



Appendix: Freedom of Speech Annual Report Template (2021)

As indicated in the December 14, 2018 and September 12, 2018 memos from the Ministry of Colleges and Universities, each of Ontario's publicly-assisted colleges and universities is to prepare an annual report on the implementation of a free speech policy. Please use this template; you may append additional documents or institution-specific information as you see fit.

The institutional Freedom of Speech Annual Report will be a public document and should respect privacy obligations. Please report on events or incidents that took place between **August 1, 2020** and **July 31, 2021**.

The reports are to be posted on the institution's website and submitted to the Higher Education Quality Council of Ontario (HEQCO) by **September 1, 2021**.

We recognize that this is an unusual year given the move to remote engagement during the COVID-19 pandemic. Please reach out to Amy Kaufman, Director of Policy, Research and System Improvement, at HEQCO with any questions.

Please submit your institution's annual report via email to Amy Kaufman (akaufman@heqco.ca).

Section A: Institutional Policy

You may append additional documentation or institution-specific information as you see fit.

Has your institution amended its free speech policy (or policy framework) since the time of your 2020 report? If so, please explain the reason for the change and provide the link to its location on your institutional website.

Brock's Freedom of Expression Policy has not been amended since the time of the 2020 report. The Policy was reviewed in early 2021 and members of the University community were invited to submit feedback on the Policy. Following a review of the feedback received, it was determined that no changes were required, and the Policy was renewed for a further three-year period. The Policy is available here:
<https://brocku.ca/policies/wp-content/uploads/sites/94/Freedom-of-Expression-Policy.pdf>

Where are members of the institutional community (or guests) directed when there is a free speech related question or complaint about an institutional event? Please provide contact information.

Any concerns or questions regarding Brock's Freedom of Expression Policy, including any complaints filed under the Policy, are directed to the University Secretariat at universitysecretary@brocku.ca. Individuals who have concerns with the application of the Policy may contact the University Ombudsperson. For more information, see: <https://brocku.ca/free-speech/contact-us/>

What is your institution's policy on holding events where there are security concerns? To your knowledge, were there any instances where a non-curricular event did not proceed due to security concerns or their related costs?

Brock University prides itself on providing a safe work and learning environment for all members of the University community. Campus Security Services plays a key role in planning and managing the safety and security of on-campus events. The University assesses the security risks and implications of any on-campus event as part of its event management processes. For student events, security concerns are assessed through the Student Event Risk Management process and if necessary, cost recovery would be built into event planning and approval (though this has not been necessary to date). For large-scale events organized by student associations, the student associations may arrange security if they determine it to be necessary. For community events run by third parties on Brock's campus, the third party may be required to provide their own security, in coordination with Brock's own campus security services. To date, the University has not passed on security costs associated with events on campus and is not aware of any instances where a noncurricular event did not proceed due to security concerns or their related costs.

Section B: Complaints

You may append additional documentation or institution-specific information as you see fit.

Between **August 1, 2020** and **July 31, 2021**, did any member of the institutional community (or guests) make an official complaint about free speech? If yes, please provide a general description that protects the privacy of complainants.

Between August 1, 2020, and July 31, 2021, there were three official complaints submitted to the University Secretariat under the Freedom of Expression Policy. The complaints related to: (1) the manner in which the University's senior administration moderated questions during a virtual town hall meeting of the University community; (2) the actions of various University administrators in response to online posts made by an anonymous social media account; and (3) an email response from a senior administrator to a faculty member regarding the social media posts of another senior administrator.

If there has been an official complaint (or more than one):

What were the issues under consideration? Please identify any points of contention (e.g., security costs, safety, student unions and/or groups, operational requirements, etc.).

The issues raised by the complaints were:

- Whether the practice of moderating questions in a virtual town hall format, by selecting questions out of a pool of questions submitted by viewers, amounted to disallowing speech by the viewers or constituted significant interference with the freedom of expression of those viewers.
- Whether an invitation to meet with senior administrators and representatives from Human Resources, in response to a question from a faculty member, was interference with that faculty member's freedom of expression; and
- Whether alleged actions by University administrators regarding an anonymous social media account were an attempt to prohibit freedom of expression or interfered with freedom of expression.

How did the institution manage the free speech complaint(s)? Was the complaint addressed using the procedures set out in the policy? How were issues resolved?

In accordance with the University's Freedom of Expression Complaint Procedures, the complaints were reviewed by the University Secretary to determine whether they fell within the scope of the Policy. Under those Procedures, where a complaint is determined to be within the scope of the Policy, it will be referred to existing mechanisms for policy violations involving faculty, staff, and students.

In two of the three cases, the complaints were determined to be within the scope of the Policy and, as they concerned the actions of employees, were referred to Human Resources. One of the complaints was found to be unsubstantiated. In that case, the practice of moderating questions at a University town hall meeting was found not to be a substantial interference with freedom of expression and was found to be a reasonable restriction on the time, place, and manner of expression in order to enable the proper management of the event. The other complaint is currently under review by Human Resources.

The remaining complaint was determined to be out of the scope of the Policy. It was concluded that an invitation to meet to discuss concerns, even if expanded to include other administrators, was an invitation for further expression and did not constitute disallowing expression or significantly interfering with expression.

Section C: Summary Data

Please provide the following summary data for free-speech-related official complaints received by the institution:

Number of official complaints received under the free speech policy relating to curricular and non-curricular events.	3
Number of official complaints reviewed that did not proceed.	1
Number of official complaints where the institution determined that the free speech policy was not followed appropriately.	0
Number of official complaints under the free speech policy that resulted in the institution applying disciplinary or other institutional measures.	0
To your knowledge, were any free speech complaints forwarded to the Ontario Ombudsman?	Not to the University's knowledge

To the best of your ability, please provide an estimate of the number of **non-curricular events** held at the institution between **August 1, 2020 and July 31, 2021**. Non-curricular events include, for example, invited speakers, sporting events, rallies, student life/student affairs events, conferences, etc., as opposed to regular events held as part of an academic program or course.

Due to the operational processes and systems of the University, it is difficult to definitively calculate the number of non-curricular events held on campus between August 1, 2020, and July 31, 2021. The numbers reported below are based on the University's room bookings system, as well as the Brock's ExperienceBU portal (which provides a registry of events, workshops and co-curricular experiences available to Brock Students) and the Brock Sports records of sporting events.

Due to the restrictions on access to campus caused by the COVID-19 pandemic, the number of in-person events held on campus was limited. There were 752 room booking for non-curricular events and 11 in person student events registered through the ExperienceBU portal (by contrast, there were 6,458 online events registered through the portal for the same period). There were no in person events related to Brock Sports or Brock Recreation.

*We acknowledge the difficulty of tracking events held remotely due to campus closures caused by the pandemic and recognize that institutions may be unable to provide a response to this question for 2020-21.

Institutional Comments (if any).