance and counsel to members of the University community in order to ensure compliance with the *Accessibility for Ontarians with Disabilities Act, 2005* (AODA), the anti-harassment sections of the *Occupational Health and Safety Act, 1990* (OHSA), the *Ontario Human Rights Code, 1990* (Code), Laurentian University's Policy on a Respectful Workplace and Learning Environment, Policy on Response and Prevention of Sexual Violence, Policy on Accessibility Standards for Customer Service, the Code of Student Conduct (Non-Academic) and any other related policies.

The key functions of the EDHRO during the 2017-18 fiscal year included:

- 1) Assisting individuals with complaints of harassment, discrimination, student conduct, sexual harassment, sexual violence and bullying to understand the range of options available for responding, and help them to pursue a resolution;
- 2) Providing information and training to the community to increase awareness about the importance of promoting a respectful workplace and learning environment;
- 3) Providing information and training to the community to increase awareness about sexual violence, disclosure, response and bystander training.
- 4) Administering the Policy and Program on a Respectful Workplace and Learning Environment on campus, the Policy on Response and Prevention of Sexual Violence and the Code of Student Conduct (Non-Academic).

Case Resolution Services

The EDHRO's primary mandate is to receive individual concerns/complaints of harassment, discrimination, bullying, sexual harassment and sexual violence and assist in understanding the range of options available for responding, and help pursue a resolution.

CASE COMPOSITION

Each case reported to the EDHRO can be broken down into the following three (3) categories:

- (1) **Complaint:** a written complaint received by the EDHRO;
- (2) **Consultation:** providing guidance and/or direction on possible complaints, concerns, questions and/or possible complaints in relation to issues covered under the EDHRO mandate;
- (3) **Enquiry:** a quick clarification, reference or provision of information.

Respectful Workplace and Learning Environment

There were 381 total cases reported to the EDHRO in 2017-18 that were dealt with under the Policy on a Respectful Workplace and Learning Environment. These cases were comprised of 94 complaints, 210 consultations, and 77 enquiries. Cases were also categorized by type, as illustrated, below in Figures 1(a) and 1(b).

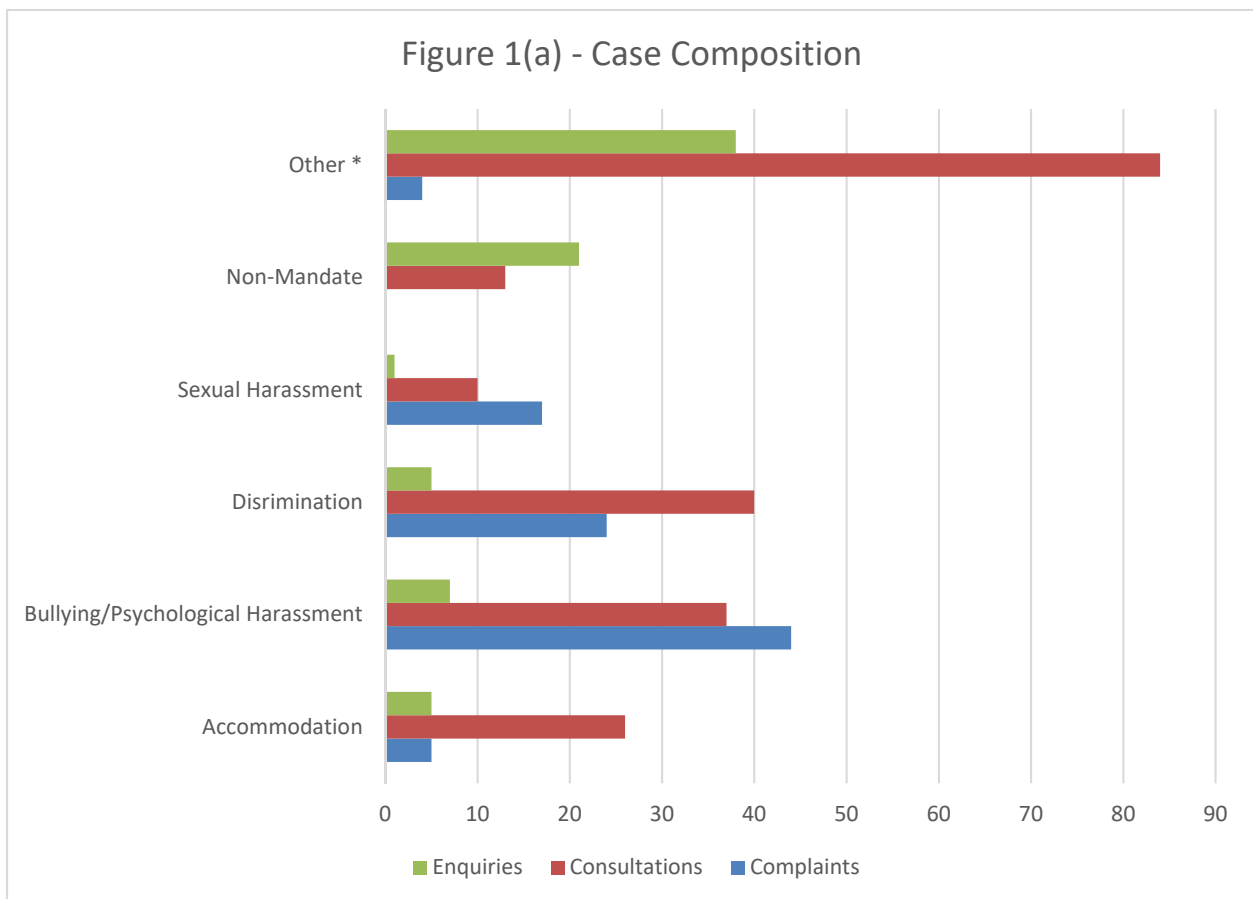


Figure 1(a) – Case Composition Chart

*Other includes general policy complaints, consultations and enquiries

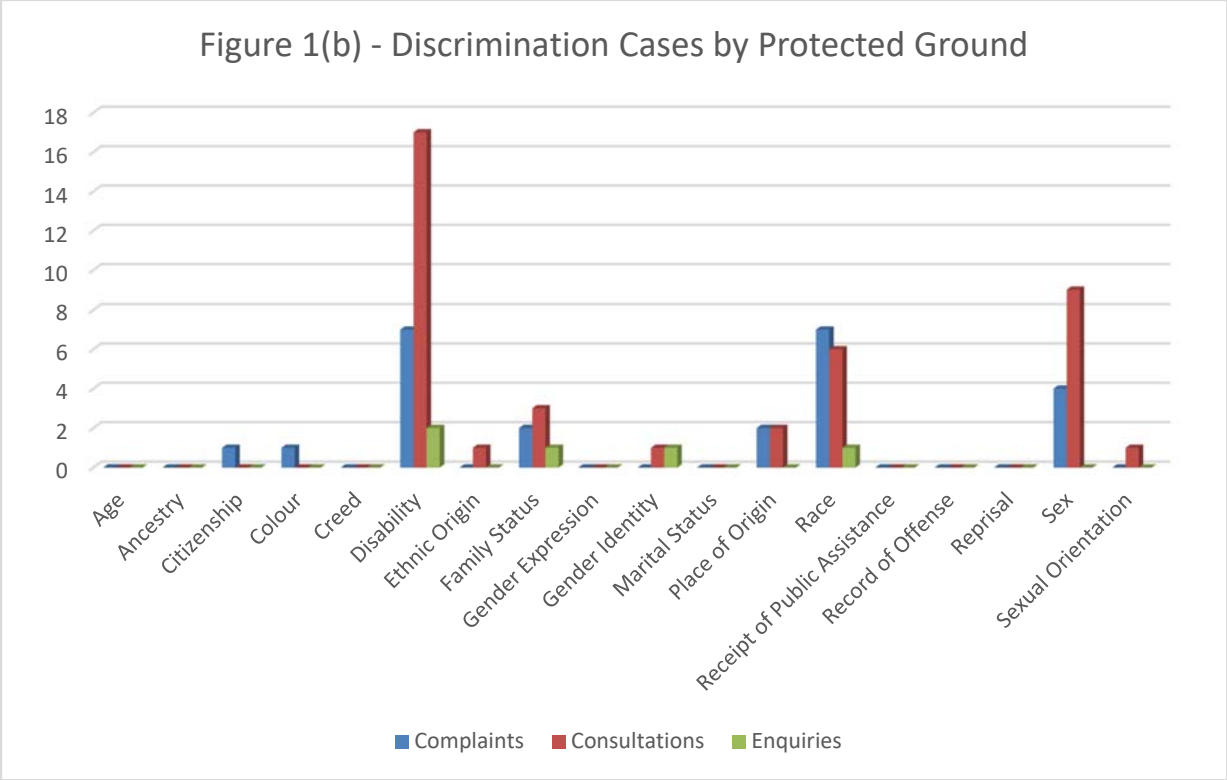


Figure 1(b) – Discrimination cases by protected ground

Response and Prevention of Sexual Violence

There were 20 total cases reported to the EDHRO in 2017-18 that were dealt with under the Policy on Response and Prevention of Sexual Violence. These cases were comprised of 11 complaints, 6 consultations, and 3 enquiries.

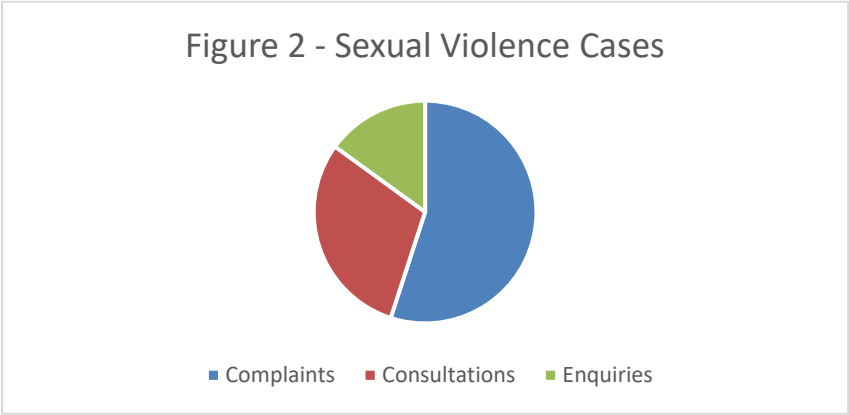


Figure 2 – Cases dealt with under the Policy on Response and Prevention of Sexual Violence

Code of Student Conduct (Non-Academic)

It should be noted that administration of the Code of Student Conduct (Non-Academic) was transferred to the EDHRO on December 1, 2017. As such, reporting of these cases will be for the period of December 1, 2017 to April 30, 2018.

There were a total of 42 cases reported to the EDHRO during the afore mentioned period. These cases were comprised of 10 complaints, 20 consultations, and 12 enquiries. Cases were also categorized by type, as illustrated below in Figure 3. It should be noted that only the offenses, which were categorized in a 2017-18 student conduct file, are included in the figure below. A complete list of possible offenses can be found under section 7 of the Code of Student Conduct (Non-Academic)

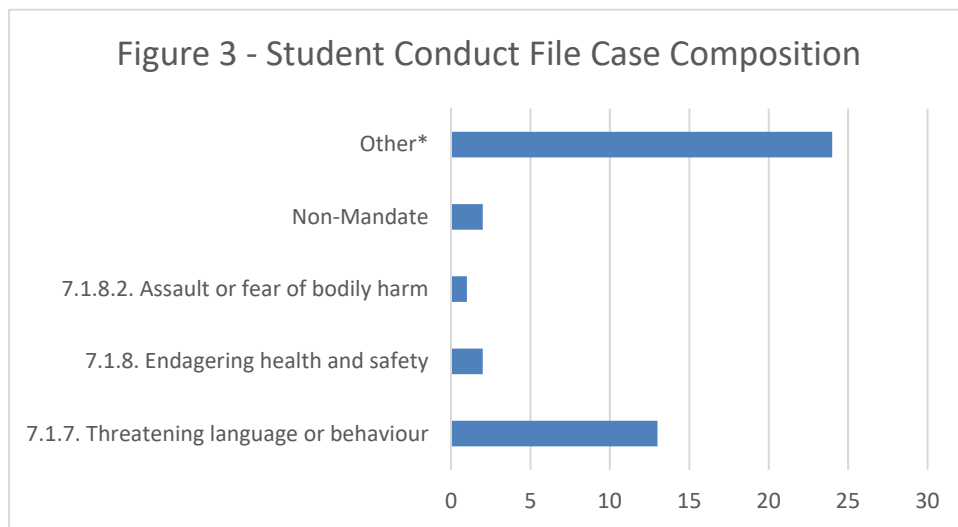


Figure 3 – Case composition of files dealt with under the Student Code of Conduct (non-Academic)

*Other includes general code of conduct complaints, consultations and enquiries

CASES BY CONSTITUENCY GROUPS

The contacts/complainants and respondents in each case are broken down into seven (7) constituency groups as follows:

- (1) **Faculty:** this group includes all members of the Laurentian University Faculty Association (LUFA) on the Sudbury and Barrie campuses as well as department Chairs/Directors (who are members of LUFA);
- (2) **Faculty Unit/Department:** this group includes cases brought forward on behalf of a faculty unit or department as a whole and not by any one individual.
- (3) **Employees:** this includes all employees other than Faculty. Included are members of the Laurentian University Staff Union (LUSU), graduated teaching assistants represented by the Canadian Union of Public Employees (CUPE), and members of the Laurentian University Administrative and Professional Staff Association (LUAPSA) who do not fall into the leadership

group personnel category listed below as well as all other employees who do not belong to a union or association;

- (4) **Staff Unit:** this group includes cases brought forward on behalf of a staff unit or department as a whole and not by any one individual.
- (5) **Students:** this group includes all students at Laurentian University and the federated Universities;
- (6) **Leadership group personnel:** this category includes all leadership personnel including Executive Team members, Associate Vice-Presidents, Deans and Directors. It does not include Chairs of departments as they are included as members of Faculty, as noted above, and;
- (7) **“Other”:** Included in this category are cases where the respondent was either not a member of the Laurentian University community or where the complainant did not wish to reveal the name of the respondent. The individual attending the office is looking for advice or strategies on how to deal with a specific issue or incident.

Case Contacts

A case contact is an individual who brings forward a complaint, consultation or enquiry to the EDHRO. In this context, the case contact does not need to have made a complaint to be named as such. “case contact” is simply the term used for the individual who initially makes contact with the EDHRO.

The following is a breakdown by constituency group of how cases were brought forward to the EDHRO under the Policy on a Respectful Workplace and Learning Environment (RWLE), the Policy on Response and Prevention of Sexual Violence (RPSV) and the Code of Student Conduct (CSC).

CASE CONTACTS	RWLE	RPSV	CSC
Employee	79	2	6
Exec/Dean/Dir	103	2	2
Faculty	41	0	12
Faculty Unit	7	0	2
Staff Unit	10	0	2
Student	110	14	15
Other	31	2	3

Figure 4 (a) – Number of case contacts based on constituency group

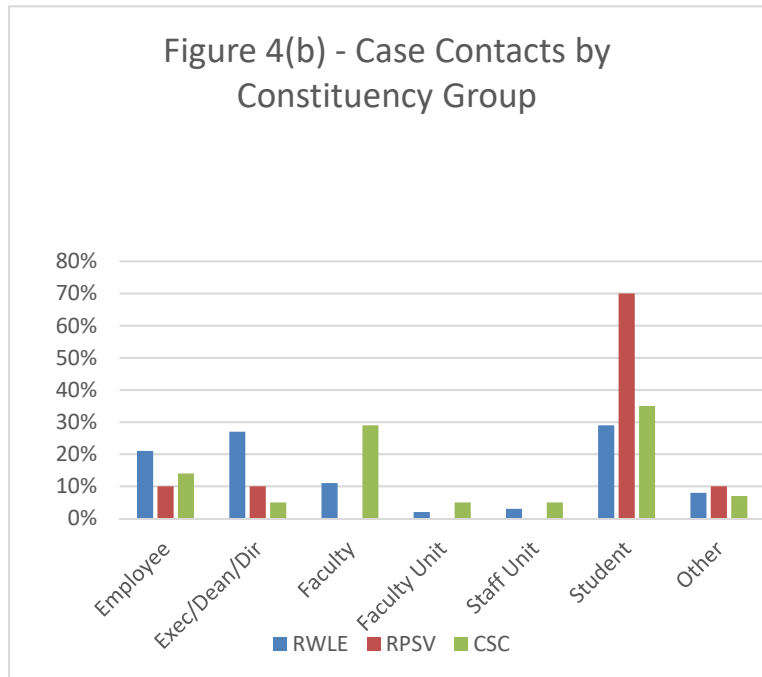


Figure 4(b) – Percentage of case contacts based on constituency group

Respondents

A respondent is an individual and/or department who has had a written complaint made against them or whose information has been brought forward to the EDHRO through a consultation and/or enquiry. Please note that in many cases, the case contact is simply looking for general policy guidance and/or information and in such cases, there is no respondent information.

The following is a breakdown of respondent information only for the Policy on a Respectful Workplace and Learning Environment as well as the Policy on Response and Prevention of Sexual Violence. The Code of Student Conduct allows only for students to be named as respondents and as such, a breakdown of these cases is not required.

RESPONDENTS	RWLE	RPSV
Employee	9	0
Exec/Dean/Dir	17	0
Faculty	46	0
Faculty Unit	5	0
Staff Unit	5	0
Student	32	10
Other	17	1
None	250	9

Figure 4 (c) – Number of respondents Based on constituency group

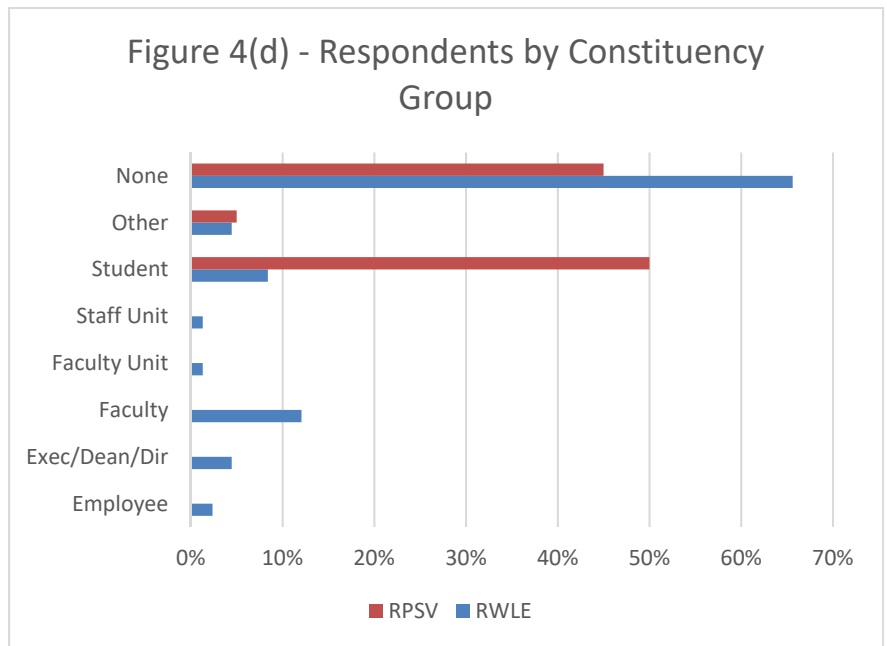


Figure 4(d) – Percentage of respondents based on constituency group

RESOLUTION OF CASES

Respectful Workplace and Learning Environment

Of the 94 complaints made in 2017-18 under the RWLE and 51 brought forward from 2016-17, there were a total of 102 complaints resolved in 2017-18 and 43 brought forward to 2018-19. Of the 102 resolved cases:

- 18 cases were resolved by way of informal resolution using various mediation/ADR techniques;
- 15 cases were addressed through a formal resolution process which entailed the appointment of an independent external investigator;
- 32 cases were either abandoned or withdrawn*;

- 21 cases were not substantiated or not within the EDHRO mandate; and
- 16 cases required no further action or follow-up*.

* Please note that many of these cases involved the clarification of information and once the clarification was made, the was either withdrawn, or no further action or follow-up was necessary.

Policy on Response and Prevention of Sexual Violence

Of the 11 complaints made in 2017-18 under the Policy on Response and Prevention of Sexual Violence, one complaint was resolved in 2017-18 and 10 complaints were brought forward to 2018-19. The resolved case was done by way of informal resolution.

Code of Student Conduct (Non-Academic)

Of the 10 complaints made from December 1, 2017 to April 30, 2018 under the Code of Student Conduct, there were 7 resolved during this period and 3 brought forward to 2018-19. Of the 7 resolved cases:

- 4 cases were resolved by way of informal resolution using various mediation/ADR techniques;
- 2 cases were either abandoned or withdrawn; and
- 1 case was not substantiated or not within the EDHRO mandate.

Education and Training Services

It should be noted that the demand for education and training far exceeded the available capacity of the EDHRO during this fiscal year. Even with the addition of a Manager, Community Engagement and Human Rights and Manager, Student Rights and Responsibilities, the caseload in 2017-18 was such that training was delivered to the LU community on an as needed basis.

The following educational and awareness initiatives were taken in this past fiscal year:

Spring/Summer 2017

- Presentation on Accommodating Students with Disabilities at a Faculty Council meeting in the School of Nursing – May 2017
- EDHRO reviewed and updated the online employee training on D2L with respect to OHSA harassment provisions and AODA
- EDHRO connected with HROD with respect to training obligations under OHSA
- EDHRO reviewed and amended its pamphlets on both Sexual Violence and Sexual Harassment
- Brochures on 1) Accessibility and 2) EDHRO mandate/services completed and distributed
- Brochure for employees of Contractors to inform about the roles and responsibilities under LU's RWLE Policy in fulfillment the Board's recommendation from April 2016 completed and distributed
- Presentation on discrimination, harassment and safety in partnership with Security for the students in the Harquail School of Earth Sciences doing fieldwork

Fall 2017

- EDHRO sexual violence/sexual harassment pamphlets were provided to each student association to provide to first year students and others (SGA included in their welcome packages)
- EDHRO table set up in Atrium during Welcome Week – providing information and handing out promotional materials regarding sexual violence prevention
- Arranged for community organizations, Voices for Women and Centre Victoria pour femmes to also be present during orientation with tables to provide information
- Ran fourteen different training/awareness sessions for various groups on campus in the Fall of 2017 as part of orientation. Topics included EDHRO services, Sexual Violence Prevention and the Policy and Program on a Respectful Workplace and Learning Environment. This included a Bystander session for the Resident Advisors and also attending orientation sessions for all first year residents
- With each training session the EDHRO sexual violence/harassment pamphlets were handed out to attendees
- Supported SGA's, Dr. Justine Shuey, sexologist speaking engagement (September 2017)
- Organized YWCA Montréal to present a consent based virtual reality experience entitled "Can I Kiss You?" to the University community in which participants were able to experience a sexual harassment/sexual violence situation through virtual reality technology and provide their feedback regarding this experience in September 2017
- Organized training sessions for students/student leaders about sexual violence prevention presented at the end of August/beginning of September 2017
- Conducted a training session for Coaches on RWLE and anti-hazing (September 2017)
- Training session on Accommodations for Students with Disabilities for Academic Chairs & Directors – October 6, 2017
- October 19th – RWLE discussion with School of Indigenous Relations
- October 11th – Varsity Student Athlete Training: RWLE and Sexual Violence Training in conjunction with Voices for Women
- October 17th– Participation in the "Draw the Line" Regional Session at Nipissing University
- October 31st – RWLE discussion with Indigenous Student Affairs
- November 3rd – participation in Western Sexual Violence Disclosure Conference
- November 27th – Meeting with Student associations to discuss accommodations for students with disabilities

Winter 2017/18

- December 4 – Discussion on accommodations for students with disabilities at Faculty of Management meeting
- December 6 – Presentation to Department of Biology on gender equity & sexism in the workplace
- December 7th –and 8th – attended at the National Conference on Campus Sexual Assault for Higher Education Administrators
- December 11th – presentation to the Community Health (PHED 3506) class on RWLE and sexual violence
- December 12th and 13th – Focus Groups on sexual violence disclosure
- January 13th – in depth training session with Men's and Women's varsity swimming teams on both RWLE and sexual violence

- January 18 - Presentation on EDHRO to Access Mentoring Group
- January 29 and 30 – Two Staff attended Bystander Facilitator training in Toronto
- January 30 – ET Roadshow presentation
- February 5th - Anti-racism discussion with Thorneloe administration
- February 7th – further Varsity Student Athlete Training: RWLE, Code of Student Conduct and sexual violence
- J. Dowdall appointed Legal Advocate for the Community Sexual Assault Case Review Committee - This committee has been formed to review previously closed Greater Sudbury Police Service sexual assault cases as a result of the Globe and Mail’s “Unfounded” investigation
- Building relationships with community partners including the HSN Violence and Intervention Prevention Program/Voices for Women, Centre Victoria pour femmes, and Sudbury and Area Victim Services representatives, Paul Larsh (North Region Sexual Violence Crown) on how we can work together and support each other
- March 2nd – Presentation regarding Student Code of Conduct to the Faculty of Management
- March 3rd - very brief introduction to Chairs and Directors regarding the Western disclosure training
- March 23rd – Presentation at Chairs and Directors Breakfast on accommodations for students with disabilities
- March 29th – Presentation to the selection committee for the President and Vice-Chancellor on Unconscious Bias in selection processes and decision making

Ongoing

- Twitter account is active and continually updated with awareness and informational links (230 followers)
- Facebook account is active and continually updated with awareness and informational links (47 likes)
- Sexual Violence Prevention posters are being rotated on the EDHRO windows with other human rights awareness raising initiatives such as Accommodations, Black History Month and Anti-Racism posters applicable for university settings
- Participation in COU Reference Group on Sexual Violence
- Participation on the Senior Equity Officer’s Reference Group – a gathering of counterpart Directors/Executive Directors/AVPs and VPs from other Ontario Universities responsible for human rights & equity compliance
- Participation in the President’s Advisory Council on the Status of Women
- Participation in Sexual and Gender Diversity Committee Meetings
- Participation in AODA Coordinator sub-group committee meetings

Policies and Procedural Guidance

This year marked the first full reporting period for matters brought to the EDHRO under the Policy on Response and Prevention of Sexual Violence. There are plans in 2018-19 to review this Policy with a view to include the entire LU community i.e. students, faculty and employees following best practices in the sector.

2017-18 saw the approval of the Policy and Guidelines on Accommodations for Students with Disabilities at Senate. The EDHRO played a leading role in the creation/adoption of the Policy and Guidelines along with the rescinding of the pre-existing 1994 Policy. This new Policy ensures that current procedures are in

line with the latest developments under the *Ontario Human Rights Code, 1990*, and expectations by the Ontario Human Rights Commission as set out in their publication entitled “With Learning in Mind” released in April 2017, their updated *Policy on ableism and discrimination based on disability* (2016) and their *Policy on preventing discrimination based on mental health disabilities and addictions* (2014).

Since the last annual review, the Policy and Program on a Respectful Workplace and Learning Environment were further reviewed with a view to provide additional clarity in the process, to update position titles which have changed, and update the names of other policies/programs. In this regard, the new changes to the Policy included the new name of the Code of Student Conduct (Non-Academic), formerly the Student Code of Conduct. Changes were also made to the Policy to the definition of “Student Associations” to include all Laurentian University recognized student associations and affiliated clubs.

Administration of the Code of Student Conduct (Non-Academic) was transferred to the EDHRO in 2017-18. The document is currently under review with plans to bring forward a revised and updated version in 2018-19 to Senate. Updates will include a more detailed complaints process as well as language changes to reflect transfer of administration to the EDHRO.

Administration

The following was initiated and/or completed by the EDHRO in 2017-18:

- A new Manager, Student Rights and Responsibilities position was created in order to accommodate the administration of the Code of Student Conduct. A recruitment process was initiated and the EDHRO was very fortunate to attract a highly skilled and knowledgeable candidate. The new Manager, Student Rights and Responsibilities will greatly enhance the EDHRO’s capacity in continuing to address complaints in an effective and timely manner as well as streamline the complaints process at Laurentian University and create a “one stop shop” for concerns.
- A new filing system was created for the Code of Student Conduct files using best practices modeled on governmental and other post-secondary systems. All files transferred from the Student Life Office from 2010 forward were reorganized and included in the new system;
- The Annual report for 2016-17 was completed;
- Worked with Information Technology to create a customized database that will greatly reduce the need for paper files and enhance the EDHRO’s ability to report on statistics in a more robust manner. The new database will also help recognize trends and identify problem areas. This will also be used in determining needed education and training for the Laurentian University community;
- A Work-Study student was hired who has a communication studies background and this assisted with the EDHRO’s communications/social media presence on Twitter and Facebook. The student position also created new posters on topics such as accommodation, sexism and racism to post in the in the windows of the office;

- The EDHRO maintained the Student Voices on Sexual Violence reporting portal and met all timelines imposed by the Ministry with respect to data upload/submission and outreach to ensure an overall higher than average response rating;
- The EDHRO sat on an Advisory Committee on Responding to Disclosures of Sexual Violence on University and College Campuses which was formed to assist in the development of training which included: six universities and three colleges representing faculty, admin, residence, counselling and accessibility supports, Indigenous services, health and wellness, human rights, equity and diversity and safety and security, the Canadian Federation of Students for Ontario, the Ontario Coalition of Rape Crisis Centers and a Survivors' Advisory Committee.
- In the fall of 2017, the EDHRO was invited to participate on the Upstander Project Advisory Committee to assist in the development of the training materials for the Upstander Training/Facilitator's Guide for Graduate Students, Staff and Faculty.

Each of the above accomplishments have contributed to a more effective and efficient Equity, Diversity and Human Rights Office and the fulfilment of Laurentian University's goal of organizational excellence and Strategic Plan Outcome 23, to foster inclusion, acceptance and respect for the diversity that exists within our campus community.