



BOARD OF GOVERNORS

NOTICE OF MEETING

December 8, 2022

The Agenda and documents for the Open Session meeting of the Board of Governors of Concordia University to be held on Thursday, December 15, 2022, are now posted on the [Board webpage](#).

Please note that while there is an Open Session, only Governors, resources and invited guests will be admitted to the meeting.

Members of the University community who wish to view the meeting are invited to go to the observers' room EV 002.301, Located on Floor S2 of the Engineering, Computer Science, and Visual Arts Integrated Complex.

Karan Singh
Secretary of the Board of Governors



**AGENDA OF THE OPEN SESSION
OF THE MEETING OF THE BOARD OF GOVERNORS**

Thursday, December 15, 2022, at 4 p.m.
Room GM 410 (Board of Governors meeting room)
SGW Campus

Time	Item	Presenter(s)	Action
4:00	1. Call to order	H. Antoniou	
	1.1 Approval of the Agenda	H. Antoniou	Approval
CONSENT AGENDA			
	2. Approval of October 27, 2022 Minutes		Approval
	3. Audit Committee recommendation: Interfund transfers for the year ended April 30, 2022 (Document BG-2022-10-D1)		Approval
	4. Evaluation Committee for the Vice-President, Advancement (Document BG-2022-10-D2)		Information
	5. Report on compliance with environmental legislation and health and safety regulations (Q3-2022 Report) (Document BG-2022-10-D3)		Information
	6. Collection of undergraduate student fee levies (Document BG-2022-10-D4)		Approval

- | | | |
|-----|--|----------|
| 7. | Governance and Ethics Committee recommendations: | Approval |
| 7.1 | Approval of revisions to <i>the Code of Rights and Responsibilities</i> (BD-3)
(Document BG-2022-10-D5) | |
| 7.2 | Approval of revisions to the <i>Policy on the Establishment of Student Tribunal Pools</i> (BD-6) (Document BG-2022-10-D6) | |
| 7.3 | Approval of revisions to the <i>Policy on the Use of Concordia University's Name, and the Governance of its Visual Character and Digital Presence</i> (SG-4) and related <i>Handbook</i> .
(Document BG-2022-10-D7) | |

REGULAR AGENDA

- | | | | |
|------|---|-------------|-------------|
| 4:05 | 8. Business arising from the Minutes not included on the Agenda | | |
| 4:07 | 9. President's report (Document BG-2022-10-D8) | G. Carr | Information |
| 4:20 | 10. Consolidated financial statements for the year ended April 30, 2022
(Document BG-2022-10-D9) | D. Cossette | Information |
| 4:30 | 11. Other business | | |
| 4:35 | 12. Adjournment | H. Antoniou | |

MINUTES OF THE OPEN SESSION
OF THE MEETING OF THE BOARD OF GOVERNORS

Thursday, October 27, 2022, at 4 p.m.
Room GM 410 (Board of Governors meeting room) SGW Campus

PRESENT

Governors: Helen Antoniou (Chair), Francis Baillet, Kenneth Brooks (attended remotely), Graham Carr (President and Vice-Chancellor), Jarrett Carty, Gary N. Chateram, Gina P. Cody (attended remotely), Daniel Cross, Selvadurai Dayanandan, Pat Di Lillo, Adriana Embiricos, Kim Fuller, Rana Ghorayeb, Fawaz Halloum, Caroline Jamet (attended remotely), Claude Joli-Cœur (Vice-Chair), Claudine Mangen (attended remotely), Frederica Martin (Vice-Chair), Paul John Murdoch (attended remotely), Philippe Purreaux, Duraichelvan Raju, Ted Stathopoulos, Cathy Wong (attended remotely)

Non-voting observer: Jonathan Wener (attended remotely)

Alternate Governor: Nassim Boutalbi

Also attending: Philippe Beauregard, Dominique Bérubé, Howard Bokser (attended remotely), Sylvie Bourassa, William Cheaib, Paul Chesser (attended remotely), Denis Cossette, Michael Di Grappa, Amy Fish, Nadia Hardy (attended remotely), Frederica Jacobs (attended remotely), Lisa Ostiguy, Melodie Sullivan, Aisha Topsakal, Anne Whitelaw

ABSENT

Governors: Françoise Bertrand, Robert Soroka

1. Call to order

The Chair called the meeting to order at 4:01 p.m.

The Chair informed Governors that the Board meetings this year will be held in-person, with the option to connect remotely. She added that the Observer Room has been re-instated for people who wish to watch the proceedings of the Open Sessions.

1.1 Approval of the Agenda

The Chair advised that the agenda item 3.1 was going to read as follows:

'Hi-Lites of the External Auditor's report'. The document for this agenda item was updated, following the Audit Committee meeting of October 20, 2022.

Upon motion duly moved and seconded, it was unanimously RESOLVED:

R-2022-9-1 That the Agenda be approved, including the items on the Consent Agenda.

CONSENT

2. Approval of September 29, 2022 Minutes

R-2022-9-2 That the Minutes of the meeting of September 29, 2022, be approved.

3. **Hi-Lites of the External Auditor's report** (Document BD-2022-9-D1)
4. **Unaudited interfund transfers for the year ended April 30, 2022**
(Document BD-2022-9-D2)
5. **Unaudited draft consolidated financial statements for the year ended April 30, 2022**
(Document BD-2022-9-D3)
6. **Unaudited Système d'information financière des universités (SIFU) for the year ended April 30, 2022 - Informations nécessaires aux fins d'analyse de l'octroi de la subvention conditionnelle - Annexe 19** (Document BG-2022-9-D4)
7. **Membership of the Advisory Search Committee for the Dean of Graduate Studies**
(Document BD-2022-9-D5)

These reports were for information only.

REGULAR

8. Business arising from the Minutes not included on the Agenda

There was no other business to bring before the meeting that was not included on the Agenda.

9. President's report (Document BG-2022-9-D6)

As complementary information to his written report, G. Carr's remarks are summarized as follows:

- Before sharing some announcements and good news, G. Carr addressed the events in Iran as he did at the beginning of the last Senate meeting, noting that Concordia has a large cohort of Iranian students, staff, faculty, and alumni who enrich the University community. Protests in Iran have continued for more than 40 days. G. Carr condemned the events in Iran on behalf of the Concordia community, noting that he is appalled by the violence against women and disruption to education taking place there. In light of these events, Concordia's International Students Office has been providing support to Concordia's Iranian community and senior administration has requested that reasonable accommodations be made for Iranian students who may be experiencing emotional and/or financial distress as a result of the current events in Iran. The University will continue to monitor the situation closely on behalf of Concordia's Iranian community.
- G. Carr thanked the Board members who attended the dinner for fall honorary degree recipients and for attending the fall Convocation ceremonies. He noted that there was a great slate of hon doc recipients: Fibbie Tatti, Reshma Shetty, and David Fung. In addition to participating in fall convocation, each hon doc recipient gave time to the University community, meeting with students and staff. It was a joy and a privilege to welcome these honorary degree recipients into the University community.
- The first in-person Open House since the pandemic took place this past Saturday. There was an online component as well. The event was a great success – hallways were packed, and there was significant online attendance as well – particularly from prospective students from Africa. G. Carr thanked all who made Open House possible. The success of Open House indicates that the Concordia brand is strong.
- He went on to share some disappointing news: Fall 2022 registration did not meet the target - flat growth was projected, but there was in fact a 1-2% decline in enrolment. The decline experienced at Concordia mirrors current university registration statistics throughout Québec. G. Carr pointed out that Concordia would need to take a different approach to recruitment within Québec, including increased collaboration with francophone Québec CEGEPs. The state of the economy also has an impact – historically, registration declines when there is a labour market shortage, and it increases when unemployment is up. Thus, the current labour market shortage is certainly a factor. One university that has bucked this trend is the University of Laval, who has made significant investments in increasing online education offerings. In the US, there has been a 1.5% absolute decline in university registration, and this decline has been steady over the last couple of years. This is a wake-up call for higher education.
- Since the last Board meeting, the Québec election had taken place. G. Carr welcomed the new Minister of Higher Education, Pascale Déry. He said he was looking forward to the first meeting with Minister Déry, likely in the context of BCI. He was also happy to report that BCI had a new President in Daniel Jutras. Dr. Carr has now become a member of the BCI Executive.

- Last week, Concordia hosted Lorna Magara, the Chairperson of the Makerere University, one of the oldest universities in Uganda. This visit was a great opportunity to discuss possible collaborations with that institution.
- The University has recently received another major gift from J. Sebastian van Berkom \$1M, bring the total gift from him to about \$4 million in support of the Van Berkom Investment Management Program. J. Sebastian van Berkom is a Concordia graduate and has been a loyal supporter of the university for years. His gifts enable JMSB students to gain experience that they would not be able to acquire at any other business school in Canada and his generosity has been transformative for many.
- G. Carr reminded the Board that tomorrow was the launch of the Taskforce on Anti-Black Racism's final report. He thanked the dozens of students, staff, faculty, alumni, and members of the black community who volunteered to generate the report. The Taskforce delivered the final report under difficult circumstances in the midst of the pandemic, meeting more than 100 times to develop the report. When the report is unveiled tomorrow, some immediate actions that will be taken in response to the recommendations therein will also be announced. G. Carr reminded all Board members that they received an invitation to the launch and are welcome to attend virtually or in-person tomorrow at 1:00 p.m.

There were no questions to the President's remarks.

10. Annual report from the Ombuds Office (Document BG-2022-9-D7)

A. Fish, the Ombudsperson, presented highlights of the annual report, including some key statistics. To illustrate the type of concerns and issues the Ombuds Office deals with on a regular basis, A. Fish provided three examples of common scenarios.

A. Fish was pleased to inform the Board that there were no major problems throughout the year and underlined the University's commitment to openness and fairness. While the number and complexity of files had changed since the pandemic started, there were signs that the number of complaints would fall back to pre-pandemic levels. As of the previous year, 83% of the files were of students and the rest were of staff and faculty. Faculty files were up this year, as faculty members have been encouraged to contact the Ombuds Office.

A. Fish noted that potential students can also contact the office if they believe that there was unfair treatment. The Ombuds Office does not suggest changes to the outcome of a file, but providing assistance to the community helps community members. She thanked the Board for renewing her mandate.

Members thanked A. Fish for the report and the work of the Ombuds Office.

11. Annual report from the Office of Rights and Responsibilities (Document BG-2022-9-D7)

A. Topsakal began by noting that she was happy to be presenting the report in-person. She noted that since August 2021, in-person services were being offered, but more people have preferred remote meetings. With 357 e-requests, 37 files carried forward from the previous year, they had 394 active files. She noted that bulk of the files were consultation related to students and staff, with 17% being files dealing with difficult situations and 11% related to student of concern. A. Topsakal explained that student of concern was identified when a student's behavior was a potential threat to themselves. She went on to share some examples of the complexity of files that her office deals with. The information in the examples had been changed to protect confidentiality.

One of the members asked if the complexity of cases was also affected with the concerns around mental health of community members. A. Topsakal noted that there are resources at the University to support community members who are in need of support when dealing with mental health issues.

12. Other business

There was no other business to bring before the meeting.

13. Adjournment

The Chair declared the meeting adjourned at 4:45 p.m.

K. Singh
Karan Singh
Secretary of the Board of Governors



**Board of Governors
OPEN SESSION
Meeting of December 15, 2022**

AGENDA ITEM: Audit Committee recommendation: Interfund transfers for the year ended April 30, 2022

ACTION REQUIRED: For approval

SUMMARY: On recommendation of the Audit Committee, the Board of Governors is being asked to approve the interfund transfers for the year ended on April 30, 2022.

BACKGROUND: Under the directives of the *Ministère de l'Enseignement supérieur*, the University is required to obtain specific Board approval of interfund transfers. Interfund transfers form part of the changes in fund balances on the University's financial statements and are disclosed under Note 19 of the financial statements. Interfund transfers can be defined as money transfers between the various funds of the University.

The unaudited report was provided to the Board at its meeting of October 27, 2022. The final audited report is now being provided to the Board of Governors for approval.

DRAFT MOTION:

That, on recommendation of the Audit Committee, the Board of Governors approve the interfund transfers for the year ended April 30, 2022.

PREPARED BY:

Name: Karan Singh
Date: December 7, 2022

Concordia University					
2021 - 2022 INTERFUND TRANSFERS					
FUNDED PROGRAM	DESCRIPTION	Operating Fund	Research Fund	Designated Fund	Capital Fund
1-Contribution towards major renovation or construction projects		-1,068,842	0	-564	1,069,406
220000160	REPURPOSE H00604/PRM247	76,165			-76,165
220000313	ENERGY EFFICIENT IMPROVEMENTS (SGW & LO)	343,345			-343,345
E-0311-04-10-1	BIOLOGY CONTRIBUTION CFI PROJECT	-10,000			10,000
E-0311-04-10-1	DR. KUZMIN CFI PROJECT H00234/PRM29	-50,000			50,000
E-0311-04-10-1	KUZMIN CFI PROJECT SUPPORT (OVPRGS)	-16,278			16,278
F-0002-02-10-1	HB INSTALL ANTENNA & SETUP GRND. STATION	-75,000			75,000
F-0191-02-10-6	ALLOCATION H00195 PRM285	-1,000,000			1,000,000
F-0191-02-10-6	BRIDGE FUNDING CLAIM 20201031-001	-815,173			815,173
F-0191-02-10-6	RETURN OF EXCESS FUNDING TO H00195	478,099			-478,099
C-0204-02-10-6	SGP trsf to CUF	0	0	-564	564
2-Contribution towards interest on capital debt		-17,702,125	0	0	17,702,125
220000010	CAPITALIZATION FUND	-214,295			214,295
220000363	BOND SERIE A: NET FINANCING COSTS	-12,586,577			12,586,577
220000364	BOND SERIES B : FINANCING COSTS	-1,868,665			1,868,665
220000365	BOND SERIES C : FINANCING COSTS	-936,368			936,368
220000367	TD SIS - UNITY SWAPS	-596,221			596,221
C-0210-02-10-6	SINKING FUND TRANSFER FOR 2002 BOND	-1,500,000			1,500,000
3-Contribution towards equipment		-3,343,767	0	0	3,343,767
E-0011-02-10-6	TO PAY OFF DEFICIT IN PEM112	-3,964			3,964
E-0056-01-90	MAOTIC: IT NETWORK, WIRELESS	-1,461			1,461
I-0007-01-10	FMIS FACILITIES MANAGEMENT INFORMATION	-39,859			39,859
I-0038-02-80-1	UNITY	-1,609,806			1,609,806
I-0057-02-10-1	SECURITY CAMERAS	-230,000			230,000
220000010	Equipment acquired directly by the Operating Fund	-1,458,677			1,458,677
4-Contribution towards specific University projects		-280,071	-30,750	310,821	0
11211205	FAS DEAN'S SUPP TO CONF. M.JOHNSTON	1,500		-1,500	
11211205	SUPPORT TO CIGALE-A.-M. TREPANIER	1,000		-1,000	
11211207	SUPPORT TO TAKE A LEAP PROJECT	1,000		-1,000	
11211208	F01127 TR TO UAS290 COURSE REMISSION	11,500	-11,500		
11211208	SUPPORT TO EVENT:TRAIN THE TRAINER	2,680		-2,680	
11211221	SUPP TO BIENNIAL CONF-B.GILCHRIST	3,000		-3,000	
11211221	SUPPORT EXP DIAL SYMPOSIUM OEFFINGE	1,108		-1,108	
11211221	SUPPORT TO PETTIGREW & BOBKER SPEAK	2,000		-2,000	
11211302	SUPPORT TO GUEST SPEAKER FPS PROG	2,000		-2,000	
210000153	F C A FACULTY FUND	-35,592		35,592	
210000159	FY22 MBA INTERNATIONAL CASE COMPETITION	-15,000		15,000	
210000182	FAC DEV- GEOGRAPHY, PLANNING	-2,000		2,000	
210000187	FAC DEV- PHYSICS	-500		500	
210000212	FINE ARTS FAC. DEV.	-600		600	
210000342	OPVPAA FUNDING FOR THE ART HIVE FY2	-200,000		200,000	
220000020	TRAN. FOR CUCCR: T20883/H00405	515		-515	
230000096	DEPT CONTRIBUTION	500		-500	
230000147	2021 CBGRC CONFERENCE SUPPORT	500		-500	
230000176	CONTR TO CHALLENGES OF 21ST CENTURY	1,000		-1,000	
230000184	ALLOCATION H00600/T20040	2,500		-2,500	
230000198	THEOLOGY IN THE CITY	1,750		-1,750	
230000239	INDIGENOUS PERSPECTIVE ON SUSTAINABILITY	1,145		-1,145	
230000241	A LEGACY: KNOWLEDGE, WISDOM, EXPERIENCE	500		-500	
270000015/16	20-21 & 21-22 INSTALL MAGNAN	80,000		-80,000	
270000256	FY21-22 UA SUPPORT	12,000		-12,000	
270000257	FY21-22 UA SUPPORT	30,000		-30,000	
270002606	AWARD 2021- OVPRGS- KARIMFAZLI	10,000		-10,000	
270002642	21/22 INSTALL SCHWEIZER	11,250	-11,250		
270002677	Award 21/22-KHARMA	6,000	-6,000		
270002678	Award 21/22-SWAMY	6,000	-6,000		
271000061	B00736 TO CLOSE UP THE ACCOUNT	-8,508		8,508	
280000001	UA SUPPORT	200,000		-200,000	
300000539	20-21 ALLOC TO MAIN MERIT H00338	11,081		-11,081	
300000585	21-22 FAS COMMITMENT-LET'STALK SC	4,534		-4,534	
300000633	CAREER MANAGEMENT SERVICES	-9,000		9,000	
300000681	DR. KAI NIELSEN GRAD	-1,000		1,000	
300000732	CONCORDIA MERIT SCHOLARSHIPS	-2,367		2,367	
300000752	VLADIMIR ZEMAN GRADUATE AWARD	-1,000		1,000	
300001069	TOP UP FUND FOR TA0143/H00196	-566		566	
300001625	CONCORDIA CONFERENCE	-170,000		170,000	
300001632	CONCORDIA GRADUATE FELLOWSHIPS	-235,000		235,000	
300001719	Concordia Merit Scholarship	-100,000		100,000	
310000001	TO COVER ATHLETE TUITION AWARDS	100,000		-100,000	
400003398	OVPRGS ADVANCE	-14,000	14,000		
400003530	REVERSE COLLATERAL DOLBEC	10,000	-10,000		
Total		-22,394,806	-30,750	310,257	22,115,299



**BOARD OF GOVERNORS
OPEN SESSION
Meeting of December 15, 2022**

AGENDA ITEM: Evaluation Committee for Senior Non-Academic Administrator per the *Policy on Employment and Remuneration of Senior Administrators, Deputy Provosts, Vice-Provosts and Associate Vice-Presidents (BD-8)*

ACTION REQUIRED: For information

SUMMARY: The Executive Committee has approved the following members to the Evaluation Committee for the Vice-President, Advancement.

BACKGROUND:

The current Vice-President, Advancement, Paul Chesser's term comes to an end on November 30, 2023. As per the *Policy on Employment and Remuneration of Senior Administrators, Deputy Provosts, Vice-Provosts and Associate Vice-Presidents (BD-8)* an Evaluation Committee is to be appointed by the Executive Committee. The Executive Committee, at its meeting of December 2, 2022, established the following committee:

- Graham Carr, Chair
- Gina Cody, External member of the Board
- Francis Baillet, External member of the Board
- Selvadurai Dayanandan, Internal member of the Board representing full-time faculty
- Robert Soroka, Internal member of the Board representing part-time faculty
- Frederica Martin, Internal member of the Board representing administrative and support staff
- Duraichelvan Raju, Internal member of the Board representing students

PREPARED BY:

Name: Karan Singh
Date: December 2, 2022



Report on Due Diligence

**Presented to
the Board of Governors of
Concordia University**

For the Reporting Period
Q3– 2022
(July, August, September)

Pietro Gasparini, C.I.H.
Director, Environmental Health & Safety
November 17, 2022

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Environmental Health & Safety (**EHS**) supports the academic, research and operational activities of the university and promotes a safe, healthy, and sustainable campus environment. EHS manages and coordinates programs and services that minimize health, safety, environmental and regulatory risks. It also monitors compliance with federal and provincial health and safety legislation and internal university policies. We identify and evaluate risks, develop control strategies, and implement appropriate internal procedures.

Section A presents the university's Leading Safety Key Performance Indicators (KPIs), which measure safety performance and help reflect the safety culture within the university.

Section B presents the traditional Lagging Safety KPIs which are retrospective and include four incident/injury rates.

COVID-19

On June 23, 2022, Concordia removed its procedure mask and physical distancing requirements on its campuses. At the same time, the university ended its requirement for members of the Concordia community to self-report if they were COVID-19 positive and the university also ended its tracking of COVID-19 cases on campus. Although members of the community are no longer required to self-report, the university continues to encourage individuals who have tested positive to complete the Returning to Campus Following an Isolation Period tool. This tool was developed by EHS and is updated regularly, based on changes in government directives. It provides faculty, staff, and students with guidance on when they are permitted to return to campus.

The only exception with regards to the mask requirement is Health Services, where procedure masks are mandatory as per the Government of Quebec's public health directives. Although no longer required, Concordia continues to provide procedure masks at the entrances of the main university building.

Section A: Leading Safety Key Performance Indicators

1. Safety & Security Training

For the period of July 1 to September 30, 2022, **13 safety and security training sessions** took place with **1054 participants**.

When Concordia removed its procedure mask and physical-distancing requirements on June 23, COVID safety training was no longer required. As a result, COVID safety training in Q3 2022 is at zero.

For the first time since the pandemic, the Safety & Security Training reported does not include COVID training. The most appropriate comparable pre-pandemic Q3 period would be 2019; for the period of July 1 to September 30, 2019, there were 51 safety and security training sessions with 752 participants. At that time, safety and security training was provided almost exclusively in-person. In 2022, the main delivery method for safety training is self-directed learning on Moodle. The number of individuals training in 2022 Q3 is greater than in 2019 Q3; one of the benefits of self-directed learning is increased compliance.

	2021 Q3 <i>July, Aug, Sept.</i>	2021 <i>Full Year</i>	2022 Q3 <i>July, Aug, Sept.</i>	2022 <i>YTD</i>
Total Safety Training Sessions	16	83	13	40
Total Participants	5963	16918	1054	4462

2. Injury & Near-Miss Investigations

Depending on the circumstances surrounding a reported injury or near-miss, EHS staff conduct a formal investigation in partnership with supervisors. Investigations are conducted to determine the root causes of injuries and near misses, to prevent similar occurrences in the future, determine compliance with applicable safety regulations, and to collect information for workers' compensation claims (if applicable). In some instances, injury and near-miss investigations result in the identification of corrective actions that can prevent injury and near-miss reoccurrence (see Section 5).

For the period of July 1 to September 30, 2022, EHS staff conducted **8 injury investigations** and **11 near-miss investigations**.

	2021 Q3 <i>July, Aug, Sept.</i>	2021 <i>Full Year</i>	2022 Q3 <i>July, Aug, Sept.</i>	2022 <i>YTD</i>
Injury Investigations	5	29	8	30
Near-Miss Investigations	1	10	11	18
TOTAL Investigations	6	39	19	48

3. Preventative Internal Inspections & Assessments

Preventative internal inspections and assessments (total number) refer to workplace inspections and risk assessments conducted by, or in collaboration with, EHS staff on university premises.

Workplace inspections involve a walkthrough of a workplace (e.g., research laboratory, studio, workshop, mechanical room) to determine the degree of compliance with both government regulations and internal policies and procedures. Inspections may result in internal non-compliance citations (Section 4) and require corrective actions (Section 5).

Risk assessments are more thorough evaluations with the objective of identifying all hazards and determining if the hazards can be eliminated. If elimination of the hazard is not possible, the risk assessment determines how the hazard can be controlled.

Workplace inspections and risk assessments are complementary and together form an integral part of the university's comprehensive health and safety program. Both serve as a mechanism to determine compliance with government regulations and internal policies and procedures.

For the period of July 1 to September 30, 2022, **21 preventative internal inspections and assessments** were conducted.

As part of the UNITY project, EHS will launch a new workplace inspection application. Since May, EHS staff have been setting up and testing the latter. As a result, the number of workplace inspections conducted in 2022 will be impacted. Workplace inspections required by legislation will continue to be conducted; however, additional inspections will be suspended during the implementation period.

Year	Preventative Internal Inspections & Assessments
2022 Q3 <i>July, Aug, Sept.</i>	21
2022 <i>Year To Date</i>	51
2021 Q3 <i>July, Aug, Sept.</i>	83
2021 <i>Full Year</i>	292

4. Internal Non-Compliance Citations

EHS is mandated to monitor compliance with government regulations and internal safety policies and procedures. Compliance monitoring allows us to ensure the safety and well-being of the university community and to mitigate external non-compliance citations.

Most internal non-compliance citations result from preventative internal inspections and assessments, and injury and near-miss investigations. Identification of non-compliance issues and their subsequent correction improves the overall safety performance of the university prior to the intervention of regulatory bodies.

For the period of July 1 to September 30, 2022, **43 internal non-compliance citations** were issued.

Given that the department was focused on the implementation of new workplace safety inspection tool, there were less preventative internal inspections and assessments conducted and, as a result, fewer internal non-compliance citations.

Year	Internal Non-Compliance Citations
2022 Q3 <i>July, Aug, Sept.</i>	43
2022 <i>Year To Date</i>	163
2021 Q3 <i>July, Aug, Sept.</i>	0
2021 <i>Full Year</i>	257

5. Corrective Action Completion Rate

Corrective actions are assigned as the result of an intervention by EHS, including injury investigations and internal inspections. When non-compliance issues are identified, corrective actions are generally required. Corrective actions are assigned to the supervisor responsible for the area where the citation occurred or for the individuals involved.

All safety and regulatory non-compliance citations (internal and external) must be resolved in a timely manner. External non-compliance citations from regulatory or government bodies received during external inspections (Section 12) are accompanied by obligatory corrective actions and deadlines. Internal non-compliance citations (Section 4) are also accompanied by obligatory corrective actions and targeted deadlines. This metric tracks the percentage of assigned corrective actions that are completed. EHS tracks this metric by calendar year until all actions are completed.

Implementation of My Workplace Health & Safety's Safety Corrective Action Application

We have continued to deploy the *My Workplace Health & Safety* module that now exists as part of UNITY. There are 3 main applications in the module: injury and near-miss reporting; workplace inspections; and safety corrective action tracking. In Q3 2022, we transferred all open safety corrective actions from a department database to Unity. Prior to doing so, all open corrective actions were reviewed. During the review, some corrective actions were merged, while others were split into multi corrective actions to facilitate completion. As a result, the total number of corrective actions per year have changed slightly as indicated in the tables below.

The new Safety Corrective Action application allows better tracking through automated notifications, solving the long-standing issue of not being advised when a corrective action was completed. The application is also linked to the workplace inspection and injury and near-miss reporting applications. Corrective actions from all sources are now consolidated in one application. The new application will also facilitate reporting to senior management on the progress of corrective actions.

A new feature of the application is the categorization of the corrective actions into priority levels: High, Medium, and Low. Based on the severity of the non-compliance issue, each corrective action is assigned a priority. The expectation is that high priority corrective actions are completed quickly, within 3 working days. Medium priority corrective actions are to be corrected within 10 days and low priority within 30 days. The due date can be modified by EHS staff.

In the past, the status of the corrective action was either: completed, in progress or not started. These statuses did not allow us to know if a corrective action was overdue and by how long. The new system uses the following statuses: open, overdue, and completed. In some instances, the corrective measure may require a capital investment or needs to be incorporated into a project. The goal is not to penalize those individuals who have a plan in place to complete their corrective action. If more time is required and temporary measures are in place, then additional time will be granted; the corrective action would have the status of open. Moving forward, the focus will be on overdue safety corrective actions.

Table 1 presents, for each calendar year, the number of corrective actions by the new statuses as of Q3 2022. For comparison, Table 2 presents, for each calendar year, the number of corrective actions as reported in Q2 2022. The last row in Table 2 provides the difference in corrective actions following the transfer from the EHS database to the Corrective Action application.

Table 1: *The number of corrective actions per year by status – new reporting as of Q3 2022*

Status	2015	2016	2017	2018	2019	2020	2021	2022 ¹
Completed	449	215	360	624	947	270	290	210
Open	0	0	1	5	258	0	2	12
Overdue	3	4	4	163	56	9	22	22
Total	452	219	365	792	1261	279	313	244

Table 2: *The number of corrective actions per year by status – former reporting from Q2 2022*

Status	2015	2016	2017	2018	2019	2020	2021	2022 ²
Completed	449	215	360	620	944	267	285	130
In Progress	1	1	7	10	29	4	19	12
Not Started	0	1	2	125	246	6	13	22
Total	450	217	369	755	1,219	277	317	164
<i>Difference</i>	<i>+2</i>	<i>+2</i>	<i>-4</i>	<i>+37</i>	<i>+42</i>	<i>+2</i>	<i>-4</i>	<i>N/A</i>

Table 3 presents, for each calendar year, the percentage of the corrective actions per year by status as of Q3 2022. For comparison, Table 4 presents, for each calendar year, the percentage of the corrective actions as reported in Q2 2022. The Corrective Action Completion Rate is highlighted in blue in Table 2.

Table 3: *The percentage of corrective actions per year by status – new reporting as of Q3 2022*

Status	2015	2016	2017	2018	2019	2020	2021	2022 ³
Completed	99.3%	99.8%	98.6%	78.8%	75%	96.8%	92%	86%
Open	0%	0%	0.3%	0.6%	20.6%	0%	1%	5%
Overdue	0.7%	0.2%	1.1%	20.6%	4.4%	3.2%	7%	9%
Total	100%	100%	100%	100%	100%	100%	100%	100%

Table 4: *The percentage of corrective actions per year by status – former reporting from Q2 2022*

Status	2015	2016	2017	2018	2019	2020	2021	2022 ⁴
Completed	99.8%	99.0%	97.6%	82%	77.4%	96%	90%	75%
In Progress	0.2%	0.5%	2%	1%	2.4%	1.5%	6%	12%
Not Started	0%	0.5%	0.4%	17%	20.2%	2.5%	4%	13%
Total	100%	100%	100%	100%	100%	100%	100%	100%

¹ Includes Q1, Q2 and Q3 2022

² Includes Q1 and Q2 2022

³ Includes Q1, Q2 and Q3 2022

⁴ Includes Q1 and Q2 2022

As with the implementation of any new system, we are working closely with those individuals who have assigned corrective actions to teach them how to use the application. We have created a [new webpage](#) on the EHS website on corrective actions, including user guides.

The automated notifications by the application when a corrective action is overdue has initiated many discussions and we are working with those responsible to close corrective actions.

6. EHS Research Compliance Reviews

In collaboration with the Office of Research, EHS reviews research and teaching activities that involve hazardous materials, to ensure compliance with applicable government regulations and internal policies and procedures.

For the period of July 1 to September 30, 2022, EHS completed 15 Research Compliance Reviews.

Year	EHS Research Compliance Reviews
2022 Q3 <i>July, Aug, Sept.</i>	15
2022 <i>Year To Date</i>	36
2021 Q3 <i>July, Aug, Sept.</i>	12
2021 <i>Full Year</i>	39

Section B: Traditional (Lagging) Safety Key Performance Indicators

7. Total Injuries

An injury refers to the occurrence of a sudden and unforeseen event arising out of, or during, a university-sanctioned activity attributable to any factor that caused an injury or an occupational disease (an exposure to conditions or substances that resulted in a disease). Injuries are grouped as work-related (involving staff and faculty), student or visitor/contractor.

For the period of July 1 to September 30, 2022, **15 injuries** were reported.

Year	Total Injuries
2022 Q3 <i>July, Aug, Sept.</i>	15
2022 <i>Year To Date</i>	48
2021 Q3 <i>July, Aug, Sept.</i>	14

Year	Total Injuries
2021 <i>Full Year</i>	56

8. Work-Related Injuries

Work-related injuries are a subset of the total injuries (Section 7), whereby the injured person is a worker (staff or faculty). An injury or illness is considered work-related when an employee is involved and if an event, or exposure in the work environment, either caused or contributed to the resulting condition or significantly aggravated a pre-existing injury or illness. Work-related injuries are investigated by EHS staff and when warranted, an investigation report with corrective actions is submitted to the employee’s supervisor.

For the period of July 1 to September 30, 2022, there were **4 work-related injuries** (of the 15 reported injuries in Section 7).

Year	Work-Related Injuries
2022 Q3 <i>July, Aug, Sept.</i>	4
2022 <i>Year To Date</i>	25
2021 Q3 <i>July, Aug, Sept.</i>	4
2021 <i>Full Year</i>	35

Recordable Injury Rate

The Recordable Injury Rate (RIR), also commonly referred to as the recordable incident rate, is calculated by multiplying the number of work-related injuries by 200 000 labour hours, and then dividing that number by the number of labour hours during that period. Furthermore, 200 000 labour hours equates to 100 employees, who work 40 hours per week, and who work 50 weeks per year. The calculated rate is per 100 employees.

Year	Recordable Incident Rate
2022 Q3 <i>July, Aug, Sept.</i>	0.21
2022 <i>Year To Date</i>	0.49
2021 Q3 <i>July, Aug, Sept.</i>	0.21
2021 <i>Full Year</i>	0.27

9. Worker Compensation Claims

Employees who sustain a work-related injury may be eligible for compensation from the *Commission des normes, de l'équité, de la santé et de la sécurité du travail* (CNESST).

For the period of July 1 to September 30, 2022, there were **2 accepted worker compensation claims**. The CNESST also accepted 3 worker's compensation claim for injuries that occurred in Q1 2022 during this past quarter; therefore, the 2022 Year to Date Total was adjusted.

Year	Accepted Compensation Claims
2022 Q3 <i>July, Aug, Sept.</i>	2
2022 <i>Year To Date</i>	14
2021 Q3 <i>July, Aug, Sept.</i>	2
2021 <i>Full Year</i>	10

10. Lost-Time Days

A lost-time work-related injury is defined as a work-related injury or illness that results in days away from work, other than the day of injury or the day the illness began. Lost-time days refer to the total number of calendar days employees are away from work due to a work-related injury or illness.

For the period of July 1 to September 30, 2022, there were **19 lost-time days** from the work-related injuries. In addition, there were 126 lost time days added to the 2022 Year to Date associated to 1 work-place injury that occurred in Q1 but was only accepted by the CNESST in Q3 (see Section 9).

An analysis of the lost-time injuries revealed that 261 (84%) of the lost-time days were associated to 3 injures that occurred in Q1 from slipping and falling. The remaining 50 lost-time days were associated with 6 injuries, whereas 5 injuries resulted in no lost-time days.

Year	Lost-Time Days
2022 Q3 <i>July, Aug, Sept.</i>	19
2022 <i>Year To Date</i>	311
2021 Q3 <i>July, Aug, Sept.</i>	104
2021 <i>Full Year</i>	285

Lost-Time Injury Rate

The Lost-Time Injury Rate (LRIT) measures the occurrence of work-related injuries that resulted in an employee’s inability to work the next workday. It represents the number of lost-time injuries per 100 full-time employees in the stated period. The LTIR is calculated by multiplying the number of lost-time work-related injuries by 200,000 labour hours and then dividing that number by the number of labour hours during that period. Therefore, 200,000 labour hours equate to 100 employees who work 40 hours per week 50 weeks per year. The calculated rate is per 100 employees.

Year	Lost-Time Injury Rate
2022 <i>Year To Date</i>	0.32
2021 <i>Full Year</i>	0.22

Lost-Time Day Rate

The Lost-Time Day Rate (LTDR) is a rate that measures the length of time an employee is away from work due to a work-related injury. It represents the number of lost-time days per 100 full-time employees in the stated period. The LTDR is calculated by multiplying the number of lost-time days by 200,000 labour hours and then dividing that number by the number of labour hours during that period. Therefore, 200, 000 labour hours equates to 100 employees, who work 40 hours per week, 50 weeks per year. The calculated rate is per 100 employees.

Year	Lost-Time Day Rate
2022 <i>Year To Date</i>	10.99
2021 <i>Full Year</i>	7.81

Severity Rate

The Severity Rate provides an average of the number of lost-time days per lost-time work-related injury. The Severity Rate is calculated by dividing the total number of lost-time days by the total number of work-related injuries with lost-time. The Severity Rate is a cumulative rate calculated at the end of each quarter.

Year	Severity Rate
2022 <i>Year To Date</i>	34.56
2021 <i>Full Year</i>	35.63

11. Near Misses

A near miss is the occurrence of an event on university property, arising out of, or during, a university-sanctioned activity attributable to any factor that could have caused either an injury or material damage. For example, events such as tripping on a stair or slipping in a water puddle, where no injury occurred, would be categorized as a near miss. As per the university’s Policy on Injury Reporting and Investigation (VPS-42), the reporting of near misses is required. Traditionally, near misses go unreported because no injury has occurred. Steps have been taken to encourage near-miss reporting, including discussing the importance of near-miss reporting at safety committee meetings, during safety training and new principal investigator orientation sessions.

For the period of July 1 to September 30, 2022, **14 near misses** were reported. The communications campaign for the new on-line injury and near-miss reporting application in Unity may be contributing to an increase in the number of reported near-misses. It is not uncommon for reporting to increase when employees are reminded of their obligation to report.

Year	Near Misses
2022 Q3 <i>July, Aug, Sept.</i>	14
2022 <i>Year To Date</i>	23
2021 Q3 <i>July, Aug, Sept.</i>	3
2021 <i>Full Year</i>	16

12. External Inspections

External inspections refer to inspections or audits of university premises or safety programs conducted by government agencies or third parties (e.g., insurance providers). Third-party audits include those performed at the request of Environmental Health & Safety. These inspections and audits ensure that the university’s activities and facilities comply with all applicable legislation and regulations.

For the period of July 1 to September 30, 2022, there was **1 external inspection** by the CNESST.

Year	External Inspections
2022 Q3 <i>July, Aug, Sept.</i>	1
2022 <i>Year To Date</i>	6
2021 Q3 <i>July, Aug, Sept.</i>	3
2021 <i>Full Year</i>	13

On September 14, 2022, the CNESST conducted an inspection of the temporary press box’s structure located on the Stingers football field on the Loyola Campus. The university received two non-

compliance citations related to the temporary structure. Working together, Recreations and Athletics, Facilities Management and EHS, ensured the necessary corrective actions were completed.

13. Regulatory Citations

The university may receive regulatory citations for non-compliance with federal, provincial, or municipal laws, regulations, or by-laws. Regulatory citations can be the outcome of government inspections or interventions (e.g., CNESST, Public Health Agency of Canada, Canadian Nuclear Safety Commission) or violations of regulations and by-laws (e.g., false fire alarm citation from the *Service de sécurité incendie de Montréal*). This metric tracks the total number of regulatory citations received by the university.

For the period of July 1 to September 30, 2022, the university received **3 regulatory citations**. 1 citation was from the *Service de sécurité incendie de Montréal* due to a false fire alarm and 2 from the September 14 CNESST inspection.

Year	Regulatory Citations
2022 Q3 <i>July, Aug, Sept.</i>	3
2022 <i>Year To Date</i>	6
2021 Q3 <i>July, Aug, Sept.</i>	34
2021 <i>Full Year</i>	63

14. Regulatory Fines

For the period of July 1 to September 30, 2022, the university received **0 regulatory fine** from the *Service de sécurité incendie de Montréal* for a false fire alarm.

Year	Fines Received
2022 Q3 <i>July, Aug, Sept.</i>	\$0
2022 <i>Year To Date</i>	\$250
2021 Q3 <i>July, Aug, Sept.</i>	\$0
2021 <i>Full Year</i>	\$0

15. Hazardous Materials Emergency Responses

The university’s Hazardous Materials Emergency Response Team responds to hazardous material emergencies that occur on university premises, including spills and odours. Service providers are called upon to assist when a major spill occurs, and additional resources are required.

For the period of July 1 to September 30, 2022, there were **4 hazardous materials emergency responses** by the EHS Hazardous Materials Emergency Response Team.

Year	Hazardous Material Spill Responses
2022 Q3 <i>July, Aug, Sept.</i>	4
2022 <i>Year To Date</i>	11
2021 Q3 <i>July, Aug, Sept.</i>	5
2021 <i>Full Year</i>	17



**BOARD OF GOVERNORS
OPEN SESSION
Meeting of December 15, 2022**

AGENDA ITEM: Collection of undergraduate student fee levies

ACTION REQUIRED: For approval

SUMMARY: The Board of Governors is being asked to approve the collection by the University on behalf of the Concordia Student Union of undergraduate student fee levies, following a referendum conducted in November and December 2022.

BACKGROUND: The results of the votes have been validated by the Dean of Students, as outlined in the attached memo.

DRAFT MOTION:

Le Frigo Vert

That the Board of Governors authorize Concordia University to increase the Le Frigo Vert Fee Levy from \$0.33 per credit to \$0.46 per credit (an increase of \$0.13 per credit), annually adjusted to the Consumer Price Index of Canada, to be collected from all undergraduate students, and to be implemented with registration for the Winter 2023 (2224) term in accordance with the University's tuition refund and withdrawal policy.

Sustainability Action Fund

That the Board of Governors authorize Concordia University to increase the Sustainability Action Fund from \$0.25 per credit to \$0.50 per credit (an increase of \$0.25 per credit), to be collected from all undergraduate students, and to be implemented with registration for the Winter 2023 (2224) term in accordance with the University's tuition refund and withdrawal policy.

CSU Operating Fee

That the Board of Governors authorize Concordia University to increase the CSU General Operations Fee Levy from \$2.46 per credit to \$2.71 per credit (an increase of \$0.25 cents per credit), annually adjusted to the Consumer Price Index of Canada, to be collected from all CSU members, and to be implemented with registration for the Winter 2023 (2224) term in accordance with the University's tuition refund and withdrawal policy.

PREPARED BY:

Name: Karan Singh
Date: December 8, 2022

Dean of Students Office

INTERNAL MEMORANDUM

December 7, 2022

TO: Karan Singh, Secretary, Board of Governors
FROM: Andrew Woodall, Dean of Students
RE: CSU By-Election Results November 2022

In the most recent Concordia Student Union by-elections held from Nov 29-December 1, 2022, undergraduate students voted on the following referendum questions:

Do you agree to increase the CSU General Operations Fee Levy from \$2.46 per credit to \$2.71 per credit (an increase of \$0.25 cents per credit), annually adjusted to the Consumer Price Index of Canada, to be collected from all CSU members, and to be implemented with registration for the Winter 2023 (2224) term in accordance with the university's tuition refund and withdrawal policy?

YES: 733
NO: 629
ABSTAIN: 363

Do you agree to increase the Le Frigo Vert Fee Levy from \$0.33 per credit to \$0.46 per credit (an increase of \$0.13 per credit), annually adjusted to the Consumer Price Index of Canada, to be collected from all undergraduate students, and to be implemented with registration for the Winter 2023 (2224) term in accordance with the university's tuition refund and withdrawal policy?

YES: 907
NO: 524
ABSTAIN: 294

Do you agree to increase the Sustainability Action Fund from \$0.25 per credit to \$0.50 per credit (an increase of \$0.25 per credit), to be collected from all undergraduate students, and to be implemented with registration for the Winter 2023 (2224) term in accordance with the university's tuition refund and withdrawal policy?

YES: 823
NO: 556
ABSTAIN: 346



Dean of Students Office

A handwritten signature in black ink, appearing to read "Andrew Woodall".

Andrew Woodall

Andrew Woodall
Dean of Students



**BOARD OF GOVERNORS
OPEN SESSION
Meeting of December 15, 2022**

AGENDA ITEM: Governance and Ethics Committee recommendation: Revisions to the *Code of Rights and Responsibilities* ([BD-3](#))

ACTION REQUIRED: For approval

SUMMARY: Upon recommendation of the Governance and Ethics Committee, the Board of Governors ("Board") is being asked to approve the revisions to the *Code of Rights and Responsibilities* ([BD-3](#)) (the "Code").

BACKGROUND:

In accordance with the *Policy on University Policies* ([SG-6](#)), University Policies that fall under the mandate of the Board shall normally be reviewed by a standing committee of the Board before they are presented for Board approval.

The proposed changes to the Code are pursuant to a settlement agreement with the Human Rights Commission.

DRAFT MOTION:

That, on the recommendation of the Governance and Ethics Committee, the Board of Governors approve the revisions to the *Code of Rights and Responsibilities* ([BD-3](#)).

PREPARED BY:

Name: Karan Singh
Date: November 18, 2022

CODE OF RIGHTS AND RESPONSIBILITIES

Effective Date: [insert date]

Approval Authority: Board of Governors

Supersedes /Amends: April 19, 2017

Policy Number: BD-3

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DRAFT

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SECTION I STATEMENT OF PRINCIPLES

The Code of Rights and Responsibilities

1. The Code of Rights and Responsibilities (the “Code”) has, as its grounding principles, the values of civility, equity, respect, non-discrimination and an appreciation of diversity as manifested within the University and within society-at-large.

Rights promoted and protected by the Code

2. All Members of the University, as defined in Section III of the Code, may reasonably expect to pursue their work, studies and other activities related to University life in a safe and civil environment. As such, neither the University nor any of its Members shall condone any conduct which adversely affects the University or any of its Members.
3. All Members have the freedom of conscience and religion; freedom of thought, belief, opinion and expression; freedom of peaceful assembly and freedom of association, the whole subject to the limits recognized by law and [University policies](#) and procedures.

Academic Freedom

4. The Code is not to be applied in such a way as to detract from the right of Members to engage in the frank discussion of potentially controversial matters, such as race, sex, sexual orientation, gender identity, politics or religion. Furthermore, the Code shall not be interpreted in such a way as to limit the use of legitimate instructional techniques, such as irony, argument, conjecture and refutation, or the assignment of readings, which may present a controversial point of view. The Code also recognizes the right to teach, within the bounds of the course calendar description and requirements of competence, and to conduct research and to engage in creative activity according to one’s best judgment.

Responsibilities

5. All Members are expected to refrain from violating the Code and those who have supervisory authority over others bear a particular responsibility to act in a timely and effective manner when they become aware of any alleged violation of the Code.

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Complaints Subject to a Range of Responses

6. In keeping with its desire to settle conflicts in an effective and constructive manner, the University and its Members shall endeavour to seek an appropriate response to any alleged violations of the Code, ranging from the use of informal methods of conflict resolution to formal procedures for adjudicating complaints. Every attempt shall be made to use remedies and sanctions that restore harmony, collegiality and cooperation between Members. Other University policies such as the *Policy regarding Sexual Violence (PRVPA-3)*, the *Policy on Student Involuntary Leave of Absence (PRVPA-15)* and other University policies may also be applied.

Fairness and Consistency

7. The adjudication, and, where applicable, the investigation of Complaints, will be conducted in a manner that is consistent with the principles of fairness and natural justice. Steps will be taken to ensure that the circumstances of any meeting will appropriately protect the dignity of the Complainant and Respondent through accommodations that continue to allow their participation. For any complaint regarding violence, assault or harassment, and, subject to the other provisions of this Code regarding permitted representation, Complainants will be offered the option of participating in the investigation and/or hearing in alternate ways including: using and/waiting in separate rooms prior to meetings; remote and/or virtual meetings using virtual platforms, telephone, or video; use of an intermediary to assist in the communication; pre-recorded answers and statements; prepared written responses, as well as the opportunity to have support and representation at any hearing or confidential meeting with the investigator, as applicable. For a complaint regarding violence, assault or harassment, the Complainant may decline any request to attend any meeting or hearing in person, without forfeiting any rights associated with their presence in said meeting or hearing. These and other appropriate accommodations determined by the University will not negatively impact the process.

Management Rights

8. The Code is not to be applied in such a way as to detract from the right and duty of those with supervisory authority to manage and, if necessary, to discipline Members in

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accordance with [collective or employee agreements](#) and [University policies](#) and procedures.

Union Rights

9. The Code is not to be applied in such a way as to detract from the rights of unions or employee associations to defend the interests of their members and to exercise their rights under a [collective or employee agreement](#).

Recourse at Law

10. The Code does not detract from the right of Members to seek recourse at law.

Code Does Not Supersede Other Policies or Agreements

11. Nothing in the Code shall replace or supersede any complaint, grievance or appeal procedure set out in any [collective or employee agreement](#) to which the University is a party, the [Academic Code of Conduct](#), the [University Calendars](#) or other [University policies](#) or procedures.

SECTION II MANDATE AND FUNCTIONS OF THE OFFICE OF RIGHTS AND RESPONSIBILITIES AND THE ADVISOR

12. A mandate of the Office is to assist Members in resolving incidents involving an alleged violation of the Code in an effective and constructive manner. Such assistance is available both to Members who believe that they have been subjected to conduct that violates the Code and to those with supervisory authority who are called upon to respond to incidents of such conduct. The operations of the Office are directed by the Advisor.
13. The Advisor shall actively promote, through education and direct intervention, the values outlined in [article 1](#) while carrying out all duties described in the Code. The Advisor shall be impartial in the exercise of duties, shall respect the confidentiality of all who seek assistance from the Office, and shall do so in a non-judgmental manner. The Administration of the University shall respect the independence of the Office as it carries out its duties.

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14. The Advisor shall advise, assist and support Members who are experiencing behavioural problems from another Member, as described in the Offences section of the Code, and shall endeavor to seek an appropriate response to any alleged violation. Responses may range from the use of informal dispute resolution methods to formal procedures for adjudicating complaints.
15. The Advisor may, when warranted, make recommendations to University authorities regarding situations within a unit, department, faculty, or the University as a whole, which have the general effect of violating the rights of Members to pursue their work, study, and other activities related to University life in a safe and civil manner in keeping with the values espoused by the University and outlined in the Code.
16. The Advisor shall submit an annual report to the Secretary-General by December 15 of each year covering the previous academic year. The report shall detail the activities of the Office, including statistics on complaints received, and make recommendations, as necessary, with regard to either the Code or the operations of the Office. The report shall be made available by way of the University's publications and shall be submitted, for information purposes, to the Senate and Board of Governors.
17. If a Member considers that the Advisor has failed to follow the procedures outlined in the Code with respect to any matter to which the Member has been a party, that Member may submit a written complaint within twenty (20) Days, detailing the alleged procedural failure, to the Secretary-General. The written complaint shall be investigated and the Member will be informed of the results of the investigation, normally within twenty (20) Days of the receipt of the complaint.
18. The Advisor shall be appointed by and shall report to the Secretary-General upon the recommendation of an advisory committee, composed of representatives of the University constituencies, including at least one (1) undergraduate and one (1) graduate student, struck for this purpose.
19. The appointment shall be made for an initial term of two years, renewable for further terms of five (5) years. During the fourth year of each such term, the Secretary-General shall appoint an appraisal committee, composed of representatives of the University constituencies, including at least one (1) undergraduate and one (1) graduate student, which shall:

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- a) review the operations of the Office;
- b) make recommendations with respect to the Office;
- c) make a recommendation with respect to the renewal of the Advisor.

This review shall include, but shall not be limited to, consultations with the University community as well as an external appraisal.

SECTION III DEFINITIONS

20. For the purposes of the Code:

“Advisor” means the Director of the Office or designate.

“Authority” means the individual to whom a complaint must be submitted under the terms of a Respondent's [collective or employee agreement](#) or relevant [University policy](#).

“Complainant” means:

- a) a Member who is directly affected by the conduct of another Member and who files a complaint against that other Member under this Code; and/or
- b) the University when, through its Disciplinary Officers, except for the Secretary-General, or a person designated by a Disciplinary Officer, it files a complaint under this Code against a Member in relation to conduct against another Member or non-Member.

“Days” means, subject to [article 163](#), all working days, which excludes weekends, holidays and other days during which the University is closed.

“Disciplinary Officer” means any of the following individuals, who shall have the powers, duties and obligations conferred upon them in the present Code as well as any powers reasonably incident thereto:

- a) the President and Vice-Chancellor;
- b) the Vice-Presidents;
- c) the Deputy Provost;
- d) the Secretary-General.

“Expulsion” or to “Expel” means the termination of all of the Member’s rights and privileges as a Student at the University, including the right to enter and be on

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University property. Expulsion shall be recorded on the Member's transcript as follows: "Required to withdraw; may request to be considered for re-admission after five (5) years from the date of expulsion pursuant to the Code of Rights and Responsibilities". The Student may submit a written request to the Provost and Vice-President, Academic to be considered for re-admission after a period of five (5) years from the date of the expulsion.

"Hearing Panel" means a hearing panel composed pursuant to this Code further to a formal complaint against a Student.

"Investigator" refers to a person, external to the University, chosen to conduct an investigation into a complaint of harassment made against a non-Student Member, in accordance with [article 137](#) of the Code.

"Member" means faculty members, employees, administrative and support staff, postdoctoral fellows, members of the administration, Students and interns, stagiaires or researchers.

"Office" means the Office of Rights and Responsibilities.

"Respondent" means any Member against whom a complaint under the Code is made.

"Secretary" means the Secretary of the Hearing and Appeal Panels, who shall form part of the Office of Student Tribunals, and who shall be designated by the Secretary-General.

"Student" means:

- a) any person registered in any academic program on a full-time or part-time basis
- b) any person admitted as an independent student
- c) any person registered in a non-credit course
- d) any person registered as an auditor in a credit or non-credit course
- e) any person registered as a student at another university who has written approval from their home university to take courses at the University, including exchange students and visiting students.

A person ceases to be a Student:

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- a) upon graduation; or
- b) three (3) consecutive semesters after they were last registered in at least one (1) for-credit or non-credit course; or
- c) at the end of the semester during which such person is declared in failed standing and is no longer entitled to register in any course at the University.

“Suspension” or to “Suspend” means the withdrawal of such University privileges of a Student as are specified by the Provost and Vice-President, Academic or delegate or the Hearing Panel. If no particular privileges are specified, “Suspension” shall entail the withdrawal of all University privileges, including the right to write examinations and the right to enter and be upon University premises, in which case the Student may only come upon University premises for a specified purpose, previously authorized in writing by a Disciplinary Officer. Suspension shall be recorded on the academic transcript as follows: “Required to withdraw. May not resume studies until (date)”. At the date for resumption of studies, the notation shall be removed from the transcript but shall continue to be maintained in the confidential files of the Dean of Students and of the Registrar’s Office. The maximum length of a Suspension shall be two (2) years, after which the Student may resume their studies at the next possible term, providing that all imposed conditions (if any) have been fulfilled.

“University” means the registered not-for-profit corporation named Concordia University, located in Montreal, Quebec, Canada.

Ambiguities

- 21. Wherever there is doubt or ambiguity regarding any provision of the Code or the procedure to be followed, that interpretation or procedure which appears to be most equitable and consistent with the general purposes and philosophy of the Code shall be adopted. Except for those terms specifically defined in this Code, the terms used shall have their usual meanings.

SECTION IV JURISDICTION

- 22. An alleged violation set forth in a Complainant’s complaint must have taken place:
 - a) on University premises, either rented or owned,

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- b) on other premises in the course of any University-sponsored activity or event, or
- c) in the context where activities or events have a real and substantive link to the University.

In the present [article 22](#), by way of example only, “real and substantive link to the University” does not include allegations related to matters arising from or solely pertaining to student associations or fee-levy groups.

Complaints against Former Students

- 23. In the case of claims under this Code involving a Student’s conduct, the Respondent need only have been a Student at the time of the alleged violation of the Code. Subject to [article 24](#), if any proceedings under the Code cannot be initiated or completed because a Student Respondent has graduated or ceases to be a Student in accordance with the definition contained in Section III of the Code, the proceedings shall continue if the Respondent registers again or, in the case of a Respondent who has graduated, if the alleged offence, if proven, would impugn the validity of the degree conferred.
- 24. In the case of claims under this Code made by a Student Complainant against a Student Respondent, the Complainant need only have been a Student at the time of the alleged violation of the Code. Subject to [article 23](#), if any proceedings under the Code cannot be initiated or completed because a Student Complainant has graduated or ceases to be a Student in accordance with the definition contained in Section III of the Code, the proceedings shall resume if the Complainant registers again.
- 25. Subject to [article 96](#), if a complaint has been upheld by a Hearing Panel against a Student who later graduates or ceases to be a Student in accordance with the definition contained in Section III of the Code, prior to the fulfillment of the sanction imposed, a notation shall be made on their academic record only indicating the sanction under the Code and that they cannot pursue further studies at the University until such time as the sanction imposed has been fulfilled, or until they have made suitable arrangements with the Dean of Students to fulfill the sanction.

Contractors, their Employees, Alumni and Visitors

- 26. Contractors, their employees and representatives, and visitors to the University as well as any other persons associated with the University or on University premises are

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expected to conduct themselves in a manner consistent with the Code. Violations of the Code by such persons may be dealt with, where applicable, as potential breaches of contract and, in addition, the appropriate Vice-President or delegate, and any other person designated by the appropriate Vice-President or delegate, may exclude each such person from any University premises and take any other steps that may be appropriate. Should such persons believe that they have been subjected to conduct on University premises in violation of the Code, they may consult the Advisor for advice.

SECTION V OFFENCES PROHIBITED UNDER THE CODE

27. The primary purpose of the Code is to promote and protect the values of civility, equity, respect, non-discrimination, and an appreciation of diversity as manifested within the University and to support Members who have experienced, or are experiencing, conduct that violates these fundamental values.
28. 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. Members may also be charged under articles 30 to 51, as applicable, for any alleged reprisals.
29. The following [30 article 51](#) represent the core behaviours the Code wishes to address and are prohibited under this Code.
30. Threatening or Violent Conduct
“Threatening or violent conduct” means
 - a) assaulting another Member; or
 - b) threatening another Member or group of Members with bodily harm or causing another Member or group of Members to have reasonable grounds to fear bodily harm; or
 - c) creating, or threatening to create, a condition, which unnecessarily endangers or threatens the health, safety or well-being of another Member or group of Members;
31. Sexual Violence and Sexual Assault

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- a) “Sexual violence” means any violence, physical or psychological, carried out through sexual means or by targeting sexuality. This includes, but is not limited to sexual assault, sexual harassment, stalking, indecent exposure, voyeurism, degrading sexual imagery, distribution of sexual images or video of a Member without their consent, and cyber harassment or cyber stalking of a sexual nature or related to a Member’s sexual orientation, gender identity or presentation;
- b) “Sexual assault” is any unwanted act of a sexual nature imposed by one person upon another and includes such activities as kissing, fondling, oral or anal sex, intercourse, or other forms of penetration, without consent;

32. Harassment

“Harassment” means:

- a) all forms of repeated or ongoing unwelcome, vexatious conduct directed towards a Member or a group of Members; and
- b) which may be based upon one of the prohibited grounds specified in the Québec Charter of Human Rights and Freedoms, that is; race, colour, ethnic or national origin, sex, gender identity, pregnancy, sexual orientation, civil status, age, religion, political convictions, language, social condition, disability or the use of a means to palliate a disability; and
- c) when such conduct has the effect or purpose of unreasonably interfering with a Member’s right to pursue their work, study or other activities related to University life in a safe and civil manner or of creating an intimidating or hostile environment for such activities.

A single serious incidence of such behaviour may constitute harassment if it has the same consequences and if it produces a lasting harmful effect on the Member;

33. Sexual Harassment

“Sexual harassment” means a form of harassment which involves conduct, behaviour or communications of a sexual nature such as, but not limited to, verbal abuse or threats of a sexual nature, unwelcome sexual invitations or requests, demands for sexual favours or unwelcome and repeated innuendoes or taunting about a Member’s body, appearance, gender, gender identity, sexual orientation or sex life, when:

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- a) submission to such conduct is made, whether explicitly or implicitly, a term or condition of the Member's employment, educational progress or involvement in the University community; or
- b) submission to or rejection of such conduct is used as the basis for an employment or academic decision affecting that Member; or
- c) such conduct has the effect or purpose of unreasonably interfering with a Member's right to pursue their work, study or other activities related to University life in a safe and civil manner or of creating an intimidating or hostile environment for such activities.

A single serious incidence of such behaviour may constitute harassment if it has the same consequences and if it produces a lasting harmful effect on the Member;

34. Psychological Harassment

"Psychological harassment" is a specific type of harassment formally recognized in the law and means vexatious behaviour in the form of repeated conduct, written or verbal comments, actions or gestures against a Member which:

- a) are hostile or unwanted; and
- b) affect the Member's dignity or psychological or physical integrity; and
- c) have the effect or purpose of unreasonably interfering with a Member's right to pursue their work, study or other activities related to University life in a safe and civil manner or of creating an intimidating or hostile environment for such activities.

A single serious incidence of such behaviour may constitute psychological harassment if it has the same consequences and if it produces a lasting harmful effect on the Member;

35. Discrimination

"Discrimination" means:

- a) treatment which has the effect or purpose of imposing burdens, barriers, obligations or disadvantages on a Member or group of Members; and
- b) for which there is no bona fide and reasonable justification; and

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- c) when such treatment is based on one of the prohibited grounds specified in the Québec Charter of Human Rights and Freedoms, that is; race, colour, ethnic or national origin, sex, gender identity or expression, pregnancy, sexual orientation, civil status, age, religion, political convictions, language, social condition, handicap/disability or the use of a means to palliate a handicap/disability;

36. Communication of Discriminatory Matter

It is an offence for a Member to engage in the distribution, communication, publication or public exhibition by any means of any matter deemed to be discriminatory or to expose a person or persons to hatred or contempt by reason of the fact that that person or those persons are identifiable on the basis of a prohibited ground of discrimination, as contemplated under the Québec Charter of Human Rights or under the Canadian Human Rights Act, and for which there is no bona fide and reasonable justification;

37. “Offences against property” means willfully or recklessly taking or having unauthorized possession of, theft of, damaging or destroying any property belonging:

- a) to the University; or
- b) to any Member or group of Members when such property is on University premises or on other premises during the course of a University-sponsored activity or event;

or threatening to do any of the above;

38. Knowingly furnishing false information, knowingly making a false accusation or knowingly reporting a false emergency to any University Official or Office;

39. Maliciously activating fire alarms;

40. Bomb threats;

41. Theft or abuse of computing facilities or computer time, including but not limited to: logging into or attempting to log into a server or account without authorized access; accessing data or taking any action to obtain, copy, use, misuse, read or change data, information or services not intended for the Member or the Member's use; unauthorized

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transfer of a file; use of another individual's account or password; use of computing facilities to interfere with the work of another individual or computing system; attempting to probe, scan or test the vulnerability of a system or network; tampering, hacking, modifying or otherwise corrupting or breaching security or authentication measures; transmitting materials that contain malware such as viruses, Trojan horse software, keyboard loggers; or engage in conduct that could damage, disrupt or otherwise impair or interfere with the functionality or the operation of computing facilities or computer;

42. Unauthorized entry into any University property;
43. Obstruction or disruption of teaching, research, administration, study, student disciplinary procedures or other University activity. Notwithstanding the preceding, Members are free to engage in peaceful and orderly protest, demonstration, and picketing that do not disrupt the functions of the University.

For example, peaceful picketing or other activity in any public space that does not impede access nor interfere with the activities in a class or meeting is an acceptable expression of dissent and shall not be considered an infraction of this article;

44. Camping or lodging on University property other than in authorized facilities;
45. Forging or, without authority, knowingly altering, using, receiving or possessing University supplies or documents or documents supplied to the University (including without limitation, records, keys, electronic devices, letterheads, reference letters, degrees, diplomas, certificates or identifications);
46. Hazing or any method of pre-initiation or initiation into a student organization or any pastime or amusement engaged in with respect to such an organization which causes, or is likely to cause, bodily danger, physical harm, or personal degradation or disgrace resulting in physical or mental harm;
47. Unlawful manufacture, distribution, possession, use, threatened use, storage, sale or the attempted manufacture, distribution, or sale of controlled substances, except as expressly authorized by law or University regulations;

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48. Unlawful manufacture, distribution, possession, use, threatened use, storage, sale or the attempted manufacture, distribution, or sale of explosives, firebombs, or other destructive devices, except as expressly authorized by law or University regulations;
49. Possession, use, threatened use, or manufacture of firearms, ammunition, dangerous chemicals, dangerous biological materials, explosives, other weapons or other materials deemed dangerous pursuant to applicable law, except as expressly authorized by law or University regulations;
50. Unauthorized use or duplication of the University's name, trademarks, logos or seals; and
51. Any other action that is not specifically described in this Section but which is an offence described in any federal, provincial or municipal law or regulation, which occurs in the University context.

SECTION VI CONSULTATION WITH THE ADVISOR

52. The Advisor shall be impartial in the exercise of functions and shall respect the confidentiality of all parties.
53. Members who believe that they have been subjected to conduct that violates the Code may consult the Advisor. The primary goal of the consultation is to assist the Complainant in making an informed choice as to the most appropriate method of resolution, including informal resolution.
54. Normally, a complaint should be filed with the Advisor within three (3) months of the alleged violation. If the complaint is under [article 34](#), the complaint should be filed with the Advisor within 90 calendar days from the last incident. This period may be extended at the discretion of the Advisor when, in the Advisor's opinion, there are serious and compelling reasons to grant the extension. Cases or consultations with no contact or notifications from any party involved in a complaint for three (3) months will be considered withdrawn and the file closed. If after three (3) months there is additional follow up or new information on the same issue, or if there are extenuating circumstances, the file may be reopened. If the Respondent is a member of a union or employee association, the Advisor shall inform the Complainant of any delays regarding

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disciplinary procedures which may be prescribed in the Respondent's [collective or employee agreement](#).

55. The Advisor may, upon written notice to the Complainant, refuse to assist in informal resolution or to proceed with a formal complaint, on one or more of the following grounds:
- a) it is not within the jurisdiction of the Code in accordance with [article 22](#), in which case the Advisor shall, if appropriate, re-direct the Complainant to the relevant channels for redress, or it is not within the allowed time delays in accordance with [article 54](#); or
 - b) it is trivial, frivolous, vexatious or made in bad faith; or
 - c) it is being dealt with, or has already been dealt with, by another University officer, policy or procedure; or
 - d) it does not appear to be supported by sufficient evidence.
56. In the case of a complaint against a Student, if the Advisor has refused to proceed with a formal complaint, the Complainant may appeal such a refusal within ten (10) Days of receipt of the Advisor's notice, by submitting a request in writing to the Secretary of the Hearing Panel who will provide a copy of the request to the Advisor. A Hearing Panel shall be convened as soon as possible after receipt of the notification and normally within ten (10) Days. Once a hearing date is fixed by the Secretary, the Complainant and the Advisor shall each deliver written submissions to the Secretary at least two (2) Days prior to the date fixed for the hearing. The Hearing Panel shall render its reasoned decision based on such written submissions. The Secretary shall advise the Complainant and the Advisor of the names of the panelists no later than five (5) Days before the hearing. The provisions of Section VII shall apply, except that a reasoned objection to the participation of a panelist on the grounds of potential bias shall be filed no later than three (3) Days before the hearing. The decision of the Hearing Panel is final.
57. If the Advisor does not make a determination under [article 55](#), the Complainant shall decide upon one of the following courses of action:
- a) to proceed with informal conflict resolution; or
 - b) to proceed with a formal process under Section VII or Section VIII; or
 - c) to take no further action; or

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- d) to pursue any other course of action available at law, under a [collective or employee agreement](#) or under any other [University policies](#) or procedures.

SECTION VII PROCEDURES FOR INFORMAL RESOLUTION

58. If the Complainant opts to proceed with informal conflict resolution, the Complainant may authorize the Advisor to take steps to attempt an informal resolution. Such steps may take a variety of forms, for example, helping to clarify perceptions (e.g., shuttle diplomacy), raising awareness of the impact of certain conduct (e.g., impact statements), reconciling differences (e.g., apology letters) or sorting out misunderstandings. The parties may be brought together or communication may be effected through the Advisor.
59. Where the situation lends itself to structured mediation and both parties agree, the Advisor may personally act as mediator, or may assist the parties in obtaining the services of another Member who is qualified to perform this function.
60. Any informal resolution agreement reached between the parties through informal conflict resolution is entirely voluntary. Conditions agreed upon by the parties are binding.
61. The Complainant may withdraw the complaint at any point during the process of informal resolution. As well, the Advisor may withdraw from the informal process if it is determined by the Advisor that no useful purpose will be achieved by continuing.
62. Normally, attempts at informal resolution shall not last longer than three (3) months.

Referral to the Dean of Students

63. Where a concern has been raised about a Student's or a group of Students' conduct, and, in the opinion of the Advisor, it cannot be adequately addressed using the range of informal options described in [article 58](#) or the formal option described in [article 67](#) or should it not be in the jurisdiction of this Code, the Advisor may, with the agreement of the complaining party, refer the matter to the Dean of Students for disposition.

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64. The Advisor shall forward the details of the matter, in writing, to the Dean of Students, who shall meet with the relevant parties, should they so wish.

The Dean of Students may seek a response to the concern, which is instructive for the parties and which is intended to help prevent further problems of behaviour.

65. The Dean of Students will maintain a file on the matter and will provide a written summary of the outcome to the parties, with a copy to the Advisor.
66. Nothing in this Code shall limit the roles and responsibilities of the Dean of Students set out in any other University policy.

SECTION VIII PROCEDURES FOR ADJUDICATING FORMAL COMPLAINTS AGAINST STUDENTS

Initiating a Formal Complaint

67. A Complainant may opt to proceed directly to a formal complaint at the outset or after an attempt at informal conflict resolution has been unsuccessful. No statements, documents or information brought forward in the course of an attempt at informal conflict resolution may be used or referred to by either the Complainant or the Respondent should a formal complaint be initiated and no reference may be made, including before a Hearing Panel, to the fact that informal conflict resolution was attempted. Nothing herein shall prevent any disclosures required by law.
68. Prior to a hearing by a Hearing Panel, a settlement may be agreed to by the parties at any time. The process is entirely voluntary but once a settlement is reached, it is binding. The Advisor shall monitor the terms of the settlement and if either party defaults on the settlement, the Advisor shall inform the other party, who may then decide to initiate or resume the formal procedure. No settlement may be imposed by either party without the full agreement of the other.

Any informal resolution agreement (e.g., settlement) which is agreed upon by the parties shall be signed and dated by the parties and, should any condition set forth in that agreement be breached, the settlement agreement may be submitted into evidence before a Hearing Panel by either party but shall be considered to be solely relevant as to the decision with respect to sanction.

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69. In an egregious case, in which the safety or well-being of a Member, or of a group of Members, or of the University as a whole, is deemed to be at risk, the Advisor may take temporary measures with respect to the Complainant's safety and security such as, for example, a non-contact order, as deemed necessary.
70. The Complainant may withdraw their own complaint at any time.
71. The Advisor shall provide the Complainant with a copy of this Code and shall inform the Complainant of the following:
- a) the required format for submitting the complaint, which must be made in writing, signed and dated and must identify the Complainant and the Respondent and the precise nature of the complaint, including the relevant provision(s) of the Code;
 - b) information with respect to procedures which shall be followed by a Hearing Panel;
 - c) the right of the Complainant and the Respondent to consult any person in the preparation of their case, and to be accompanied or represented before a Hearing Panel by any Member. If the Complainant is a Student, they also have the option of obtaining a student advocate through the services of the Office of Student Advocacy or a student advocacy service offered by a student association; and
 - d) the right of appeal.
72. Upon receipt of the written complaint, the Advisor shall notify the Respondent. The Respondent shall be provided with a copy of the Code, a copy of the complaint together with the information detailed in [article 71](#) b), c) and d).
73. Concurrent with the notification sent to the Respondent, the Advisor shall notify the Secretary who shall convene a Hearing Panel to hear the matter. Thereafter, until the final decision of the Hearing Panel is rendered, the Secretary shall be responsible for all communications with the Complainant and the Respondent.
74. The Office of Student Tribunals shall be responsible for the administrative functioning of the Hearing Panels in cases against Students and shall maintain the confidential files and recordings of proceedings of the Hearing and Appeal Panels.

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75. Where a formal complaint is made by a Student against another Student, the Secretary shall select a Hearing Panel composed of three (3) graduate or undergraduate students drawn from the Student Tribunal Pool and one (1) non-voting chair who have been appointed pursuant to the *Policy on the Establishment of Tribunal Hearing Pools* ([BD-6](#)).
76. In all other cases, the Secretary shall select a Hearing Panel composed of the following individuals, all of whom have been appointed pursuant to the *Policy on the Establishment of Tribunal Hearing Pools* ([BD-6](#)):
- a) one (1) non-voting chair; and
 - b) two (2) undergraduate or graduate students drawn from the Student Tribunal Pool;
 - c) one (1) faculty member drawn from the Faculty Tribunal Pool if the Complainant is a faculty member; or one (1) member of the administrative or support staff drawn from the Administrative and Support Staff Tribunal Pool if the Complainant is a member of the administrative or support staff. If the Complainant is the University (as per the definition of Complainant set forth at Section III of the Code), a member of the senior administration or the Security Department, the member shall be drawn from the Faculty Tribunal Pool.
77. Following receipt of the notification by the Secretary, if the Secretary determines that complaint(s) made by multiple Complainants are substantively identical or pertain to the same incident, the Secretary may join such complaints together so that they are heard by one (1) Hearing Panel. Any Complainant may object to the joining of their complaint, in which case their own complaint(s) will be handled separately.
78. Following receipt of the notification by the Secretary, if the Secretary determines that complaint(s) made against multiple Respondents are substantively identical or pertain to the same incident, the Secretary may join such complaints together so that they are heard by one (1) Hearing Panel. Any Respondent may object to the joining of the complaint(s) against them to the complaint(s) against other Respondents, in which case the complaint(s) against that Respondent will be handled separately.
79. A Hearing Panel shall be convened as soon as possible after receipt of the notification by the Secretary. The Secretary shall inform the parties of the academic term during which

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it is expected that the Hearing Panel will be held, within fifteen (15) Days of the Secretary's receipt of the notification.

80. Once a hearing date is fixed by the Secretary, the Complainant shall submit all documentation for the Hearing Panel's consideration to the Secretary no later than twenty (20) Days before the scheduled hearing date. Such documentation shall include any supporting documents and a list of the witnesses that will appear on behalf of the Complainant, if any, and written statements, if any, made by witnesses regarding the complaint.
81. The Secretary shall forward such documentation along with a list of panelists selected for the case to the Respondent no later than fifteen (15) Days before the scheduled hearing. The list of panelists shall also be sent to the Respondent.
82. The Respondent shall submit all documentation for the Hearing Panel's consideration to the Secretary no later than ten (10) Days before the scheduled hearing date. Such documentation shall include any supporting documents and a list of the witnesses that will appear on behalf of the Respondent, if any, and written statements, if any, made by witnesses regarding the complaint.
83. Any documentation or any names of witnesses submitted after the above deadlines may be accepted by the Hearing Panel, at the discretion of the Chair of the Hearing Panel, further to representations made by the parties. In making the decision as to whether to accept additional documentation or witnesses after the deadline, along with other considerations, the Chair of the Hearing Panel may take into account when the documentation or name(s) of the witness(es) was submitted, the reasons for the late submission, and any prejudice that any party may suffer due to such late submission, or any other relevant motives.
84. The Secretary shall transmit the documentation submitted by the parties, the present Code and the Procedures of the Hearing Panel, to the parties and to the Hearing Panel no later than five (5) Days before the scheduled hearing date. The Hearing Panel may limit the number of witnesses called by both parties taking into account their relevancy.
85. Any party may object to the participation of a panelist on the grounds of potential bias. A reasoned objection shall be filed with the Secretary, in writing no later than five (5)

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Days prior to the hearing date. The Secretary shall arrange for an alternate panelist to serve if the Secretary determines that the objection is well founded. If the matter cannot be resolved, the issue shall be forwarded to the Chair of the Hearing Panel who shall render a final decision in this regard.

The Hearing

86. The procedures established by the Hearing Panel shall include, at a minimum, opening statements by the parties, the presentation of evidence and witnesses (expert or otherwise), the right of cross examination, questioning by members of the Hearing Panel, representations with respect to desired sanctions and closing statements. Hearings shall be recorded, and the recording kept as part of the permanent record of proceedings for a period of not less than five (5) years. Recordings shall be provided to a party to a Hearing Panel upon request to the Secretary.
87. The role of the Chair shall be to preside over the proceedings, keep order and ensure fairness. The Chair shall preside over the deliberations of the Hearing Panel but shall not vote. Decisions shall be made by majority vote. The deliberations of the Hearing Panel shall only be attended by the Chair, the Secretary and the panelists. If the Hearing Panel decides to uphold the complaint it shall subsequently impose one or more of the sanctions that appear at [article 91](#).
88. The hearing shall be closed and confidential unless both parties have consented in writing to the attendance of other people.
89. If the Respondent fails, without reasonable excuse, to attend the hearing, the hearing may proceed in the Respondent's absence or, at the Chair's discretion, the start of the hearing may be postponed. If the hearing proceeds in the Respondent's absence, all rights contingent on the Respondent's presence, with the exception of the right to have an advocate present, are forfeited. In such a case, a Respondent's right of appeal is limited to a consideration of the reasonableness of the Respondent's excuse for not appearing. If an Appeals Panel finds that the excuse is reasonable, it shall order a new hearing by a new Hearing Panel with the Respondent present. The decision of the new hearing is appealable as if it were a first hearing.
90. The Hearing Panel shall provide a signed, dated and reasoned decision. The standard of proof to be relied upon by the Hearing Panel shall be one of a "preponderance of evidence". A "preponderance of evidence" standard means that the Complainant must

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establish that their version of the facts is significantly more probable than the alternatives. This standard is less rigorous than the standard of “beyond a reasonable doubt” required under criminal law.

Sanctions

91. If a complaint is upheld against a Student by the Hearing Panel, the Hearing Panel must impose one (1) or more of the following sanctions:
- a) a written reprimand;
 - b) placing restricted access conditions (e.g., restricted access, non-contact/communication, space and time restrictions) on the Respondent while they are on University premises or at University events, the whole subject to the confirmation or modification by the appropriate unit at the University;
 - c) payment as compensation to the Complainant for damage or loss of property or to otherwise rectify a situation which the Respondent created or helped to create;
 - d) relevant specified community service at the University or elsewhere of up to ten (10) hours per week for a specified period of time, which can be modified at the Dean of Student’s sole discretion, not exceeding a total number of sixty (60) hours;
 - e) a fine not exceeding \$500 payable to student awards at the University when the Hearing Panel deems that other sanctions are not appropriate or practical;
 - f) a recommendation of Suspension, subject to confirmation by the Provost and Vice-President, Academic;
 - g) a recommendation of Expulsion, subject to confirmation by the Provost and Vice-President, Academic.
92. All monetary sanctions shall be payable within twenty (20) Days of the date of transmission of the Hearing Panel’s decision or, in cases where a decision is appealed, within twenty (20) Days of the transmission of the final appeal decision. The execution of any sanction imposed by the Hearing Panel, with the exception of a sanction under [article 91 \(b\)](#), shall be suspended by an appeal.
93. The decision of the Hearing Panel shall normally be rendered within ten (10) Days of the hearing and shall be communicated in writing to all parties and the Advisor and to the Dean of Students when they are responsible for the administration and monitoring of the sanctions pursuant to [article 95](#), and, when relevant, to the Registrar.

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94. Furthermore, the decision of the Hearing Panel shall inform the parties of their right to submit a written request to for authorization to appeal the decision within fifteen (15) Days of the date of transmission of the Hearing Panel decision, as permitted pursuant to [article 97](#).
95. The administration and monitoring of the sanction(s) imposed shall be the responsibility of the Dean of Students. Failure to pay any monetary sanction imposed within the delay prescribed in [article 92](#) shall result in the amount being added to the Respondent's student account. Should the Respondent fail to comply with any non-monetary sanction, the Dean of Students shall, in writing, convene the Respondent to an interview and inform the Respondent of their right to be accompanied by a student advocate from the Student Advocacy Office or from a student advocacy service offered by a student association or any other Member. During the interview, the Respondent shall have the opportunity to review the evidence related to the alleged violation of the sanction(s) and to provide the Dean of Students with an explanation.
96. Following the interview, or, should the Student fail to attend the scheduled interview without a reasonable excuse, following the scheduled interview, the Dean of Students in consultation with the Office of Rights and Responsibilities and any other relevant units may require that the Respondent:
- a) not be permitted to re-register until such time as they have fully complied with the sanction(s) imposed;
 - b) subject to confirmation by the Provost and Vice-President, Academic, be Suspended, or given an additional Suspension if the original sanction was a Suspension;
 - c) subject to confirmation by the Provost and Vice-President, Academic, be Expelled if the Respondent has failed to respect the sanction imposed more than twice;
 - d) have a diploma or transcript withheld until such time as the Respondent has fully complied with the sanction(s) imposed.

Appeals

97. A party who wishes to appeal a decision or sanction of the Hearing Panel, or both, shall apply in writing to the Secretary for the authorization to lodge an appeal. Such request

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for authorization to appeal shall be submitted to the Secretary no later than fifteen (15) Days after the date of transmission to the parties of the decision of the Hearing Panel.

98. Any request for authorization to appeal may be based only on the following grounds:
- a) the discovery of new evidence following the Hearing Panel;
 - b) the presence of serious and prejudicial procedural defects of the Hearing Panel;
or
 - c) the decision of the Hearing Panel is patently unreasonable.
99. The request for authorization to appeal shall state in clear and precise terms the grounds on which the appeal is based. Furthermore, if the party submitting an appeal (the “Appellant”) is requesting an appeal based on the grounds of discovery of new evidence, the Appellant must provide such evidence as part of their request. Upon receipt of the request for authorization to appeal, the Secretary shall provide the other party with a copy.
100. The execution of any sanctions by a Hearing Panel, except for sanctions further to the temporary exclusion of a Student pursuant to article 148 or the Suspension or exclusion of a Student pursuant to article 154, or a sanction pursuant to article 91b), shall be Suspended until the expiry of the fifteen (15) Day delay to request authorization to appeal or until the final rendering of the decision with respect to the appeal.
101. If neither party has requested authorization to appeal within the fifteen (15) Day delay stipulated at [article 97](#), the Secretary shall so inform the Advisor and to the Dean of Students, when they are responsible for the administration and monitoring of the sanctions pursuant to [article 95](#), and, when relevant, to the Registrar, including a statement to the effect that the all parties were notified in writing of the decision of the Hearing Panel and of their right to submit a request for authorization to appeal such decision. Such report shall form a part of the student’s permanent file maintained by the Secretary. This notification shall be sent to the parties.
102. If an Appellant has requested authorization to appeal the decision of the Hearing Panel, the Secretary shall forward such request to the other party(ies), with a copy to the Advisor and, if appropriate, to the Dean of Students and the Registrar, soliciting the non-appealing party’s (the “Respondent on Appeal”) written response within ten (10)

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Days. Any response received by the Secretary within the ten (10) Day period shall be forwarded to the Appellant and, if the Appellant wishes, they may submit a written rebuttal within a further ten (10) Days.

103. An Appeals Authorization Panel shall be convened by the Secretary as soon as possible after the expiry of the delay to submit written input.
104. The Secretary shall select an Appeals Authorization Panel composed of the following individuals, all of whom have been appointed pursuant to the *Policy on the Establishment of Tribunal Hearing Pools* ([BD-6](#)):
 - a) one (1) non-voting chair;
 - b) two (2) graduate or undergraduate students drawn from Student Tribunal Pool;
 - c) one (1) faculty member drawn from the Faculty Tribunal Pool;
105. In no case shall a member of the Appeals Panel also have been a member of the Hearing Panel which conducted the original hearing.
106. The Appeals Authorization Panel shall decide whether an appeal shall be heard, having regard to the allowable grounds of appeal and the circumstances of each case.
107. The Appeals Authorization Panel shall be provided with all written evidence provided to the Hearing Panel, the decision of the Hearing Panel, the recording of the Hearing Panel, the request for authorization to appeal, and all written input received within the thirty (30) Day period set forth at article 102. The decision of the Appeals Authorization Panel shall be based solely upon the documents and recording listed in the present article. Neither party is permitted to attend or make oral representations before the Appeals Authorization Panel.
108. The Appeals Authorization Panel shall have the authority to grant or deny authorization to appeal based only on the grounds for appeal set forth in the present Code. If it grants authorization to appeal based on the grounds of discovery of new evidence following the rendering of the decision of the Hearing Panel, the patent lack of reasonableness of the decision of the Hearing Panel or the reasonableness of the student's excuse for not appearing before the Hearing Panel pursuant to article 89, the Appeals Authorization Panel may order a new hearing of the case by a new Hearing Panel or may forward the

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file to an Appeals Panel. If it grants authorization to appeal based on the grounds of presence of serious and prejudicial procedural defects of the Hearing Panel, it shall forward the file before an Appeals Panel.

109. The Appeals Panel shall normally render its decision with respect to the request for authorization, within ten (10) Days of its consideration of the request.
110. The Appeals Panel shall render its decision with respect to the request for authorization in writing, with brief reasons supporting its decision. Notification of such decision to authorize the appeal shall be sent to both parties and the Advisor and, if relevant, to the Dean of Students and the Registrar.
111. If the authorization to appeal is granted, it shall normally be heard by an Appeals Panel within twenty (20) Days of the decision to authorize the appeal. Notification of the scheduling of the Appeals Panel shall be sent to both parties and the Advisor.
112. If a file is forwarded to an Appeals Panel, a panel of three (3) Members, as well as a non-voting Chair, shall be composed by the Secretary. The Appeals Panel shall be composed of two (2) faculty members drawn from the Faculty Tribunal Pool and one (1) student drawn from the Student Tribunal Pool.
113. If either party fails to attend the Appeals Panel, the hearing may proceed in the other party's absence or, at the Chair's discretion the start of the hearing may be delayed.
114. During the hearing of the appeal, any procedures established by the Appeals Panel shall include, at a minimum, the opportunity for the Appellant and the Respondent on Appeal to make oral representations and all representations before the Appeals Panel shall be limited to representations as to the grounds further to which authorization to appeal was granted by the Appeals Authorization Panel.
115. The Appeals Panel has the authority to confirm, reverse or modify the decision being appealed. Furthermore, should the appeal be based on the production of new evidence or patent unreasonableness of the Hearing Panel decision, the Appeals Panel may order a new hearing of the complaint by a new Hearing Panel.

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116. The Appeals Panel shall normally render its decision within ten (10) Days of the hearing. The decision of the Appeals Panel shall be signed, dated and reasoned and shall be sent to the parties and the Advisor and, if relevant, to the Dean of Students and the Registrar.
117. The decision of the Appeals Authorization Panel denying an appeal shall be final or, if an appeal is authorized, the decision of the Appeals Panel shall be final.
118. In extraordinary circumstances where it is determined that a Hearing Panel or Appeals Panel has acted outside of its jurisdiction as provided for in the Code, the Secretary-General may set aside a Hearing Panel or Appeals Panel decision and order that a new Hearing Panel or Appeals Panel, as the case may be, re-hear the matter.

Files of Formal Complaints against Students

119. The Advisor shall maintain a file of all formal complaints processed. The file shall include the written complaint, the decision of the Hearing Panel and the decision of the Appeals Panel, if any. If a settlement is reached prior to a hearing, the general substance of the settlement shall be included in the file. If the complaint is withdrawn at any stage of the formal process, a notation to that effect shall be recorded.

SECTION IX PROCEDURES FOR RESPONDING TO FORMAL COMPLAINTS MADE AGAINST FACULTY, ADMINISTRATIVE OR SUPPORT STAFF MEMBERS OR MEMBERS OF THE ADMINISTRATION

General Rules

120. The application of the present Section to a Respondent who is unionized or a member of an employee association or other employee group is subject to the provisions of their [collective or employee agreement](#) and to the provisions of articles 9, 10 and 11 of the Code.
121. In all cases governed by the present Section, the Advisor shall invite the Complainant to consider an informal resolution and shall advise the Complainant of their right to consult their respective union or association or the Department of Human Resources.
122. The Advisor shall terminate any attempt at informal resolution or formal resolution should a Complainant initiate a process such as, but not limited to, a grievance or other

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formal internal procedure, or any external procedure such as a complaint or action before a commission, board or tribunal. Any attempt at informal resolution or formal resolution shall be suspended when the University is made aware of the institution of criminal proceedings, and such until the conclusion of the criminal proceedings.

123. The absence or non-availability of the Complainant is a factor in the decision of the Advisor and/or the University official empowered to continue any procedures set out in the Code but is not decisive.

Informal resolution

124. A Member who has a concern regarding the behaviour of a faculty, administrative or support staff member, or a member of the administration is strongly encouraged to consult the Advisor and seek a remedy through one or more of the informal dispute resolution procedures described in articles Section VII of the Code.
125. In order to facilitate the informal resolution of the complaint, a Member who belongs to a collective or employee association may agree to suspend any applicable delays provided that all parties (the Member, the University, the union and/or the association) have so agreed in writing.
126. A Member who chooses not to advise their union or employee association of the matter should consult the Advisor concerning the possible consequences of such a decision.
127. Consulting the Advisor and/or attempts at informal resolution facilitated by the Advisor does not constitute a formal University proceeding. Until a formal process is undertaken, no notification shall be deemed to have been made to the University of any complaint or procedure involving a Member.

Initiating a Formal Complaint against a Faculty, Administrative or Support Staff Member or against a Member of the Administration

128. To the extent permitted by the Respondent's [collective or employee agreement](#) and relevant [University policies](#) and with the agreement of the Respondent's union or employee association on a case by case basis, the following procedure shall be considered the formal investigation under the Respondent's [collective or employee agreement](#).

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129. A Member who wishes to file a formal complaint against faculty, administrative or support staff members or against members of the administration shall contact the Advisor.
130. The Advisor shall provide the Complainant with a copy of the Code and shall inform the Complainant of the following:
- a) the required format for submitting the complaint, which must be made in writing, signed and dated and must identify the Complainant and the Respondent and the precise nature of the Complaint, including the provision(s) of the Code under which the complaint is being filed;
 - b) the right of the Complainant to consult any person in the preparation of their complaint, and to be accompanied or represented by any Member during the process of resolution. If the Complainant is a Student, they may opt to be accompanied by a student advocate from Advocacy and Support Services or a student advocacy service offered by a student association. If the Complainant is a member of a union or an employee association, they may opt to be accompanied by a union or association representative.
131. If the Respondent is a member of a union or association, the Advisor shall inform the Complainant of any delays regarding the imposition of a disciplinary measure which may be set out in the Respondent's [collective or employee agreement](#). The Advisor shall, in particular, advise the Complainant of the delay of ninety (90) calendar days since the last incident in matters of psychological harassment complaints, as set out in the [Quebec Labour Standards Act](#).
132. Upon receiving a formal complaint, the Advisor shall transmit the complaint and the relevant [University policy](#), along with all the relevant information and documentation to the Authority to whom the complaint must be submitted under the terms of the Respondent's [collective or employee agreement](#), with a copy to the Respondent's union or association. The Advisor shall notify the Department of Human Resources in writing of the existence of the complaint and of who has been named as the Authority. If there is no applicable union or association, the Advisor shall notify the Respondent directly.

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133. In an egregious case, in which the safety or well-being of a Member, or of a group of Members, or of the University as a whole, is deemed to be at risk, the Authority may take such temporary measures permitted under the [collective or employee agreement](#), relevant [University policy](#) and the law, as deemed necessary.

Powers and Duties of the Authority

134. The Authority shall inform the Respondent of their right to consult any person in the preparation of their case, and to be accompanied or represented by any Member during the process of resolution. If the Respondent is a member of a union or an employee association, they may be accompanied by a union or association representative.
135. The Authority shall then take the necessary steps to resolve the matter in such a manner as to respect the principles of natural justice and the procedures of any [collective or employee agreement](#) or [University policy](#), which may apply.
136. More specifically, the Authority may:
- a) meet with the Complainant and the Respondent on an individual basis;
 - b) subject to [article 162](#), have access to all official files and information as are required, the whole subject to the applicable legislation;
 - c) meet any individual who might, in their opinion, provide information relevant to the complaint;
 - d) consult any University officer (representatives of the Department of Human Resources, University Secretariat, etc.) or outside counselors as may be required;
 - e) refer the matter to be investigated internally or externally.

Harassment Complaints

137. The formal investigation of a complaint of harassment, including psychological harassment, may be submitted, with the agreement of the parties (including the Respondent's union or association), to an internal assessor as or if provided for in the relevant [collective or employee agreements](#), [University policies](#) or an Investigator agreed to by the University and the unions and/or employee association.

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138. All information, whether in writing or in any other form, obtained by the Authority and/or the Investigator in the performance of the Authority's duties in relation to any complaint and harassment shall be strictly confidential except as provided for by law.
139. In cases where an Investigator is used, the mandate must be completed within a reasonable delay and in all cases within forty (40) Days from the appointment of the Investigator, unless the parties have agreed otherwise in writing. Upon the completion of the investigation, the Investigator shall send the written report to the Authority and to the Advisor. A summary of the report, prepared by the Investigator without any mention of nominative information shall be provided to the Respondent and the union or association, in accordance with the relevant collective or employee agreement.
140. Upon the completion of the investigation, the Authority may dismiss the complaint, impose or recommend the imposition of a disciplinary measure or take any other action permitted by the relevant [collective or employee agreement](#) or [University policy](#).
141. When the matter has been decided by the Authority, the Authority shall notify the Complainant and the Advisor, in a timely fashion, of the general substance of the decision and any action that was taken as a result of the complaint.
142. When the decision or remedial action taken by the Authority is not a disciplinary action as defined by the relevant [collective or employee agreement](#) or [University Policy](#), as the case may be, the Authority or the Associate Vice-President, Human Resources, as appropriate, shall monitor compliance. Once satisfied that compliance has been effected, the Authority shall so inform the Complainant and the Advisor.
143. If disciplinary action is taken and subsequently overturned by a higher authority or by the grievance and arbitration procedures, the Complainant and Advisor shall be notified.

Files of Formal Complaints against Faculty, Administrative and Support Staff Members or Members of the Administration

144. The Advisor shall maintain a file of formal complaints received against faculty, administrative or support staff members or members of the administration which shall summarize the substance of the consultation with the Complainant, the record of

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resolution as supplied by the Authority and information that a sanction has been overturned through grievance or arbitration, if applicable.

SECTION X URGENT SITUATIONS

Reporting and Responding to Urgent Situations

145. Members who are faced with an urgent situation involving threatening or violent conduct, where there is reasonable cause to believe that the safety or security of persons may be threatened, shall immediately contact the Security Department. The Security Department shall take whatever reasonable action is necessary to secure the safety of persons, and shall immediately alert the Advisor. In such a case, the Advisor shall be guided by the *Protocol on the Coordination of Urgent Cases of Threatening or Violent Conduct* (the "[Protocol](#)"). The *Policy on Student Involuntary Leave of Absence* ([PRVPA-15](#)) and/or other University policies may apply.
146. Members shall immediately report to the Advisor any conduct which they have reasonable cause to believe potentially threatens the safety or security of persons. The Advisor shall assess the situation as specified in the [Protocol](#), the *Policy on Student Involuntary Leave of Absence* ([PRVPA-15](#)) and/or consult experts as necessary, and make recommendations as to any further action appropriate in the circumstances.
147. Any Member who is called to a team meeting under the [Protocol](#) or any other relevant policy shall respond promptly.

Temporary Exclusion of a Student by a Disciplinary Officer

148. A Disciplinary Officer may require any Student to immediately leave and remain away from the University premises or a part thereof, for a period not exceeding five (5) Days, which may be renewed up to two (2) times, if based on personal knowledge and/or reliable information, the Disciplinary Officer has reasonable grounds to believe that the Student's continued presence at the University:
- a) is detrimental to any Member's pursuit of work, studies and other activities related to University life in a safe and civil environment; or
 - b) constitutes an immediate threat to the safety or security of others.

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149. In a situation referred to in article 148, when a Disciplinary Officer is not available, the Advisor may require a Student to immediately leave and remain away from the University premises or a part thereof for a period not exceeding twenty-four (24) hours.
150. No Student shall be barred from taking any examination or submitting any academic assignment as a result of this Section but the Disciplinary Officer may make special arrangements as to the time and place for the completion and/or submission of any academic assignment or writing of any exam.
151. A Disciplinary Officer shall immediately advise the Registrar, the Secretary, the Dean of Students, the relevant Academic Dean(s), the Advisor and the Security Department of the temporary exclusion of a Student under this Section.
152. Any temporary exclusion ordered under this Section shall not be deemed to be in lieu of other proceedings under the Code if the conduct for which exclusion is ordered also constitutes an offence under articles 28 to 51 of the Code.

Suspension of a Student by the Vice-President or Delegate

153. A Vice-President or delegate may Suspend a Student, exclude the Student from any University premises and take any other steps that may be appropriate where:
 - a) the Student presents a clear and present danger to the safety of persons or to the activities of the University as a whole or any of its Members or groups of Members; or
 - b) the Student has, on one or more occasions, presented a clear danger to the safety of persons or to the activities of the University as a whole or of any of its Members or groups of Members and whose identity or action has only recently been identified; or
 - c) the Student's actions are of such a serious nature that they create an intimidating and hostile environment for work or study or constitute a serious threat to the ability of the University and its Members to carry out the University's functions.
154. In such a case, the Vice-President or delegate shall provide the Student with a written Suspension notice with a copy to the Registrar, the Secretary, the Dean of Students, the relevant Academic Dean(s), the Advisor, and the Security Department. The Vice-President or delegate shall inform the Student of their right to consult a student

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advocate from the Student Advocacy Office or a student advocacy service offered by a student association and shall also provide the Student with a copy of any supporting information and a copy of the Code. Should the Student Suspended from the University wish to meet an advocate on University premises, the Advisor may agree to make arrangements to allow such a meeting to take place.

155. In the case of a Suspended Student, the Vice-President or delegate shall immediately lay a complaint against the Student under Section V of the Code. The regular delays of the Code shall not apply and a hearing into the complaint shall be held as soon as possible and normally within twenty (20) Days of the Suspension order. The Vice-President may designate another Member to represent the University at the hearing. The Hearing Panel shall render its decision and inform the parties within five (5) Days of the hearing.
156. Should the suspended Student be unable to attend the hearing within the prescribed delay, they shall notify the Secretary and the Secretary shall schedule the Hearing Panel when deemed appropriate, further to consultation with the Chair of the Hearing Panel .
157. In the event that the Hearing Panel dismisses the original complaint, that decision shall lift the Suspension. Notwithstanding the foregoing, the decision shall not invalidate the Vice-President or delegate's prior action. However, every effort shall be made to remedy any academic disadvantage that the Student may have experienced as a consequence of the Suspension within the limits of what is allowed pursuant to the University's academic calendars and processes.
158. Upon the lifting of the Suspension, the Secretary shall notify the Registrar, the Dean of Students, the Provost and Vice-President, Academic, the Advisor and the Security Department.

Temporary Exclusion of a Member of the Faculty or Administrative and Support Staff

159. Where a member of the faculty or administrative and support staff presents a clear and present danger to the safety or security of persons or to the activities of the University as a whole or of any of its individual Members, the matter shall be dealt with according to the provisions of the relevant [collective or employee agreement](#) or [University Policy](#).

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160. A Member against whom such action is taken may seek recourse through the grievance procedures of the relevant [collective or employee agreement](#) or the grievance procedures contained in [University Policy](#), where they exist.

SECTION XI MISCELLANEOUS

Confidential Nature of Files

161. The Advisor shall maintain suitable records of complaints and their disposition which shall be accessible only to the staff of the Office of Rights and Responsibilities or as required by law. Such files shall be destroyed according to a retention schedule determined in accordance with provincial legislation.
162. All individuals who hold information with respect to complaints under this Code, including, but not limited to, the Advisor, the Dean of Students, the Secretary, panel members and the Registrar, and the Department of Human Resources shall maintain the confidentiality of all information, files, documents, decisions, recordings and materials in relation to the complaint.

Delays

163. In the calculation of any delay for a hearing set out in Section VIII of the Code, the months of July and August and final examination periods shall not be counted. However, in the case of a hearing before a Hearing Panel or an Appeals Panel that commenced before July 1, the regular delays set out in the Code shall apply.

Notices

164. Any written notice to any person shall be sent by courier, registered mail or e-mail to the last address provided by the person to the University and shall be deemed to be received one (1) Day after delivery.

Language

165. Any party or witness participating in a hearing before a Hearing Panel or an Appeals Panel may make their presentation in either English or French. If an interpreter is

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required to satisfy the preceding, the request shall be made at the same time as the initial request for a Hearing Panel.

The Secretary-General

166. The overall responsibility for the implementation and recommended amendments to the Code shall rest with the Secretary-General.

Approved by the Board of Governors on December 20, 1995, and amended on November 14, 2001, May 20, 2004, August 1, 2010, April 19, 2017 and [insert date].

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Effective Date: ~~April 19, 2017~~ **Originating Office** [insert date]
Approval Authority: Board of Governors

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SECTION I STATEMENT OF PRINCIPLES

The Code of Rights and Responsibilities

1. The Code of Rights and Responsibilities (the “Code”) has, as its grounding principles, the values of civility, equity, respect, non-discrimination and an appreciation of diversity as manifested within the University and within society-at-large.

Rights promoted and protected by the Code

2. All Members of the University, as defined in Section III of the Code, may reasonably expect to pursue their work, studies and other activities related to University life in a safe and civil environment. As such, neither the University nor any of its Members shall condone any conduct which adversely affects the University or any of its Members.
3. All Members have the freedom of conscience and religion; freedom of thought, belief, opinion and expression; freedom of peaceful assembly and freedom of association, the whole subject to the limits recognized by law and [University policies](#) and procedures.

Academic Freedom

4. The Code is not to be applied in such a way as to detract from the right of Members to engage in the frank discussion of potentially controversial matters, such as race, sex, sexual orientation, gender identity, politics or religion. Furthermore, the Code shall not be interpreted in such a way as to limit the use of legitimate instructional techniques, such as irony, argument, conjecture and refutation, or the assignment of readings, which may present a controversial point of view. The Code also recognizes the right to teach, within the bounds of the course calendar description and requirements of competence, and to conduct research and to engage in creative activity according to one’s best judgment.

Responsibilities

5. All Members are expected to refrain from violating the Code and those who have supervisory authority over others bear a particular responsibility to act in a timely and effective manner when they become aware of any alleged violation of the Code.

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Complaints Subject to a Range of Responses

6. In keeping with its desire to settle conflicts in an effective and constructive manner, the University and its Members shall endeavour to seek an appropriate response to any alleged violations of the Code, ranging from the use of informal methods of conflict resolution to formal procedures for adjudicating complaints. Every attempt shall be made to use remedies and sanctions that restore harmony, collegiality and cooperation between Members. Other University policies such as the *Policy regarding Sexual Violence (PRVPA-3)*, the *Policy on Student Involuntary Leave of Absence (PRVPA-15)* and other University policies may also be applied.

Fairness and Consistency

- ~~7. Complaints made under the Code shall be adjudicated in a manner that is consistent with the principles of natural justice and fair for all parties, regardless of constituency. The principles of natural justice may be defined broadly as the right to be heard, the obligation to hear the other side and decisions to be made untainted by bias.~~
- ~~7. The adjudication, and, where applicable, the investigation of Complaints, will be conducted in a manner that is consistent with the principles of fairness and natural justice. Steps will be taken to ensure that the circumstances of any meeting will appropriately protect the dignity of the Complainant and Respondent through accommodations that continue to allow their participation. For any complaint regarding violence, assault or harassment, and, subject to the other provisions of this Code regarding permitted representation, Complainants will be offered the option of participating in the investigation and/or hearing in alternate ways including: using and/waiting in separate rooms prior to meetings; remote and/or virtual meetings using virtual platforms, telephone, or video; use of an intermediary to assist in the communication; pre-recorded answers and statements; prepared written responses, as well as the opportunity to have support and representation at any hearing or confidential meeting with the investigator, as applicable. For a complaint regarding violence, assault or harassment, the Complainant may decline any request to attend any meeting or hearing in person, without forfeiting any rights associated with their presence in said meeting or hearing. These and other appropriate accommodations determined by the University will not negatively impact the process.~~

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Management Rights

8. The Code is not to be applied in such a way as to detract from the right and duty of those with supervisory authority to manage and, if necessary, to discipline Members in accordance with [collective or employee agreements](#) and [University policies](#) and procedures.

Union Rights

9. The Code is not to be applied in such a way as to detract from the rights of unions or employee associations to defend the interests of their members and to exercise their rights under a [collective or employee agreement](#).

Recourse at Law

10. The Code does not detract from the right of Members to seek recourse at law.

Code Does Not Supersede Other Policies or Agreements

11. Nothing in the Code shall replace or supersede any complaint, grievance or appeal procedure set out in any [collective or employee agreement](#) to which the University is a party, the [Academic Code of Conduct](#), the [University Calendars](#) or other [University policies](#) or procedures.

SECTION II MANDATE AND FUNCTIONS OF THE OFFICE OF RIGHTS AND RESPONSIBILITIES AND THE ADVISOR

12. A mandate of the Office is to assist Members in resolving incidents involving an alleged violation of the Code in an effective and constructive manner. Such assistance is available both to Members who believe that they have been subjected to conduct that violates the Code and to those with supervisory authority who are called upon to respond to incidents of such conduct. The operations of the Office are directed by the Advisor.
13. The Advisor shall actively promote, through education and direct intervention, the values outlined in [article 1](#) while carrying out all duties described in the Code. The Advisor shall be impartial in the exercise of duties, shall respect the confidentiality of all

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who seek assistance from the Office, and shall do so in a non-judgmental manner. The Administration of the University shall respect the independence of the Office as it carries out its duties.

14. The Advisor shall advise, assist and support Members who are experiencing behavioural problems from another Member, as described in the Offences section of the Code, and shall endeavor to seek an appropriate response to any alleged violation. Responses may range from the use of informal dispute resolution methods to formal procedures for adjudicating complaints.
15. The Advisor may, when warranted, make recommendations to University authorities regarding situations within a unit, department, faculty, or the University as a whole, which have the general effect of violating the rights of Members to pursue their work, study, and other activities related to University life in a safe and civil manner in keeping with the values espoused by the University and outlined in the Code.
16. The Advisor shall submit an annual report to the Secretary-General by December 15 of each year covering the previous academic year. The report shall detail the activities of the Office, including statistics on complaints received, and make recommendations, as necessary, with regard to either the Code or the operations of the Office. The report shall be made available by way of the University's publications and shall be submitted, for information purposes, to the Senate and Board of Governors.
17. If a Member considers that the Advisor has failed to follow the procedures outlined in the Code with respect to any matter to which the Member has been a party, that Member may submit a written complaint within twenty (20) Days, detailing the alleged procedural failure, to the Secretary-General. The written complaint shall be investigated and the Member will be informed of the results of the investigation, normally within twenty (20) Days of the receipt of the complaint.
18. The Advisor shall be appointed by and shall report to the Secretary-General upon the recommendation of an advisory committee, composed of representatives of the University constituencies, including at least one (1) undergraduate and one (1) graduate student, struck for this purpose.

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19. The appointment shall be made for an initial term of two years, renewable for further terms of five (5) years. During the fourth year of each such term, the Secretary-General shall appoint an appraisal committee, composed of representatives of the University constituencies, including at least one (1) undergraduate and one (1) graduate student, which shall:
- a) review the operations of the Office;
 - b) make recommendations with respect to the Office;
 - c) make a recommendation with respect to the renewal of the Advisor.

This review shall include, but shall not be limited to, consultations with the University community as well as an external appraisal.

SECTION III DEFINITIONS

20. For the purposes of the Code:

“Advisor” means the Director of the Office or designate.

“Authority” means the individual to whom a complaint must be submitted under the terms of a Respondent's [collective or employee agreement](#) or relevant [University policy](#).

“Complainant” means:

- a) a Member who is directly affected by the conduct of another Member and who files a complaint against that other Member under this Code;
- b) the University when, through its Disciplinary Officers, except for the Secretary-General, or a person designated by a Disciplinary Officer, it files a complaint under this Code against a Member in relation to conduct against another Member or non-Member.

“Days” means, subject to [article 163](#), all working days, which excludes weekends, holidays and other days during which the University is closed.

“Disciplinary Officer” means any of the following individuals, who shall have the powers, duties and obligations conferred upon them in the present Code as well as any powers reasonably incident thereto:

- a) the President and Vice-Chancellor;

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- b) the Vice-Presidents;
- c) the Deputy Provost;
- d) the Secretary-General.

“Expulsion” or to “Expel” means the termination of all of the Member’s rights and privileges as a Student at the University, including the right to enter and be on University property. Expulsion shall be recorded on the Member’s transcript as follows: “Required to withdraw; may request to be considered for re-admission after five (5) years from the date of expulsion pursuant to the Code of Rights and Responsibilities”. The Student may submit a written request to the Provost and Vice-President, Academic to be considered for re-admission after a period of five (5) years from the date of the expulsion.

“Hearing Panel” means a hearing panel composed pursuant to this Code further to a formal complaint against a Student.

“Investigator” refers to a person, external to the University, chosen to conduct an investigation into a complaint of harassment made against a non-Student Member, in accordance with [article 137](#) of the Code.

“Member” means faculty members, employees, administrative and support staff, postdoctoral fellows, members of the administration, Students and interns, stagiaires or researchers.

“Office” means the Office of Rights and Responsibilities.

“Respondent” means any Member against whom a complaint under the Code is made.

“Secretary” means the Secretary of the Hearing and Appeal Panels, who shall form part of the Office of Student Tribunals, and who shall be designated by the Secretary-General.

“Student” means:

- a) any person registered in any academic program on a full-time or part-time basis
- b) any person admitted as an independent student
- c) any person registered in a non-credit course

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- d) any person registered as an auditor in a credit or non-credit course
- e) any person registered as a student at another university who has written approval from their home university to take courses at the University, including exchange students and visiting students.

A person ceases to be a Student:

- a) upon graduation; or
- b) three (3) consecutive semesters after they were last registered in at least one (1) for-credit or non-credit course; or
- c) at the end of the semester during which such person is declared in failed standing and is no longer entitled to register in any course at the University.

“Suspension” or to “Suspend” means the withdrawal of such University privileges of a Student as are specified by the Provost and Vice-President, Academic or delegate or the Hearing Panel. If no particular privileges are specified, “Suspension” shall entail the withdrawal of all University privileges, including the right to write examinations and the right to enter and be upon University premises, in which case the Student may only come upon University premises for a specified purpose, previously authorized in writing by a Disciplinary Officer. Suspension shall be recorded on the academic transcript as follows: “Required to withdraw. May not resume studies until (date)”. At the date for resumption of studies, the notation shall be removed from the transcript but shall continue to be maintained in the confidential files of the Dean of Students and of the Registrar’s Office. The maximum length of a Suspension shall be two (2) years, after which the Student may resume their studies at the next possible term, providing that all imposed conditions (if any) have been fulfilled.

“University” means the registered not-for-profit corporation named Concordia University, located in Montreal, Quebec, Canada.

Ambiguities

- 21. Wherever there is doubt or ambiguity regarding any provision of the Code or the procedure to be followed, that interpretation or procedure which appears to be most equitable and consistent with the general purposes and philosophy of the Code shall be adopted. Except for those terms specifically defined in this Code, the terms used shall have their usual meanings.

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SECTION IV JURISDICTION

22. An alleged violation set forth in a Complainant's complaint must have taken place:
- on University premises, either rented or owned,
 - on other premises in the course of any University-sponsored activity or event, or
 - in the context where activities or events have a real and substantive link to the University.

In the present [article 22](#), by way of example only, "real and substantive link to the University" does not include allegations related to matters arising from or solely pertaining to student associations or fee-levy groups.

Complaints against Former Students

23. In the case of claims under this Code involving a Student's conduct, the Respondent need only have been a Student at the time of the alleged violation of the Code. Subject to [article 24](#), if any proceedings under the Code cannot be initiated or completed because a Student Respondent has graduated or ceases to be a Student in accordance with the definition contained in Section III of the Code, the proceedings shall continue if the Respondent registers again or, in the case of a Respondent who has graduated, if the alleged offence, if proven, would impugn the validity of the degree conferred.
24. In the case of claims under this Code made by a Student Complainant against a Student Respondent, the Complainant need only have been a Student at the time of the alleged violation of the Code. Subject to [article 23](#), if any proceedings under the Code cannot be initiated or completed because a Student Complainant has graduated or ceases to be a Student in accordance with the definition contained in Section III of the Code, the proceedings shall resume if the Complainant registers again.
25. Subject to [article 96](#), if a complaint has been upheld by a Hearing Panel against a Student who later graduates or ceases to be a Student in accordance with the definition contained in Section III of the Code, prior to the fulfillment of the sanction imposed, a notation shall be made on their academic record only indicating the sanction under the Code and that they cannot pursue further studies at the University until such time as the

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sanction imposed has been fulfilled, or until they have made suitable arrangements with the Dean of Students to fulfill the sanction.

Contractors, their Employees, Alumni and Visitors

26. Contractors, their employees and representatives, and visitors to the University as well as any other persons associated with the University or on University premises are expected to conduct themselves in a manner consistent with the Code. Violations of the Code by such persons may be dealt with, where applicable, as potential breaches of contract and, in addition, the appropriate Vice-President or delegate, and any other person designated by the appropriate Vice-President or delegate, may exclude each such person from any University premises and take any other steps that may be appropriate. Should such persons believe that they have been subjected to conduct on University premises in violation of the Code, they may consult the Advisor for advice.

SECTION V OFFENCES PROHIBITED UNDER THE CODE

27. The primary purpose of the Code is to promote and protect the values of civility, equity, respect, non-discrimination, and an appreciation of diversity as manifested within the University and to support Members who have experienced, or are experiencing, conduct that violates these fundamental values.
28. 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. Members may also be charged under articles 30 to 51, as applicable, for any alleged reprisals.
29. The following articles ~~30~~ to 51 represent the core behaviours the Code wishes to address and are prohibited under this Code.
30. Threatening or Violent Conduct
- “Threatening or violent conduct” means
- a) assaulting another Member; or

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- b) threatening another Member or group of Members with bodily harm or causing another Member or group of Members to have reasonable grounds to fear bodily harm; or
- c) creating, or threatening to create, a condition, which unnecessarily endangers or threatens the health, safety or well-being of another Member or group of Members;

31. Sexual Violence and Sexual Assault

- a) “Sexual violence” means any violence, physical or psychological, carried out through sexual means or by targeting sexuality. This includes, but is not limited to sexual assault, sexual harassment, stalking, indecent exposure, voyeurism, degrading sexual imagery, distribution of sexual images or video of a Member without their consent, and cyber harassment or cyber stalking of a sexual nature or related to a Member’s sexual orientation, gender identity or presentation;
- b) “Sexual assault” is any unwanted act of a sexual nature imposed by one person upon another and includes such activities as kissing, fondling, oral or anal sex, intercourse, or other forms of penetration, without consent;

32. Harassment

“Harassment” means:

- a) all forms of repeated or ongoing unwelcome, vexatious conduct directed towards a Member or a group of Members; and
- b) which may be based upon one of the prohibited grounds specified in the Québec Charter of Human Rights and Freedoms, that is; race, colour, ethnic or national origin, sex, gender identity, pregnancy, sexual orientation, civil status, age, religion, political convictions, language, social condition, disability or the use of a means to palliate a disability; and
- c) when such conduct has the effect or purpose of unreasonably interfering with a Member’s right to pursue their work, study or other activities related to University life in a safe and civil manner or of creating an intimidating or hostile environment for such activities.

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_____ A single serious incidence of such behaviour may constitute harassment if it has the same consequences and if it produces a lasting harmful effect on the Member;

33. Sexual Harassment

“Sexual harassment” means a form of harassment which involves conduct, behaviour or communications of a sexual nature such as, but not limited to, verbal abuse or threats of a sexual nature, unwelcome sexual invitations or requests, demands for sexual favours or unwelcome and repeated innuendoes or taunting about a Member’s body, appearance, gender, gender identity, sexual orientation or sex life, when:

- a) submission to such conduct is made, whether explicitly or implicitly, a term or condition of the Member’s employment, educational progress or involvement in the University community; or
- b) submission to or rejection of such conduct is used as the basis for an employment or academic decision affecting that Member; or
- c) such conduct has the effect or purpose of unreasonably interfering with a Member’s right to pursue their work, study or other activities related to University life in a safe and civil manner or of creating an intimidating or hostile environment for such activities.

A single serious incidence of such behaviour may constitute harassment if it has the same consequences and if it produces a lasting harmful effect on the Member;

34. Psychological Harassment

“Psychological harassment” is a specific type of harassment formally recognized in the law and means vexatious behaviour in the form of repeated conduct, written or verbal comments, actions or gestures against a Member which:

- a) are hostile or unwanted; and
- b) affect the Member’s dignity or psychological or physical integrity; and
- c) have the effect or purpose of unreasonably interfering with a Member’s right to pursue their work, study or other activities related to University life in a safe and civil manner or of creating an intimidating or hostile environment for such activities.

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A single serious incidence of such behaviour may constitute psychological harassment if it has the same consequences and if it produces a lasting harmful effect on the Member;

35. Discrimination

“Discrimination” means:

- a) treatment which has the effect or purpose of imposing burdens, barriers, obligations or disadvantages on a Member or group of Members; and
- b) for which there is no bona fide and reasonable justification; and
- c) when such treatment is based on one of the prohibited grounds specified in the Québec Charter of Human Rights and Freedoms, that is; race, colour, ethnic or national origin, sex, gender identity or expression, pregnancy, sexual orientation, civil status, age, religion, political convictions, language, social condition, handicap/disability or the use of a means to palliate a handicap/disability;

36. Communication of Discriminatory Matter

It is an offence for a Member to engage in the distribution, communication, publication or public exhibition by any means of any matter deemed to be discriminatory or to expose a person or persons to hatred or contempt by reason of the fact that that person or those persons are identifiable on the basis of a prohibited ground of discrimination, as contemplated under the Québec Charter of Human Rights or under the Canadian Human Rights Act, and for which there is no bona fide and reasonable justification;

37. “Offences against property” means willfully or recklessly taking or having unauthorized possession of, theft of, damaging or destroying any property belonging:

- a) to the University; or
- b) to any Member or group of Members when such property is on University premises or on other premises during the course of a University-sponsored activity or event;

or threatening to do any of the above;

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38. Knowingly furnishing false information, knowingly making a false accusation or knowingly reporting a false emergency to any University Official or Office;
39. Maliciously activating fire alarms;
40. Bomb threats;
41. Theft or abuse of computing facilities or computer time, including but not limited to: logging into or attempting to log into a server or account without authorized access; accessing data or taking any action to obtain, copy, use, misuse, read or change data, information or services not intended for the Member or the Member's use; unauthorized transfer of a file; use of another individual's account or password; use of computing facilities to interfere with the work of another individual or computing system; attempting to probe, scan or test the vulnerability of a system or network; tampering, hacking, modifying or otherwise corrupting or breaching security or authentication measures; transmitting materials that contain malware such as viruses, Trojan horse software, keyboard loggers; or engage in conduct that could damage, disrupt or otherwise impair or interfere with the functionality or the operation of computing facilities or computer;
42. Unauthorized entry into any University property;
43. Obstruction or disruption of teaching, research, administration, study, student disciplinary procedures or other University activity. Notwithstanding the preceding, Members are free to engage in peaceful and orderly protest, demonstration, and picketing that do not disrupt the functions of the University.

For example, peaceful picketing or other activity in any public space that does not impede access nor interfere with the activities in a class or meeting is an acceptable expression of dissent and shall not be considered an infraction of this article;
44. Camping or lodging on University property other than in authorized facilities;
45. Forging or, without authority, knowingly altering, using, receiving or possessing University supplies or documents or documents supplied to the University (including

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- without limitation, records, keys, electronic devices, letterheads, reference letters, degrees, diplomas, certificates or identifications);
46. Hazing or any method of pre-initiation or initiation into a student organization or any pastime or amusement engaged in with respect to such an organization which causes, or is likely to cause, bodily danger, physical harm, or personal degradation or disgrace resulting in physical or mental harm;
 47. Unlawful manufacture, distribution, possession, use, threatened use, storage, sale or the attempted manufacture, distribution, or sale of controlled substances, except as expressly authorized by law or University regulations;
 48. Unlawful manufacture, distribution, possession, use, threatened use, storage, sale or the attempted manufacture, distribution, or sale of explosives, firebombs, or other destructive devices, except as expressly authorized by law or University regulations;
 49. Possession, use, threatened use, or manufacture of firearms, ammunition, dangerous chemicals, dangerous biological materials, explosives, other weapons or other materials deemed dangerous pursuant to applicable law, except as expressly authorized by law or University regulations;
 50. Unauthorized use or duplication of the University's name, trademarks, logos or seals; and
 51. Any other action that is not specifically described in this Section but which is an offence described in any federal, provincial or municipal law or regulation, which occurs in the University context.

SECTION VI CONSULTATION WITH THE ADVISOR

52. The Advisor shall be impartial in the exercise of functions and shall respect the confidentiality of all parties.
53. Members who believe that they have been subjected to conduct that violates the Code may consult the Advisor. The primary goal of the consultation is to assist the

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Complainant in making an informed choice as to the most appropriate method of resolution, including informal resolution.

54. Normally, a complaint should be filed with the Advisor within three (3) months of the alleged violation. If the complaint is under [article 34](#), the complaint should be filed with the Advisor within 90 calendar days from the last incident. This period may be extended at the discretion of the Advisor when, in the Advisor's opinion, there are serious and compelling reasons to grant the extension. Cases or consultations with no contact or notifications from any party involved in a complaint for three (3) months will be considered withdrawn and the file closed. If after three (3) months there is additional follow up or new information on the same issue, or if there are extenuating circumstances, the file may be reopened. If the Respondent is a member of a union or employee association, the Advisor shall inform the Complainant of any delays regarding disciplinary procedures which may be prescribed in the Respondent's [collective or employee agreement](#).
55. The Advisor may, upon written notice to the Complainant, refuse to assist in informal resolution or to proceed with a formal complaint, on one or more of the following grounds:
- it is not within the jurisdiction of the Code in accordance with [article 22](#), in which case the Advisor shall, if appropriate, re-direct the Complainant to the relevant channels for redress, or it is not within the allowed time delays in accordance with [article 54](#); or
 - it is trivial, frivolous, vexatious or made in bad faith; or
 - it is being dealt with, or has already been dealt with, by another University officer, policy or procedure; or
 - it does not appear to be supported by sufficient evidence.
56. In the case of a complaint against a Student, if the Advisor has refused to proceed with a formal complaint, the Complainant may appeal such a refusal within ten (10) Days of receipt of the Advisor's notice, by submitting a request in writing to the Secretary of the Hearing Panel who will provide a copy of the request to the Advisor. A Hearing Panel shall be convened as soon as possible after receipt of the notification and normally within ten (10) Days. Once a hearing date is fixed by the Secretary, the Complainant and the Advisor shall each deliver written submissions to the Secretary at least two (2) Days

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prior to the date fixed for the hearing. The Hearing Panel shall render its reasoned decision based on such written submissions. The Secretary shall advise the Complainant and the Advisor of the names of the panelists no later than five (5) Days before the hearing. The provisions of Section VII shall apply, except that a reasoned objection to the participation of a panelist on the grounds of potential bias shall be filed no later than three (3) Days before the hearing. The decision of the Hearing Panel is final.

57. If the Advisor does not make a determination under [article 55](#), the Complainant shall decide upon one of the following courses of action:
- a) to proceed with informal conflict resolution; or
 - b) to proceed with a formal process under Section VII or Section VIII; or
 - c) to take no further action; or
 - d) to pursue any other course of action available at law, under a [collective or employee agreement](#) or under any other [University policies](#) or procedures.

SECTION VII PROCEDURES FOR INFORMAL RESOLUTION

58. If the Complainant opts to proceed with informal conflict resolution, the Complainant may authorize the Advisor to take steps to attempt an informal resolution. Such steps may take a variety of forms, for example, helping to clarify perceptions (e.g., shuttle diplomacy), raising awareness of the impact of certain conduct (e.g., impact statements), reconciling differences (e.g., apology letters) or sorting out misunderstandings. The parties may be brought together or communication may be effected through the Advisor.
59. Where the situation lends itself to structured mediation and both parties agree, the Advisor may personally act as mediator, or may assist the parties in obtaining the services of another Member who is qualified to perform this function.
60. Any informal resolution agreement reached between the parties through informal conflict resolution is entirely voluntary. Conditions agreed upon by the parties are binding.

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61. The Complainant may withdraw the complaint at any point during the process of informal resolution. As well, the Advisor may withdraw from the informal process if it is determined by the Advisor that no useful purpose will be achieved by continuing.
62. Normally, attempts at informal resolution shall not last longer than three (3) months.

Referral to the Dean of Students

63. Where a concern has been raised about a Student's or a group of Students' conduct, and, in the opinion of the Advisor, it cannot be adequately addressed using the range of informal options described in [article 58](#) or the formal option described in [article 67](#) or should it not be in the jurisdiction of this Code, the Advisor may, with the agreement of the complaining party, refer the matter to the Dean of Students for disposition.
64. The Advisor shall forward the details of the matter, in writing, to the Dean of Students, who shall meet with the relevant parties, should they so wish.

The Dean of Students may seek a response to the concern, which is instructive for the parties and which is intended to help prevent further problems of behaviour.
65. The Dean of Students will maintain a file on the matter and will provide a written summary of the outcome to the parties, with a copy to the Advisor.
66. Nothing in this Code shall limit the roles and responsibilities of the Dean of Students set out in any other University policy.

SECTION VIII PROCEDURES FOR ADJUDICATING FORMAL COMPLAINTS AGAINST STUDENTS

Initiating a Formal Complaint

67. A Complainant may opt to proceed directly to a formal complaint at the outset or after an attempt at informal conflict resolution has been unsuccessful. No statements, documents or information brought forward in the course of an attempt at informal conflict resolution may be used or referred to by either the Complainant or the Respondent should a formal complaint be initiated and no reference may be made,

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including before a Hearing Panel, to the fact that informal conflict resolution was attempted. Nothing herein shall prevent any disclosures required by law.

68. Prior to a hearing by a Hearing Panel, a settlement may be agreed to by the parties at any time. The process is entirely voluntary but once a settlement is reached, it is binding. The Advisor shall monitor the terms of the settlement and if either party defaults on the settlement, the Advisor shall inform the other party, who may then decide to initiate or resume the formal procedure. No settlement may be imposed by either party without the full agreement of the other.

Any informal resolution agreement (e.g., settlement) which is agreed upon by the parties shall be signed and dated by the parties and, should any condition set forth in that agreement be breached, the settlement agreement may be submitted into evidence before a Hearing Panel by either party but shall be considered to be solely relevant as to the decision with respect to sanction.

69. In an egregious case, in which the safety or well-being of a Member, or of a group of Members, or of the University as a whole, is deemed to be at risk, the Advisor may take temporary measures with respect to the Complainant's safety and security such as, for example, a non-contact order, as deemed necessary.
70. The Complainant may withdraw their own complaint at any time.
71. The Advisor shall provide the Complainant with a copy of this Code and shall inform the Complainant of the following:
- a) the required format for submitting the complaint, which must be made in writing, signed and dated and must identify the Complainant and the Respondent and the precise nature of the complaint, including the relevant provision(s) of the Code;
 - b) information with respect to procedures which shall be followed by a Hearing Panel;
 - c) the right of the Complainant and the Respondent to consult any person in the preparation of their case, and to be accompanied or represented before a Hearing Panel by any Member. If the Complainant is a Student, they also have the option

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- of obtaining a student advocate through the services of the Office of Student Advocacy or a student advocacy service offered by a student association; and
- d) the right of appeal.
72. Upon receipt of the written complaint, the Advisor shall notify the Respondent. The Respondent shall be provided with a copy of the Code, a copy of the complaint together with the information detailed in [article 71](#) b), c) and d).
73. Concurrent with the notification sent to the Respondent, the Advisor shall notify the Secretary who shall convene a Hearing Panel to hear the matter. Thereafter, until the final decision of the Hearing Panel is rendered, the Secretary shall be responsible for all communications with the Complainant and the Respondent.
74. The Office of Student Tribunals shall be responsible for the administrative functioning of the Hearing Panels in cases against Students and shall maintain the confidential files and recordings of proceedings of the Hearing and Appeal Panels.
75. Where a formal complaint is made by a Student against another Student, the Secretary shall select a Hearing Panel composed of three (3) graduate or undergraduate students drawn from the Student Tribunal Pool and one (1) non-voting chair who have been appointed pursuant to the *Policy on the Establishment of Tribunal Hearing ~~Panels~~ Pools* ([BD-6](#)).
76. In all other cases, the Secretary shall select a Hearing Panel composed of the following individuals, all of whom have been appointed pursuant to the *Policy on the Establishment of Tribunal Hearing ~~Panels~~ Pools* ([BD-6](#)):
- a) one (1) non-voting chair; and
 - b) two (2) undergraduate or graduate students drawn from the Student Tribunal Pool;
 - c) one (1) faculty member drawn from the Faculty Tribunal Pool if the Complainant is a faculty member; or one (1) member of the administrative or support staff drawn from the Administrative and Support Staff Tribunal Pool if the Complainant is a member of the administrative or support staff. If the Complainant is the University (as per the definition of Complainant set forth at

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Section III of the Code), a member of the senior administration or the Security Department, the member shall be drawn from the Faculty Tribunal Pool.

77. Following receipt of the notification by the Secretary, if the Secretary determines that complaint(s) made by multiple Complainants are substantively identical or pertain to the same incident, the Secretary may join such complaints together so that they are heard by one (1) Hearing Panel. Any Complainant may object to the joining of their complaint, in which case their own complaint(s) will be handled separately.
78. Following receipt of the notification by the Secretary, if the Secretary determines that complaint(s) made against multiple Respondents are substantively identical or pertain to the same incident, the Secretary may join such complaints together so that they are heard by one (1) Hearing Panel. Any Respondent may object to the joining of the complaint(s) against them to the complaint(s) against other Respondents, in which case the complaint(s) against that Respondent will be handled separately.
79. A Hearing Panel shall be convened as soon as possible after receipt of the notification by the Secretary. The Secretary shall inform the parties of the academic term during which it is expected that the Hearing Panel will be held, within fifteen (15) Days of the Secretary's receipt of the notification.
80. Once a hearing date is fixed by the Secretary, the Complainant shall submit all documentation for the Hearing Panel's consideration to the Secretary no later than twenty (20) Days before the scheduled hearing date. Such documentation shall include any supporting documents and a list of the witnesses that will appear on behalf of the Complainant, if any, and written statements, if any, made by witnesses regarding the complaint.
81. The Secretary shall forward such documentation along with a list of panelists selected for the case to the Respondent no later than fifteen (15) Days before the scheduled hearing. The list of panelists shall also be sent to the Respondent.
82. The Respondent shall submit all documentation for the Hearing Panel's consideration to the Secretary no later than ten (10) Days before the scheduled hearing date. Such documentation shall include any supporting documents and a list of the witnesses that

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will appear on behalf of the Respondent, if any, and written statements, if any, made by witnesses regarding the complaint.

83. Any documentation or any names of witnesses submitted after the above deadlines may be accepted by the Hearing Panel, at the discretion of the Chair of the Hearing Panel, further to representations made by the parties. In making the decision as to whether to accept additional documentation or witnesses after the deadline, along with other considerations, the Chair of the Hearing Panel may take into account when the documentation or name(s) of the witness(es) was submitted, the reasons for the late submission, and any prejudice that any party may suffer due to such late submission, or any other relevant motives.
84. The Secretary shall transmit the documentation submitted by the parties, the present Code and the Procedures of the Hearing Panel, to the parties and to the Hearing Panel no later than five (5) Days before the scheduled hearing date. The Hearing Panel may limit the number of witnesses called by both parties taking into account their relevancy.
85. Any party may object to the participation of a panelist on the grounds of potential bias. A reasoned objection shall be filed with the Secretary, in writing no later than five (5) Days prior to the hearing date. The Secretary shall arrange for an alternate panelist to serve if the Secretary determines that the objection is well founded. If the matter cannot be resolved, the issue shall be forwarded to the Chair of the Hearing Panel who shall render a final decision in this regard.

The Hearing

86. The procedures established by the Hearing Panel shall include, at a minimum, opening statements by the parties, the presentation of evidence and witnesses (expert or otherwise), the right of cross examination, questioning by members of the Hearing Panel, representations with respect to desired sanctions and closing statements. Hearings shall be recorded, and the recording kept as part of the permanent record of proceedings for a period of not less than five (5) years. Recordings shall be provided to a party to a Hearing Panel upon request to the Secretary.
87. The role of the Chair shall be to preside over the proceedings, keep order and ensure fairness. The Chair shall preside over the deliberations of the Hearing Panel but shall not vote. Decisions shall be made by majority vote. The deliberations of the Hearing

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Panel shall only be attended by the Chair, the Secretary and the panelists. If the Hearing Panel decides to uphold the complaint it shall subsequently impose one or more of the sanctions that appear at [article 91](#).

[87-88.](#) The hearing shall be closed and confidential unless both parties have consented in writing to the attendance of other people.

[88-89.](#) If the Respondent fails, without reasonable excuse, to attend the hearing, the hearing may proceed in the Respondent's absence or, at the Chair's discretion, the start of the hearing may be postponed. If the hearing proceeds in the Respondent's absence, all rights contingent on the Respondent's presence, with the exception of the right to have an advocate present, are forfeited. In such a case, a Respondent's right of appeal is limited to a consideration of the reasonableness of the Respondent's excuse for not appearing. If an Appeals Panel finds that the excuse is reasonable, it shall order a new hearing by a new Hearing Panel with the Respondent present. The decision of the new hearing is appealable as if it were a first hearing.

[89-90.](#) The Hearing Panel shall provide a signed, dated and reasoned decision. The standard of proof to be relied upon by the Hearing Panel shall be one of a "preponderance of evidence". A "preponderance of evidence" standard means that the Complainant must establish that their version of the facts is significantly more probable than the alternatives. This standard is less rigorous than the standard of "beyond a reasonable doubt" required under criminal law.

Sanctions

[90-91.](#) If a complaint is upheld against a Student by the Hearing Panel, the Hearing Panel must impose one (1) or more of the following sanctions:

- a) a written reprimand;
- b) placing restricted access conditions (e.g., restricted access, non-contact/communication, space and time restrictions) on the Respondent while they are on University premises or at University events, the whole subject to the confirmation or modification by the appropriate unit at the University;
- c) payment as compensation to the Complainant for damage or loss of property or to otherwise rectify a situation which the Respondent created or helped to create;

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- d) relevant specified community service at the University or elsewhere of up to ten (10) hours per week for a specified period of time, which can be modified at the Dean of Student's sole discretion, not exceeding a total number of sixty (60) hours;
- e) a fine not exceeding \$500 payable to student awards at the University when the Hearing Panel deems that other sanctions are not appropriate or practical;
- f) a recommendation of Suspension, subject to confirmation by the Provost and Vice-President, Academic;
- g) a recommendation of Expulsion, subject to confirmation by the Provost and Vice-President, Academic.

91.92. All monetary sanctions shall be payable within twenty (20) Days of the date of transmission of the Hearing Panel's decision or, in cases where a decision is appealed, within twenty (20) Days of the transmission of the final appeal decision. The execution of any sanction imposed by the Hearing Panel, with the exception of a sanction under [article 91 \(b\)](#), shall be suspended by an appeal.

92.93. The decision of the Hearing Panel shall normally be rendered within ten (10) Days of the hearing and shall be communicated in writing to all parties and the Advisor and to the Dean of Students when they are responsible for the administration and monitoring of the sanctions pursuant to [article 95](#), and, when relevant, to the Registrar.

93.94. Furthermore, the decision of the Hearing Panel shall inform the parties of their right to submit a written request to for authorization to appeal the decision within fifteen (15) Days of the date of transmission of the Hearing Panel decision, as permitted pursuant to [article 97](#).

94.95. The administration and monitoring of the sanction(s) imposed shall be the responsibility of the Dean of Students. Failure to pay any monetary sanction imposed within the delay prescribed in [article 92](#) shall result in the amount being added to the Respondent's student account. Should the Respondent fail to comply with any non-monetary sanction, the Dean of Students shall, in writing, convene the Respondent to an interview and inform the Respondent of their right to be accompanied by a student advocate from the Student Advocacy Office or from a student advocacy service offered by a student association or any other Member. During the interview, the Respondent shall have the

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opportunity to review the evidence related to the alleged violation of the sanction(s) and to provide the Dean of Students with an explanation.

95:96. Following the interview, or, should the Student fail to attend the scheduled interview without a reasonable excuse, following the scheduled interview, the Dean of Students in consultation with the Office of Rights and Responsibilities and any other relevant units may require that the Respondent:

- a) not be permitted to re-register until such time as they have fully complied with the sanction(s) imposed;
- b) subject to confirmation by the Provost and Vice-President, Academic, be Suspended, or given an additional Suspension if the original sanction was a Suspension;
- c) subject to confirmation by the Provost and Vice-President, Academic, be Expelled if the Respondent has failed to respect the sanction imposed more than twice;
- d) have a diploma or transcript withheld until such time as the Respondent has fully complied with the sanction(s) imposed.

Appeals

96:97. A party who wishes to appeal a decision or sanction of the Hearing Panel, or both, shall apply in writing to the Secretary for the authorization to lodge an appeal. Such request for authorization to appeal shall be submitted to the Secretary no later than fifteen (15) Days after the date of transmission to the parties of the decision of the Hearing Panel.

97:98. Any request for authorization to appeal may be based only on the following grounds:

- a) the discovery of new evidence following the Hearing Panel;
- b) the presence of serious and prejudicial procedural defects of the Hearing Panel;
or
- c) the decision of the Hearing Panel is patently unreasonable.

98:99. The request for authorization to appeal shall state in clear and precise terms the grounds on which the appeal is based. Furthermore, if the party submitting an appeal (the “Appellant”) is requesting an appeal based on the grounds of discovery of new evidence, the Appellant must provide such evidence as part of their request. Upon

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receipt of the request for authorization to appeal, the Secretary shall provide the other party with a copy.

~~99.~~100. The execution of any sanctions by a Hearing Panel, except for sanctions further to the temporary exclusion of a Student pursuant to article 148 or the Suspension or exclusion of a Student pursuant to article 154, or a sanction pursuant to article 91b), shall be Suspended until the expiry of the fifteen (15) Day delay to request authorization to appeal or until the final rendering of the decision with respect to the appeal.

~~100.~~101. If neither party has requested authorization to appeal within the fifteen (15) Day delay stipulated at [article 97](#), the Secretary shall so inform the Advisor and to the Dean of Students, when they are responsible for the administration and monitoring of the sanctions pursuant to [article 95](#), and, when relevant, to the Registrar, including a statement to the effect that the all parties were notified in writing of the decision of the Hearing Panel and of their right to submit a request for authorization to appeal such decision. Such report shall form a part of the student's permanent file maintained by the Secretary. This notification shall be sent to the parties.

~~101.~~102. If an Appellant has requested authorization to appeal the decision of the Hearing Panel, the Secretary shall forward such request to the other party(ies), with a copy to the Advisor and, if appropriate, to the Dean of Students and the Registrar, soliciting the non-appealing party's (the "Respondent on Appeal") written response within ten (10) Days. Any response received by the Secretary within the ten (10) Day period shall be forwarded to the Appellant and, if the Appellant wishes, they may submit a written rebuttal within a further ten (10) Days.

~~102.~~103. An Appeals Authorization Panel shall be convened by the Secretary as soon as possible after the expiry of the delay to submit written input.

~~103.~~104. The Secretary shall select an Appeals Authorization Panel composed of the following individuals, all of whom have been appointed pursuant to the *Policy on the Establishment of Tribunal Hearing ~~Panels~~ Pools* ([BD-6](#)):

- a) one (1) non-voting chair;
- b) two (2) graduate or undergraduate students drawn from Student Tribunal Pool;
- c) one (1) faculty member drawn from the Faculty Tribunal Pool;

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- ~~104.~~105. In no case shall a member of the Appeals Panel also have been a member of the Hearing Panel which conducted the original hearing.
- ~~105.~~106. The Appeals Authorization Panel shall decide whether an appeal shall be heard, having regard to the allowable grounds of appeal and the circumstances of each case.
- ~~106.~~107. The Appeals Authorization Panel shall be provided with all written evidence provided to the Hearing Panel, the decision of the Hearing Panel, the recording of the Hearing Panel, the request for authorization to appeal, and all written input received within the thirty (30) Day period set forth at article 102. The decision of the Appeals Authorization Panel shall be based solely upon the documents and recording listed in the present article. Neither party is permitted to attend or make oral representations before the Appeals Authorization Panel.
- ~~107.~~108. The Appeals Authorization Panel shall have the authority to grant or deny authorization to appeal based only on the grounds for appeal set forth in the present Code. If it grants authorization to appeal based on the grounds of discovery of new evidence following the rendering of the decision of the Hearing Panel, the patent lack of reasonableness of the decision of the Hearing Panel or the reasonableness of the student's excuse for not appearing before the Hearing Panel pursuant to article 89, the Appeals Authorization Panel may order a new hearing of the case by a new Hearing Panel or may forward the file to an Appeals Panel. If it grants authorization to appeal based on the grounds of presence of serious and prejudicial procedural defects of the Hearing Panel, it shall forward the file before an Appeals Panel.
- ~~108.~~109. The Appeals Panel shall normally render its decision with respect to the request for authorization, within ten (10) Days of its consideration of the request.
- ~~109.~~110. The Appeals Panel shall render its decision with respect to the request for authorization in writing, with brief reasons supporting its decision. Notification of such decision to authorize the appeal shall be sent to both parties and the Advisor and, if relevant, to the Dean of Students and the Registrar.
- ~~110.~~111. If the authorization to appeal is granted, it shall normally be heard by an Appeals Panel within twenty (20) Days of the decision to authorize the appeal.

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Notification of the scheduling of the Appeals Panel shall be sent to both parties and the Advisor.

111.112. If a file is forwarded to an Appeals Panel, a panel of three (3) Members, as well as a non-voting Chair, shall be composed by the Secretary. The Appeals Panel shall be composed of two (2) faculty members drawn from the Faculty Tribunal Pool and one (1) student drawn from the Student Tribunal Pool.

112.113. If either party fails to attend the Appeals Panel, the hearing may proceed in the other party's absence or, at the Chair's discretion the start of the hearing may be delayed.

113.114. During the hearing of the appeal, any procedures established by the Appeals Panel shall include, at a minimum, the opportunity for the Appellant and the Respondent on Appeal to make oral representations and all representations before the Appeals Panel shall be limited to representations as to the grounds further to which authorization to appeal was granted by the Appeals Authorization Panel.

114.115. The Appeals Panel has the authority to confirm, reverse or modify the decision being appealed. Furthermore, should the appeal be based on the production of new evidence or patent unreasonableness of the Hearing Panel decision, the Appeals Panel may order a new hearing of the complaint by a new Hearing Panel.

115.116. The Appeals Panel shall normally render its decision within ten (10) Days of the hearing. The decision of the Appeals Panel shall be signed, dated and reasoned and shall be sent to the parties and the Advisor and, if relevant, to the Dean of Students and the Registrar.

116.117. The decision of the Appeals Authorization Panel denying an appeal shall be final or, if an appeal is authorized, the decision of the Appeals Panel shall be final.

117.118. In extraordinary circumstances where it is determined that a Hearing Panel or Appeals Panel has acted outside of its jurisdiction as provided for in the Code, the Secretary-General may set aside a Hearing Panel or Appeals Panel decision and order that a new Hearing Panel or Appeals Panel, as the case may be, re-hear the matter.

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Files of Formal Complaints against Students

~~118~~119. The Advisor shall maintain a file of all formal complaints processed. The file shall include the written complaint, the decision of the Hearing Panel and the decision of the Appeals Panel, if any. If a settlement is reached prior to a hearing, the general substance of the settlement shall be included in the file. If the complaint is withdrawn at any stage of the formal process, a notation to that effect shall be recorded.

SECTION IX PROCEDURES FOR RESPONDING TO FORMAL COMPLAINTS MADE AGAINST FACULTY, ADMINISTRATIVE OR SUPPORT STAFF MEMBERS OR MEMBERS OF THE ADMINISTRATION

General Rules

~~119~~120. The application of the present Section to a Respondent who is unionized or a member of an employee association or other employee group is subject to the provisions of their [collective or employee agreement](#) and to the provisions of articles 9, 10 and 11 of the Code.

~~120~~121. In all cases governed by the present Section, the Advisor shall invite the Complainant to consider an informal resolution and shall advise the Complainant of their right to consult their respective union or association or the Department of Human Resources.

~~121~~122. The Advisor shall terminate any attempt at informal resolution or formal resolution should a Complainant initiate a process such as, but not limited to, a grievance or other formal internal procedure, or any external procedure such as a complaint or action before a commission, board or tribunal. Any attempt at informal resolution or formal resolution shall be suspended when the University is made aware of the institution of criminal proceedings, and such until the conclusion of the criminal proceedings.

~~122~~123. The absence or non-availability of the Complainant is a factor in the decision of the Advisor and/or the University official empowered to continue any procedures set out in the Code but is not decisive.

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Informal resolution

123.124. A Member who has a concern regarding the behaviour of a faculty, administrative or support staff member, or a member of the administration is strongly encouraged to consult the Advisor and seek a remedy through one or more of the informal dispute resolution procedures described in articles Section VII of the Code.

124.125. In order to facilitate the informal resolution of the complaint, a Member who belongs to a collective or employee association may agree to suspend any applicable delays provided that all parties (the Member, the University, the union and/or the association) have so agreed in writing.

125.126. A Member who chooses not to advise their union or employee association of the matter should consult the Advisor concerning the possible consequences of such a decision.

126.127. Consulting the Advisor and/or attempts at informal resolution facilitated by the Advisor does not constitute a formal University proceeding. Until a formal process is undertaken, no notification shall be deemed to have been made to the University of any complaint or procedure involving a Member.

Initiating a Formal Complaint against a Faculty, Administrative or Support Staff Member or against a Member of the Administration

127.128. To the extent permitted by the Respondent's [collective or employee agreement](#) and relevant [University policies](#) and with the agreement of the Respondent's union or employee association on a case by case basis, the following procedure shall be considered the formal investigation under the Respondent's [collective or employee agreement](#).

128.129. A Member who wishes to file a formal complaint against faculty, administrative or support staff members or against members of the administration shall contact the Advisor.

129.130. The Advisor shall provide the Complainant with a copy of the Code and shall inform the Complainant of the following:

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- a) the required format for submitting the complaint, which must be made in writing, signed and dated and must identify the Complainant and the Respondent and the precise nature of the Complaint, including the provision(s) of the Code under which the complaint is being filed;
- b) the right of the Complainant to consult any person in the preparation of their complaint, and to be accompanied or represented by any Member during the process of resolution. If the Complainant is a Student, they may opt to be accompanied by a student advocate from Advocacy and Support Services or a student advocacy service offered by a student association. If the Complainant is a member of a union or an employee association, they may opt to be accompanied by a union or association representative.

130-131. If the Respondent is a member of a union or association, the Advisor shall inform the Complainant of any delays regarding the imposition of a disciplinary measure which may be set out in the Respondent's [collective or employee agreement](#). The Advisor shall, in particular, advise the Complainant of the delay of ninety (90) calendar days since the last incident in matters of psychological harassment complaints, as set out in the [Quebec Labour Standards Act](#).

131-132. Upon receiving a formal complaint, the Advisor shall transmit the complaint and the relevant [University policy](#), along with all the relevant information and documentation to the Authority to whom the complaint must be submitted under the terms of the Respondent's [collective or employee agreement](#), with a copy to the Respondent's union or association. The Advisor shall notify the Department of Human Resources in writing of the existence of the complaint and of who has been named as the Authority. If there is no applicable union or association, the Advisor shall notify the Respondent directly.

132-133. In an egregious case, in which the safety or well-being of a Member, or of a group of Members, or of the University as a whole, is deemed to be at risk, the Authority may take such temporary measures permitted under the [collective or employee agreement](#), relevant [University policy](#) and the law, as deemed necessary.

Powers and Duties of the Authority

133-134. The Authority shall inform the Respondent of their right to consult any person in the preparation of their case, and to be accompanied or represented by any Member

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during the process of resolution. If the Respondent is a member of a union or an employee association, they may be accompanied by a union or association representative.

134,135. The Authority shall then take the necessary steps to resolve the matter in such a manner as to respect the principles of natural justice and the procedures of any [collective or employee agreement](#) or [University policy](#), which may apply.

135,136. More specifically, the Authority may:

- a) meet with the Complainant and the Respondent on an individual basis;
- b) subject to [article 162](#), have access to all official files and information as are required, the whole subject to the applicable legislation;
- c) meet any individual who might, in their opinion, provide information relevant to the complaint;
- d) consult any University officer (representatives of the Department of Human Resources, University Secretariat, etc.) or outside counselors as may be required;
- e) refer the matter to be investigated internally or externally.

Harassment Complaints

136,137. The formal investigation of a complaint of harassment, including psychological harassment, may be submitted, with the agreement of the parties (including the Respondent's union or association), to an internal assessor as or if provided for in the relevant [collective or employee agreements](#), [University policies](#) or an Investigator agreed to by the University and the unions and/or employee association.

137,138. All information, whether in writing or in any other form, obtained by the Authority and/or the Investigator in the performance of the Authority's duties in relation to any complaint and harassment shall be strictly confidential except as provided for by law.

138,139. In cases where an Investigator is used, the mandate must be completed within a reasonable delay and in all cases within forty (40) Days from the appointment of the Investigator, unless the parties have agreed otherwise in writing. Upon the completion of the investigation, the Investigator shall send the written report to the Authority and to the Advisor. A summary of the report, prepared by the Investigator without any

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mention of nominative information shall be provided to the Respondent and the union or association, in accordance with the relevant collective or employee agreement.

~~139.~~140. Upon the completion of the investigation, the Authority may dismiss the complaint, impose or recommend the imposition of a disciplinary measure or take any other action permitted by the relevant [collective or employee agreement](#) or [University policy](#).

~~140.~~141. When the matter has been decided by the Authority, the Authority shall notify the Complainant and the Advisor, in a timely fashion, of the general substance of the decision and any action that was taken as a result of the complaint.

~~141.~~142. When the decision or remedial action taken by the Authority is not a disciplinary action as defined by the relevant [collective or employee agreement](#) or [University Policy](#), as the case may be, the Authority or the Associate Vice-President, Human Resources, as appropriate, shall monitor compliance. Once satisfied that compliance has been effected, the Authority shall so inform the Complainant and the Advisor.

~~142.~~143. If disciplinary action is taken and subsequently overturned by a higher authority or by the grievance and arbitration procedures, the Complainant and Advisor shall be notified.

Files of Formal Complaints against Faculty, Administrative and Support Staff Members or Members of the Administration

~~143.~~144. The Advisor shall maintain a file of formal complaints received against faculty, administrative or support staff members or members of the administration which shall summarize the substance of the consultation with the Complainant, the record of resolution as supplied by the Authority and information that a sanction has been overturned through grievance or arbitration, if applicable.

SECTION X URGENT SITUATIONS

Reporting and Responding to Urgent Situations

~~144.~~145. Members who are faced with an urgent situation involving threatening or violent conduct, where there is reasonable cause to believe that the safety or security of persons

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may be threatened, shall immediately contact the Security Department. The Security Department shall take whatever reasonable action is necessary to secure the safety of persons, and shall immediately alert the Advisor. In such a case, the Advisor shall be guided by the *Protocol on the Coordination of Urgent Cases of Threatening or Violent Conduct* (the "[Protocol](#)"). The *Policy on Student Involuntary Leave of Absence* ([PRVPA-15](#)) and/or other University policies may apply.

~~145.~~[146.](#) Members shall immediately report to the Advisor any conduct which they have reasonable cause to believe potentially threatens the safety or security of persons. The Advisor shall assess the situation as specified in the [Protocol](#), the *Policy on Student Involuntary Leave of Absence* ([PRVPA-15](#)) and/or consult experts as necessary, and make recommendations as to any further action appropriate in the circumstances.

~~146.~~[147.](#) Any Member who is called to a team meeting under the [Protocol](#) or any other relevant policy shall respond promptly.

Temporary Exclusion of a Student by a Disciplinary Officer

~~147.~~[148.](#) A Disciplinary Officer may require any Student to immediately leave and remain away from the University premises or a part thereof, for a period not exceeding five (5) Days, which may be renewed up to two (2) times, if based on personal knowledge and/or reliable information, the Disciplinary Officer has reasonable grounds to believe that the Student's continued presence at the University:

- a) is detrimental to any Member's pursuit of work, studies and other activities related to University life in a safe and civil environment; or
- b) constitutes an immediate threat to the safety or security of others.

~~148.~~[149.](#) In a situation referred to in article 148, when a Disciplinary Officer is not available, the Advisor may require a Student to immediately leave and remain away from the University premises or a part thereof for a period not exceeding twenty-four (24) hours.

~~149.~~[150.](#) No Student shall be barred from taking any examination or submitting any academic assignment as a result of this Section but the Disciplinary Officer may make special arrangements as to the time and place for the completion and/or submission of any academic assignment or writing of any exam.

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~~150.~~151. _____ A Disciplinary Officer shall immediately advise the Registrar, the Secretary, the Dean of Students, the relevant Academic Dean(s), the Advisor and the Security Department of the temporary exclusion of a Student under this Section.

~~151.~~152. _____ Any temporary exclusion ordered under this Section shall not be deemed to be in lieu of other proceedings under the Code if the conduct for which exclusion is ordered also constitutes an offence under articles 28 to 51 of the Code.

Suspension of a Student by the Vice-President or Delegate

~~152.~~153. _____ A Vice-President or delegate may Suspend a Student, exclude the Student from any University premises and take any other steps that may be appropriate where:

- a) the Student presents a clear and present danger to the safety of persons or to the activities of the University as a whole or any of its Members or groups of Members; or
- b) the Student has, on one or more occasions, presented a clear danger to the safety of persons or to the activities of the University as a whole or of any of its Members or groups of Members and whose identity or action has only recently been identified; or
- c) the Student's actions are of such a serious nature that they create an intimidating and hostile environment for work or study or constitute a serious threat to the ability of the University and its Members to carry out the University's functions.

~~153.~~154. _____ In such a case, the Vice-President or delegate shall provide the Student with a written Suspension notice with a copy to the Registrar, the Secretary, the Dean of Students, the relevant Academic Dean(s), the Advisor, and the Security Department. The Vice-President or delegate shall inform the Student of their right to consult a student advocate from the Student Advocacy Office or a student advocacy service offered by a student association and shall also provide the Student with a copy of any supporting information and a copy of the Code. Should the Student Suspended from the University wish to meet an advocate on University premises, the Advisor may agree to make arrangements to allow such a meeting to take place.

~~154.~~155. _____ In the case of a Suspended Student, the Vice-President or delegate shall immediately lay a complaint against the Student under Section V of the Code. The

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regular delays of the Code shall not apply and a hearing into the complaint shall be held as soon as possible and normally within twenty (20) Days of the Suspension order. The Vice-President may designate another Member to represent the University at the hearing. The Hearing Panel shall render its decision and inform the parties within five (5) Days of the hearing.

~~155.~~156. Should the suspended Student be unable to attend the hearing within the prescribed delay, they shall notify the Secretary and the Secretary shall schedule the Hearing Panel when deemed appropriate, further to consultation with the Chair of the Hearing Panel .

~~156.~~157. In the event that the Hearing Panel dismisses the original complaint, that decision shall lift the Suspension. Notwithstanding the foregoing, the decision shall not invalidate the Vice-President or delegate's prior action. However, every effort shall be made to remedy any academic disadvantage that the Student may have experienced as a consequence of the Suspension within the limits of what is allowed pursuant to the University's academic calendars and processes.

~~157.~~158. Upon the lifting of the Suspension, the Secretary shall notify the Registrar, the Dean of Students, the Provost and Vice-President, Academic, the Advisor and the Security Department.

Temporary Exclusion of a Member of the Faculty or Administrative and Support Staff

~~158.~~159. Where a member of the faculty or administrative and support staff presents a clear and present danger to the safety or security of persons or to the activities of the University as a whole or of any of its individual Members, the matter shall be dealt with according to the provisions of the relevant [collective or employee agreement](#) or [University Policy](#).

~~159.~~160. A Member against whom such action is taken may seek recourse through the grievance procedures of the relevant [collective or employee agreement](#) or the grievance procedures contained in [University Policy](#), where they exist.

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SECTION XI MISCELLANEOUS

Confidential Nature of Files

~~160.~~161. The Advisor shall maintain suitable records of complaints and their disposition which shall be accessible only to the staff of the Office of Rights and Responsibilities or as required by law. Such files shall be destroyed according to a retention schedule determined in accordance with provincial legislation.

~~161.~~162. All individuals who hold information with respect to complaints under this Code, including, but not limited to, the Advisor, the Dean of Students, the Secretary, panel members and the Registrar, and the Department of Human Resources shall maintain the confidentiality of all information, files, documents, decisions, recordings and materials in relation to the complaint.

Delays

~~162.~~163. In the calculation of any delay for a hearing set out in Section VIII of the Code, the months of July and August and final examination periods shall not be counted. However, in the case of a hearing before a Hearing Panel or an Appeals Panel that commenced before July 1, the regular delays set out in the Code shall apply.

Notices

~~163.~~164. Any written notice to any person shall be sent by courier, registered mail or e-mail to the last address provided by the person to the University and shall be deemed to be received one (1) Day after delivery.

Language

~~164.~~165. Any party or witness participating in a hearing before a Hearing Panel or an Appeals Panel may make their presentation in either English or French. If an interpreter is required to satisfy the preceding, the request shall be made at the same time as the initial request for a Hearing Panel.

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The Secretary-General

166. The overall responsibility for the implementation and recommended amendments to the Code shall rest with the Secretary-General.

Approved by the Board of Governors on December 20, 1995, and amended on November 14, 2001, May 20, 2004, August 1, 2010, April 19, 2017 and [insert date].

DRAFT



**BOARD OF GOVERNORS
OPEN SESSION
Meeting of December 15, 2022**

AGENDA ITEM: Governance and Ethics Committee recommendation: Revisions to the *Policy on the Establishment of Tribunal Hearing Pools* ([BD-6](#))

ACTION REQUIRED: For approval

SUMMARY: Upon recommendation of the Governance and Ethics Committee, the Board of Governors (“Board”) is being asked to approve the amendments to the *Policy on the Establishment of Tribunal Hearing Pools* ([BD-6](#)) (the “Policy”).

BACKGROUND:

Certain modifications to the Policy were made in 2021 and approved by the Board, specifically to increase the number of tribunal pool members to address backlogs that had resulted during the pandemic.

The only modification that is now being proposed to the Policy is in relation to the trainings that are made available to members of the various tribunal pools. The modification provides that the trainings given to the members of the various tribunal pools include principles of fairness and natural justice and that the hearing of complaints of sexual violence are done in full awareness of their highly sensitive nature.

DRAFT MOTION:

That, on recommendation of the Governance and Ethics Committee, the Board of Governors approve the revisions to the *Policy on the Establishment of Tribunal Hearing Pools* ([BD-6](#)).

PREPARED BY:

Name: Karan Singh
Date: November 18, 2022

POLICY ON THE ESTABLISHMENT OF TRIBUNAL HEARING POOLS

Effective Date: [insert date]

Approval Authority: Board of Governors

Supersedes /Amends: December 16, 2021

Policy Number: BD-6

SCOPE

This policy applies to Tribunal Hearing Pools (as defined below) for hearings, both first-level hearings as well as appeal hearings at Concordia University (the “University”), provided for in the *Code of Rights and Responsibilities* ([BD-3](#)), the [Academic Code of Conduct](#), the [Academic Re-evaluation Procedures](#), the [Graduate Academic Appeals Procedures](#) and any other codes or policies which may be adopted that refer to the Tribunal Hearing Pools provided for under this Policy.

PURPOSE

The Purpose of this Policy is to provide for the establishment of pools of members to serve on various first level and appeal hearings at the University.

DEFINITIONS

“Administrative and Support Staff Tribunal Pool” or “AaSSTP” means the pool set up under [section 9](#).

“Chair(s)” means the chair(s) of a tribunal panel(s) appointed under [section 13](#).

“Faculty Tribunal Pool” or “FTP” means the pool set up under [section 6](#).

“Student Tribunal Pool” or “STP” means the pool set up under [section 2](#).

“Tribunal Hearing Pools” mean the Administrative and Support Staff Tribunal Pool, the Faculty Tribunal Pool and the Student Tribunal Pool.

POLICY

1. In the event that a hearing or appeal panel cannot be convened from the membership of the Tribunal Hearing Pools or the pool of Chairs, as outlined below, the Secretary-General shall designate the membership of the relevant hearing or appeal panel for a given case.

POLICY ON THE ESTABLISHMENT OF TRIBUNAL HEARING POOLS

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Student Tribunal Pool

2. In June of each year, the Concordia Student Union shall be asked to nominate up to a maximum of 25 undergraduate students and the Graduate Student Association shall be asked to nominate up to a maximum of 15 graduate students to form the Student Tribunal Pool.
3. In order to be eligible, students shall be registered in an undergraduate or graduate program and be in good standing. Students who are in failed standing, in conditional standing or on academic probation, or who have been sanctioned under the *Code of Rights and Responsibilities* (BD-3) or the [Academic Code of Conduct](#) within the 3 years previous to their nomination are not eligible.
4. The status and standing of student nominees shall be confirmed by the University Registrar in September prior to the submission of the list of nominees for approval to University Senate ("Senate") by the Secretary of the Senate. In addition, the status and standing of members of the STP shall be confirmed by the University Registrar each September for as long as the member remains in office.
5. The term of office of members of the STP shall be for 2 years, from September 1 to August 31, and shall be renewable, provided that they meet the conditions at [section 4](#). Members remain in office until replaced.

Faculty Tribunal Pool

6. The Council of the Faculty of Arts and Science shall nominate 14 faculty members, the Council of the John Molson School of Business shall nominate 7 faculty members, the Council of the Gina Cody School of Engineering and Computer Science shall nominate 6 faculty members, the Council of the Faculty of Fine Arts shall nominate 3 faculty members and the Council of the School of Graduate Studies shall nominate 5 faculty members, for a total of 35 faculty members to comprise the Faculty Tribunal Pool.
7. The term of office of members of the FTP shall be for 2 years, from September 1 to August 31, and shall be renewable. Members remain in office until replaced.

POLICY ON THE ESTABLISHMENT OF TRIBUNAL HEARING POOLS

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8. The Secretary of each Faculty Council and the Council of the School of Graduate Studies shall forward a list of nominees to the Secretary of the Senate prior to its September meeting for approval.

Administrative and Support Staff Tribunal Pool

9. The AaSSTP shall be comprised of 5 members nominated in accordance with the *Policy Relating to the Administrative and Support Staff Electoral College* ([BD-12](#)).
10. Administrative and support staff members from the Office of the Secretary-General and the General Counsel, the Office of Student Tribunals, the Ombuds Office, the Student Advocacy Office and the Office of Rights and Responsibilities shall not be eligible for membership on the AaSSTP.
11. The term of office of members of the AaSSTP shall be for 2 years, from September 1 to August 31, and shall be renewable. Members remain in office until replaced.
12. The Department of Human Resources shall forward a list of nominees to the Secretary of the Board of Governors ("Board") prior to its September meeting for approval.

Chairs

13. In addition to the members of the STP and FTP appointed by the Senate, and the members of the AaSSTP appointed by the Board, the Senate shall appoint as many individuals as necessary to serve as non-voting Chairs of the various tribunal panels dealt with under this Policy.
14. The role of the Chairs shall be to preside over the various tribunal panels, keep order and ensure fairness. The Chairs shall, as well, preside over the deliberations of the various tribunal panels but shall not vote.
15. Because the role of the Chairs of the various tribunal panels requires impartiality and particular skills which take time to develop and cannot easily be acquired by lay persons during a brief term of office, the Chairs shall normally be selected from qualified individuals who have training in law or tribunal procedures as well as some knowledge of the University environment.

POLICY ON THE ESTABLISHMENT OF TRIBUNAL HEARING POOLS

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16. The term of office for the Chairs shall be for 2 years, from September 1 to August 31, and shall be renewable.
17. The candidates for the Chairs shall be recommended to the Senate by the General Counsel, in consultation with the secretaries of the tribunal panels dealt with under this Policy. Curriculum vitae of the candidates shall accompany the recommendation.

Training

18. All members of the STP, FTP and AaSSTP, and all Chairs shall receive training prepared and conducted jointly by the secretaries of the tribunal panels dealt with under this Policy, under the supervision of the General Counsel. Training shall include principles of fairness and natural justice, and hearing of complaints of sexual violence in full awareness of their highly sensitive nature.

Policy Responsibility and Review

19. The overall responsibility for implementing and recommending amendments to this Policy shall rest with the Secretary-General.

Approved by the Board of Governors on September 18, 2003; and amended on May 20, 2004, September 18, 2008, December 16, 2021, and [insert date].

POLICY ON THE ESTABLISHMENT OF TRIBUNAL HEARING POOLS

Effective Date: ~~December 16, 2021~~ ~~Approving~~[insert date]

~~Approval~~ Authority: Board of Governors

Supersedes /Amends: ~~September 18, 2008~~ ~~December 16, 2021~~ Policy

Number: BD-6

SCOPE

This policy applies to Tribunal Hearing Pools (as defined below) for hearings, both first-level hearings as well as appeal hearings at Concordia University (the “University”), provided for in the *Code of Rights and Responsibilities (BD-3)*, the *Academic Code of Conduct*, the *Academic Re-evaluation Procedures*, the *Graduate Academic Appeals Procedures* and any other codes or policies which may be adopted that refer to the Tribunal Hearing Pools provided for under this Policy.

PURPOSE

The Purpose of this Policy is to provide for the establishment of pools of members to serve on various first level and appeal hearings at the University.

DEFINITIONS

“Administrative and Support Staff Tribunal Pool” or “AaSSTP” means the pool set up under [section 9](#).

“Chair(s)” means the chair(s) of a tribunal panel(s) appointed under [section 13](#).

“Faculty Tribunal Pool” or “FTP” means the pool set up under [section 6](#).

“Student Tribunal Pool” or “STP” means the pool set up under [section 2](#).

“Tribunal Hearing Pools” mean the Administrative and Support Staff Tribunal Pool, the Faculty Tribunal Pool and the Student Tribunal Pool.

POLICY

POLICY ON THE ESTABLISHMENT OF TRIBUNAL HEARING POOLS

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1. In the event that a hearing or appeal panel cannot be convened from the membership of the Tribunal Hearing Pools or the pool of Chairs, as outlined below, the Secretary-General shall designate the membership of the relevant hearing or appeal panel for a given case.

Student Tribunal Pool

2. In June of each year, the Concordia Student Union shall be asked to nominate up to a maximum of 25 undergraduate students and the Graduate Student Association shall be asked to nominate up to a maximum of 15 graduate students to form the Student Tribunal Pool.
3. In order to be eligible, students shall be registered in an undergraduate or graduate program and be in good standing. Students who are in failed standing, in conditional standing or on academic probation, or who have been sanctioned under the *Code of Rights and Responsibilities* (BD-3) or the *Academic Code of Conduct* within the 3 years previous to their nomination are not eligible.
4. The status and standing of student nominees shall be confirmed by the University Registrar in September prior to the submission of the list of nominees for approval to University Senate ("Senate") by the Secretary of the Senate. In addition, the status and standing of members of the STP shall be confirmed by the University Registrar each September for as long as the member remains in office.
5. The term of office of members of the STP shall be for 2 years, from September 1 to August 31, and shall be renewable, provided that they meet the conditions at [section 4](#). Members remain in office until replaced.

Faculty Tribunal Pool

6. The Council of the Faculty of Arts and Science shall nominate 14 faculty members, the Council of the John Molson School of Business shall nominate 7 faculty members, the Council of the Gina Cody School of Engineering and Computer Science shall nominate 6 faculty members, the Council of the Faculty of Fine Arts shall nominate 3 faculty

POLICY ON THE ESTABLISHMENT OF TRIBUNAL HEARING POOLS

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members and the Council of the School of Graduate Studies shall nominate 5 faculty members, for a total of 35 faculty members to comprise the Faculty Tribunal Pool.

7. The term of office of members of the FTP shall be for 2 years, from September 1 to August 31, and shall be renewable. Members remain in office until replaced.
8. The Secretary of each Faculty Council and the Council of the School of Graduate Studies shall forward a list of nominees to the Secretary of the Senate prior to its September meeting for approval.

Administrative and Support Staff Tribunal Pool

9. The AaSSTP shall be comprised of 5 members nominated in accordance with the *Policy Relating to the Administrative and Support Staff Electoral College* ([BD-12](#)).
10. Administrative and support staff members from the Office of the Secretary-General and the General Counsel, the Office of Student Tribunals, the Ombuds Office, the Student Advocacy Office and the Office of Rights and Responsibilities shall not be eligible for membership on the AaSSTP.
11. The term of office of members of the AaSSTP shall be for 2 years, from September 1 to August 31, and shall be renewable. Members remain in office until replaced.
12. The Department of Human Resources shall forward a list of nominees to the Secretary of the Board of Governors (“Board”) prior to its September meeting for approval.

Chairs

13. In addition to the members of the STP and FTP appointed by the Senate, and the members of the AaSSTP appointed by the Board, the Senate shall appoint as many individuals as necessary to serve as non-voting Chairs of the various tribunal panels dealt with under this Policy.

POLICY ON THE ESTABLISHMENT OF TRIBUNAL HEARING POOLS

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14. The role of the Chairs shall be to preside over the various tribunal panels, keep order and ensure fairness. The Chairs shall, as well, preside over the deliberations of the various tribunal panels but shall not vote.
15. Because the role of the Chairs of the various tribunal panels requires impartiality and particular skills which take time to develop and cannot easily be acquired by lay persons during a brief term of office, the Chairs shall normally be selected from qualified individuals who have training in law or tribunal procedures as well as some knowledge of the University environment.
16. The term of office for the Chairs shall be for 2 years, from September 1 to August 31, and shall be renewable.
17. The candidates for the Chairs shall be recommended to the Senate by the General Counsel, in consultation with the secretaries of the tribunal panels dealt with under this Policy. Curriculum vitae of the candidates shall accompany the recommendation.

Training

18. All members of the STP, FTP and AaSSTP, and all Chairs shall receive training prepared and conducted jointly by the secretaries of the tribunal panels dealt with under this Policy, under the supervision of the General Counsel. Training shall include principles of fairness and natural justice, and hearing of complaints of sexual violence in full awareness of their highly sensitive nature.

Policy Responsibility and Review

19. The overall responsibility for implementing and recommending amendments to this Policy shall rest with the Secretary-General.

Approved by the Board of Governors on September 18, 2003; and amended on May 20, 2004, September 18, 2008, ~~and~~ December 16, 2021, ~~and~~ [insert date].



**BOARD OF GOVERNORS
OPEN SESSION
Meeting of December 15, 2022**

AGENDA ITEM: Governance and Ethics Committee recommendation: Revisions to the *Policy on the Use of Concordia University's Name, and the Governance of its Visual Character and Digital Presence* ([SG-4](#)) and its related *Procedures Handbook*

ACTION REQUIRED: For approval

SUMMARY: Upon recommendation of the Governance and Ethics Committee, the Board of Governors is being asked to approve the revisions to the *Policy on the Use of Concordia University's Name, and the Governance of its Visual Character and Digital Presence* ([SG-4](#)) and its related *Procedures Handbook* (the "Policy").

BACKGROUND:

The Policy governs the use of Concordia University's name, and the governance of its visual character and digital presence. Revisions to the Policy and its related guidelines are being recommended so that clear parameters may be set to grant or decline the permission to use the University's name.

Certain other revisions are also being proposed to update the Policy to align it with the University's new policies template as provided for in the *Policy on University Policies* ([SG-6](#)).

DRAFT MOTION:

That, on the recommendation of the Governance and Ethics Committee the Board of Governors approve the revisions to the *Policy on the Use of Concordia University's Name, and the Governance of its Visual Character and Digital Presence* ([SG-4](#)) and its related *Procedures Handbook*.

PREPARED BY:

Name: Karan Singh
Date: November 18, 2022

**POLICY ON THE USE OF CONCORDIA UNIVERSITY'S NAME,
AND THE GOVERNANCE OF ITS VISUAL CHARACTER AND DIGITAL PRESENCE**

Effective Date: [insert date]

Approval Authority: Board of Governors

Supersedes /Amends: May 20, 2016

Policy Number: SG-4

PREAMBLE

Concordia University (the "University") has a vested interest in the protection and regulation of the University's Name (as defined below), which taken as a whole create the University's signature. The use of the University's Name is a privilege and any permission related to use of the foregoing, in whole or in part, is at the sole discretion of the University. It is also in the University's best interests to present a consistent visual character that reflects its identity both in print and digital forms. As such, guidelines and verification systems are required to ensure that the University builds a consistent presence within the community and that all visual communications align with the core values of the University.

SCOPE

This Policy applies to any and all internal and external representations, whether printed, electronic, digital or in any other form, which make use of the University's Name and the University's reputation as a whole.

PURPOSE

The purposes of this Policy are:

- a) to provide the framework for the regulation of the quality and uniformity of the University's Name in both internal and external representations;
- b) to set parameters which the University uses to grant or decline permission to use the University's Name; and
- c) to ensure that the parties who have received permission to use the University's Name do so only in a manner which is consistent with the values, reputation and orientation (present or future) of the University and in compliance with all applicable legislation and other University policies.

**POLICY ON THE USE OF CONCORDIA UNIVERSITY'S NAME,
AND THE GOVERNANCE OF ITS VISUAL CHARACTER AND DIGITAL PRESENCE**

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DEFINITIONS

For the purposes of this Policy, the following definitions shall apply:

“Digital Representation” means any and all digital representations by or pertaining to the University, including but not limited to advertising, posters, brochures, magazines, newsletters, conference programs, annual reports, websites, web-based applications, Concordia’s mobile application and social media accounts in digital form.

“Group” means any student or student collective forming a group for the purposes of pursuing an activity, whether or not funded by a student fee levy.

“Printed Representation” means any and all printed or tangible representations by or pertaining to the University, including but not limited to advertising, posters, billboards, brochures, magazines, newsletters, conference programs, annual reports, clothing and vehicles in printed form.

“Public Materials” mean any Digital Representation and/or Printed Representation made available to the University community or to the public.

“University Name” means Concordia University’s name, logo, faculty names, names of schools and/or related insignia, shield, wordmark, icon, and any Printed Representation, Digital Representation and/or other representation thereof, including but not limited to its letterhead and business cards.

POLICY

Internal and External Representations

1. In order to ensure an appropriate appearance consistent with the reputation and future orientation of the University as an academic institution, University Communications Services (“UCS”) shall have final approval for any Public Materials containing the University’s Name for publicity purposes.

**POLICY ON THE USE OF CONCORDIA UNIVERSITY'S NAME,
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2. Public Materials using the University's Name shall follow the guidelines as set out in the [Communications and Print Graphics Standards Manual](#).
3. University departments requiring and/or producing such Public Materials, must follow one of the options itemized in the [Procedures Handbook](#).
4. The use of the University's Name, in a manner which could directly or indirectly convey the message or impression that the University is engaged in a purely commercial, political, illegal or immoral activity is prohibited.
5. Any use of the University's Name shall be for University-related activities only.
6. The University's websites are to be dedicated to the activities of the University, such as recruitment, teaching, research, services, student life, management and administration, alumni and donor relations, community outreach, or other promotional purposes.
7. The University has a web content management system ("WCMS") that is used to house all its public websites (representing a core functionality and/or service) under the Concordia.ca domain name. The WCMS is also used to house the University's intranet for faculty and staff members. This WCMS includes the University's Name, and ensures that its framework (header, navigation, footer) is always designed respecting the latest brand standards. Operating the WCMS is the joint responsibility of UCS and Instructional and Information Technology Services ("IITS").
8. Certain websites constitute exceptions that need not be housed on the WCMS. More information is available in the [Procedures Handbook](#).
9. UCS is responsible for managing the main Concordia.ca public website, the intranet for students, faculty and staff, and Concordia's mobile application. The responsibility for developing, managing and updating content on faculty and departmental webpages, as well as on administrative ones is outlined in the [Procedures Handbook](#).
10. Concordia.ca websites that run on the WCMS will adopt suffix domain names (e.g., Concordia.ca/artsandscience), with further information in the [Procedures Handbook](#).

**POLICY ON THE USE OF CONCORDIA UNIVERSITY'S NAME,
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11. UCS is responsible for managing all Concordia.ca domain names and for approving all new subdomain requests.
12. Social Media
 - The University's social media presence promotes the activities of the University, namely, recruitment, teaching, research, services, management, student life, and administration, alumni and donor relations, community outreach, etc.
 - Managing the University's overall social media presence is the responsibility of UCS, while managing the social media presence of faculties, departments and administrative units remains with those areas.
 - University departments who wish to submit a request to open and manage a social media account on behalf of a faculty, department or administrative unit should refer to the [Procedures Handbook](#).
13. Mobile Applications
 - The University's mobile application promotes the activities, information and systems relating to the student experience; and
 - Managing the University's mobile application is the joint responsibility of UCS and IITS.

Brand Integration

14. The University acknowledges and welcomes external support received by individual faculties, departments or units. The integration of a donor's name, logo and/or related insignia shall be at the sole discretion of the University and in compliance with this and other relevant University policies and the [Procedures Handbook](#).
15. The University's Name must remain prominent on all Public Materials, when being used with any other brands.
16. The Secretary-General, or designate, shall have final approval for any exceptional, custom-designed or integrated name, logo and/or related insignia in accordance with the process in the [Procedures Handbook](#).

**POLICY ON THE USE OF CONCORDIA UNIVERSITY'S NAME,
AND THE GOVERNANCE OF ITS VISUAL CHARACTER AND DIGITAL PRESENCE**

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Other Clubs, Groups, Organizations or Associations

17. Any Group wishing to use the University's Name, shall apply for such permission using the [Permission Form](#) provided by the Secretary of the Board of Governors (the "Board") and such request shall be submitted to the Secretary-General.
18. The request from a Group for the use of the University's Name shall be assessed by the Secretary-General based on the guidelines set forth in the [Procedures Handbook](#).
19. The assessment will, without limitation, include an analysis of whether or not such use could adversely affect the reputation of the University or create confusion and whether or not the activities or actions of the group are consistent with the values, reputation and/or orientation (present or future) of the University. If, in the context of this assessment, the Secretary-General is of the opinion that the proposed name could adversely affect the reputation of the University or create confusion, they may, if they deem appropriate in the circumstances, recommend to the Group that it provide an alternate name and modified request.
20. If, in the opinion of the Secretary-General, acting in consultation with the Chair of the Governance and Ethics Committee, the Group does not satisfy the guidelines outlined in the [Procedures Handbook](#) or if its activities or actions could adversely affect the reputation of the University and/or are inconsistent with the values, reputation and/or orientation (present or future) of the University, the Secretary-General may decline to bring the request forward to the Board.
21. If the Secretary-General recommends a request for the use of the University's Name, such recommendation shall be made to the Board. The Board's acceptance of such recommendation remains at its sole discretion.
22. Upon the recommendation of the Secretary-General, the Board may decide to grant permission to use the University's Name, on a conditional basis or, in cases where the potential liability to the University is significant, may require the Group to enter into a written agreement with the University outlining respective rights and responsibilities.

**POLICY ON THE USE OF CONCORDIA UNIVERSITY'S NAME,
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23. The decision to either grant or decline the request for the use of the University's Name shall be communicated to the requesting party.
24. The privilege of using the University's Name, if granted, may be reviewed and revoked by the Board at any time, upon the recommendation of the Secretary-General, if it is deemed that the Group no longer satisfies the guidelines outlined in the [Procedures Handbook](#), or this Policy.
25. Any Group granted permission to use the University's Name shall adhere to generally accepted accounting standards and manage their funds with the utmost integrity.
26. The granting of permission to use the University's Name, shall in no way impose any liability upon the University for the actions or activities of a Group.
27. At any time, the Secretary-General may require, a written report from a Group with respect to a particular matter or, more generally, with respect to the Group's actions or activities.
28. Any Group using the University's Name, at or before July 2001 shall be exempt from the application process outlined in [section 17](#) of this Policy and is deemed to have been granted permission in accordance with this Policy. However, these Groups and their use of the University Name remain subject to all other provisions of this Policy.

Licensing Program

29. The name Concordia University, its logo and related insignia are registered service marks in accordance with the [Trademarks Act, R.S.C., 1985, c. T-13](#). The use of these registered service marks by third parties is at the sole discretion of the University. The Secretary-General is responsible for overseeing the authorization process for such use by the third party, as well as for overseeing the University's licensing program, with further information in the [Procedures Handbook](#).

**POLICY ON THE USE OF CONCORDIA UNIVERSITY'S NAME,
AND THE GOVERNANCE OF ITS VISUAL CHARACTER AND DIGITAL PRESENCE**

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Policy Responsibility and Review

30. The overall responsibility for implementing and recommending amendments to this Policy shall rest with the Secretary-General.

Approved by the Board of Governors on May 20, 2016 and [insert date]

DRAFT

PROCEDURES HANDBOOK

As per Policy on the Use of Concordia University's Name, and the Governance of its Visual Character and Digital Presence ([SG-4](#))

This Procedures Handbook is related to and does not replace or supersede the contents of the *Policy on the Use of Concordia University's Name, and the Governance of its Visual Character and Digital Presence ([SG-4](#))* (the "Policy"), and reflects the current practices regarding the use of The University's Name, and the governance of its visual character and digital presence. Unless otherwise defined herein, all capitalized terms shall have the meaning ascribed to them in the Policy.

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As per Policy on the Use of Concordia University's Name, and the Governance of its Visual Character and Digital Presence ([SG-4](#))

1. Logo use by University Departments

University departments requiring and/or producing printed Public Materials, must follow one of these options:

- Submit their requirements and specifications to University Communications Services ("UCS") for the internal production of the material;
- Create their own material, which must be submitted to UCS for verification and approval; or
- Arrange for the production of the material by an external company. The company must be selected from a list of approved contractors provided by UCS. The material shall be verified and approved by UCS. A department that chooses this option is responsible for any related fees.

Please contact the [UCS Brand and Studio Manager](#) to request the University's official logo and any official photography.

2. Use by Clubs, Groups, Organizations or Associations

The decision to grant, decline or withdraw permission to use the University's Name, shall be assessed based on the following guidelines:

- The nature of the Group - a group should be of the sort that one would associate with a University community. For example, a not-for-profit group is generally preferable to a for-profit group;
- The membership of the Group – a Group in which membership is restricted to University students, faculty, staff or alumni is preferable. The membership should be large enough to warrant using the University's Name, and to ensure certain stability to the Group;
- The goals and objectives of the Group - the objectives and proposed activities of the Group should contribute to the educational, social or cultural values of the University;
- The organizational structure of the Group - the Charter, by-laws, procedures or rules of conduct of the Group should be presented. Such documents should enable all members joining the Group to be fully aware of their rights and responsibilities;
- The resources of the Group - the human, financial and material resources available to the Group should be demonstrably adequate for the Group to fulfill its mission

PROCEDURES HANDBOOK

As per Policy on the Use of Concordia University's Name, and the Governance of its Visual Character and Digital Presence ([SG-4](#))

and objectives;

- The history of the Group - a Group that has a proven track record for integrity and success is preferable;
- The internal and external support for the Group: A Group that has received support from other recognized internal and external groups in their application for permission is preferable;
- The quality of the application itself: a Group that submits a well-organized, well-documented and well-argued application is preferable.

3. Use of University's Name

In accordance with the principles outlined in *the Policy on the Use of Concordia University's Name, and the Governance of its Visual Character and Digital Presence ([SG-4](#))*, the request for the use of the University's Name may be declined or withdrawn, where the requesting party or user of the University Name engages in any activities that may:

- a. result in discrimination, harassment, including sexual harassment;
- b. be threatening or violent or pose a threat to property as defined in the *Code of Rights and Responsibilities ([BD-3](#))*;
- c. constitute a form of discrimination prohibited under the *Quebec Charter of Human Rights and Freedoms, R.S.Q., chapter C-12*;
- d. be contrary to applicable legislation or University policies;
- e. adversely affect the reputation of the University; and
- f. be inconsistent with the values, reputation, and the orientation (present or future) of the University.

The prohibitions hereinabove are to be read and interpreted in the most expansive terms to ensure compliance with the University's values, ethos, orientation (present of future) and ensure the protection of its reputation.

4. Use of Additional Logos and/or Graphic Elements on concordia.ca

Any web presence created under the concordia.ca domain is not permitted to have its own unique logo and/or graphic element displayed their page(s).

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As per Policy on the Use of Concordia University's Name, and the Governance of its Visual Character and Digital Presence ([SG-4](#))

Exceptions include: Research centres and/or labs whereby funding agreements stipulate that a graphic element must be present on any or all web presences. Legacy centres and units that already have an approved element being used on their web pages.

5. Licensing Program

All applications for the use of the University's Name, for commercial purposes and/or exceptional custom design shall be made, in the first instance, for conditional approval of the application, to the [UCS Brand and Studio Manager](#).

Upon conditional approval of the application, the potential licensee shall submit designs incorporating the University's Name, as well as product samples for initial approval by UCS and final approval by the Secretary-General, in accordance with *the Policy on the Use of Concordia University's Name, and the Governance of its Visual Character and Digital Presence ([SG-4](#))*

Following the grant of a request, a non-exclusive, revocable licensing agreement shall be entered into with the licensee. The licensing agreement shall apply for a specific term and shall, in cases where it is for commercial use, provide for a royalty fee to be paid to the University based on the wholesale price of the product. All royalty fees shall be credited to various scholarships and awards.

In the event of an application for the use of the University Name, in conjunction with fund-raising or charitable events, the Secretary-General may decide that royalty fees shall not be charged.

6. The University Bookstore, the Office of Advancement and Alumni Relations and the Department of Recreation and Athletics are excluded from the mandatory licensing program.

a) *Web publication protocols*

There are four "tiers" of web content publication protocols at Concordia University.

1. Web content that represents a core functionality and/or service of the University.
 - a. I.e.,: a faculty, department, unit, program, service, research centre, etc.
2. Web content created in partnership with the University

PROCEDURES HANDBOOK

As per Policy on the Use of Concordia University's Name, and the Governance of its Visual Character and Digital Presence ([SG-4](#))

- a. I.e.,: partnered programs, research grants, research networks, initiatives, etc.
3. Web content that supports a more individual endeavour for a faculty member in the university
 - a. I.e.,: personal website for a faculty member, or a website to support a specific course
4. Web content that supports a research lab and/or group owned by a faculty member(s)

Tier 1: This is the responsibility of the Web Communications team. All content *must* be published in the University's chosen Web Content Management System (WCMS) Adobe Experience Manager (AEM).

Tier 2: This is the responsibility of the Web Communications team. Whether or not the website should live on the WCMS is at the discretion of the Web Communications team; each request will be evaluated on a case-by-case basis. In cases where an exception has been granted (see section 5d) and the website can live externally to Concordia.ca, the required web presence on our WCMS gets reduced to a single web page that summarizes the external web presence.

Tiers 3 and 4: UCS is not involved in the creation of websites that fall into these tiers. Any existing websites that fall into these categories that currently live on our WCMS will be grandfathered, however further substantial overhauls/revamps will not be undertaken.

b) Websites not housed on Concordia.ca

Websites from the following units are not housed on Concordia.ca:

- University-affiliated daycare centres
- Student groups, associations, and clubs
- Unions and other similar associations

c) Legacy websites and servers

Websites housed on University affiliated secondary servers prior to January 1, 2015, will continue to be accommodated to the extent that it is possible to do so within the parameters established by IITS for the ease, security and maintenance of secondary servers.

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A unit that forms a part of the above list of exceptions planning to launch a website after January 1, 2015, and have it housed on Concordia.ca, will have to work within the parameters established by IITS for the use, security and maintenance of secondary servers. The request will also be reviewed by UCS as should the new website fall into the categorization of a tier 1 or tier 2 web presence (section 5a), it will be required that the new website be built on the University's WCMS.

d) Requests to be exempt from use of the WCMS and/or Concordia.ca domain name

Websites from the following units may apply to be exempt from Concordia's Web Content Management System (WCMS) and be housed on a non-Concordia server and not have a Concordia.ca domain name:

- A research centre consortium that involves external partners
- Research centres/units for which the visual component of the site is considered integral to the research/creation itself

To apply for an exemption, a unit must submit a written request to [UCS Web Communications](#).

If the request is granted, the unit must:

- Work with University Communications Services (UCS) to create a landing page within the concordia.ca website
- Have the external website conform to Concordia's overall look & feel
 - The website design must be approved by UCS
 - The domain name must be approved by UCS
 - The website must contain the Concordia logo in a prominent location

e) Request for migration to Concordia's WCMS

To begin the process of moving a website that was previously hosted on a secondary Concordia server, or an external server, to the WCMS, the following information must be provided in writing to [UCS Web Communications](#):

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- A justification from the Dean or VP, Research and Graduate Studies or AVP Research shall be used to evaluate the merit of the project. This justification should also answer the following questions:
 - Who is responsible for managing the website?
 - Who is the website's target audience? (e.g., current students, prospective students, current faculty, prospective faculty).
 - Is the current website running on a third-party application?

Evaluation: UCS /IITS Liaison committee will review the written request and contact the unit in question to discuss how to best move the site to Concordia's WCMS.

Timeline: If granted, a prospective timeline for migrating a unit's website will be established pursuant to discussions with UCS.

f) Subdomains

When Concordia launched its unified web presence using the Adobe Experience Manager Web Content Management System, the University moved from having web presences live in a subdomain environment to a sub-folder environment. As per clause 5c, there are several grandfathered informational websites still in existence, however no new web presences may be created on a subdomain of Concordia.ca. Exceptions to this rule are made on a case-by-case basis for Web-based institutional applications (see Section 6) that support a core University function and/or initiative, and for shared initiatives with partner organizations. Requests to have a subdomain request approved must be sent to [UCS Web Communications](#) or via the current IITS ticketing system)

g) Requests for major changes to Concordia.ca and Carrefour

There may be requests for major changes to the Concordia.ca public website and/or the intranet (Carrefour), such as the revamping of the information architecture (navigation/page structure), visual redesigns, as well as the development of new features and functionality.

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As per Policy on the Use of Concordia University's Name, and the Governance of its Visual Character and Digital Presence ([SG-4](#))

Any major changes should be first discussed with the unit's Communications Advisor prior to submitting a request. Units without a Communications Advisor are invited to contact webcoord@concordia.ca

Request submission process: A unit may provide its written request for major changes to the Concordia.ca website and to Carrefour, to [UCS Web Communications](#) or via an [Easy Projects](#) Web Request Form. This request must include the following information:

- Is the change for Concordia.ca, Carrefour or both?
- Does the change involve information architecture, visual redesigns and/or the development of new features and functionality?
- Describe the requested changes in detail (ideally using a Word document).
- Who is the website's target audience? (e.g., current students, prospective students, current faculty, prospective faculty).
- Why are you requesting this change?
- Do you have analytics to accompany your request?

Evaluation: UCS Web Communications will review the written request and contact the unit in question.

Timeline: If the request is accepted, a prospective timeline will be established pursuant to discussions with UCS.

h) Website Access and Maintenance

Members of the Concordia community may request access to specific pages within the Concordia.ca website as per the conditions outlined in the [AEM Web Training and User Access Agreement](#). Once a user has been trained and given access to their unit's webpages, UCS's role (with regards to that specific unit's pages) changes from being an author and updater, to one of support for the trained user. Unless large changes need to be undertaken*, the trained user is expected to update and maintain their unit's web presence.

**examples of large changes include changes in navigation, landing page layout, visual design changes,*

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creation/deletion of multiple pages, page moves and creation of folders.

7. Web-based Institutional Applications

Academic and administrative units may house web-based institutional applications outside of the WCMS—either using the Concordia.ca domain name or an alternative domain name should the WCMS not meet the needs of the unit in question. In order for an application to be considered, it must support a core University function and/or initiative.

Examples of such applications are:

- the University's student information system (SIS)
- HR & Finance systems (Unity)
- Student CRM
- Selligent
- Embrace the City

All institutional applications must have their UI/design approved by UCS *prior to launch* to ensure the overall UX harmonization and seamless branding of Concordia's institutional applications.

8. Concordia's Mobile Application (The Concordia App)

a) Requests to add content to the Concordia App

Request process: Individuals who would like to submit a request to develop content to be placed on the Concordia app should write a proposal that contains the following information and send to [UCS Web Communications](#)

- What is the motivation behind the requested content?
- Who is the target audience?
- Project summary
- Project stakeholders
- Technical/user requirements

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- Future maintenance (effort and costs)

Evaluation: Representatives from both UCS and IITS meet monthly to evaluate and approve such requests. Please note that, in order to develop a better understanding of the associated requirements and to be best poised to evaluate a request, UCS and IITS may request that a proposal and a presentation be delivered about the suggested addition(s) to the app.

Timeline: A prospective timeline will be established pursuant to discussions with UCS and IITS representatives.

9. Institutional Social Media Accounts

a) Creating an institutional social media account

If an academic or administrative unit wishes to create and manage a Concordia social media account, that unit should contact its Communications Advisor or the [UCS Social Media team](#) who will review the written request and contact the unit in question to discuss optimal solutions. Once the social media account is approved, a Concordia branded avatar will be created by the UCS Studio team.

Creating an account without in-depth knowledge of social media best practices or an awareness of the time, resource and content requirements is not advisable, especially considering content may be able to be promoted on existing accounts that already boast a large follower base. For example:

- Concordia Facebook: 107,000+ followers
- Concordia Twitter: 74,000+ followers
- Concordia Instagram: 31,000+ followers
- Concordia LinkedIn page: 240,000+ followers
- Concordia YouTube: 11,900+ channel subscribers
- Concordia Flickr: 3,600,000+ views

Managing a social media account is labour intensive and requires a plan that includes answers to the following questions:

Goals

- What are the goals of the proposed social media account(s)?

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- Who are the audiences you are trying to reach? Are they on social media? If so, which platforms?
- What content will you be sharing on these platforms? Is the nature of the content a good fit with content typically posted on the target platforms?
- Does the content appeal to the targeted demographic?
- How would this presence work with other communication channels used by the University (website, other social media services)?
- Does a similar social media presence already exist? If so, would working with this presence make better sense for the targeted audience?

Level of engagement

- What time commitment is required to run the proposed account(s)?
- Are the required resources available?
- How will the community be engaged and what are the implications of its participation?
- How often will content need to be produced to keep the channel(s) refreshed and relevant?
- How can the Concordia brand be protected? Is additional moderation necessary?
- For how long will the proposed presence exist?

Strategic considerations

- How will success be measured in qualitative and quantitative terms?
- What is the proposed exit strategy?
- Is the overall time investment and cost worth the benefit the social media channel(s) /presence will deliver?

Request submission process: A unit may contact the Communications Advisor responsible for that unit who will work with it and the UCS social media team to help the unit:

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- Map out its needs - set up a meeting with a member of the social media team to discuss best options to meet the unit's goals
- Help identify and recommend an appropriate name/handle and hashtag
- Help set up the account(s)
- Provide graphic materials for the accounts (ie Avatar, suggestions for cover images)
- Provide branding guidelines for things like bios, about sections...etc. ensuring that the unit is following University branding guidelines and policies
- Provide overall guidelines and help with social media standards, including tagging, replying, the use of hashtags, link shorteners, etc.
- Make suggestions as to how to promote the unit's content and events in conjunction with the social media team, via the weekly social media line-up, in addition to possibly collaborating with other units at the University with a presence on social media
- Offer suggestions on how to engage with a unit's audiences on social media and how to respond to negative comments

Units who do not have a Communications Advisor are invited to contact socialmedia@concordia.ca.

b) Social media promotion request

A unit interested in requesting the promotion of an initiative or event or running a social media promotional campaign should contact their Communications Advisor or the [UCS social media team](#) for assistance *at least four weeks before the event or deadline or initiative itself*, to allow enough time to identify the goals for the campaign, appropriate platforms, content, appropriate hashtags, partners (if applicable), timing/rollout schedule and other aspects related to the plan for the campaign itself.

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OF ITS VISUAL CHARACTER AND DIGITAL PRESENCE**

Effective Date: ~~May 20, 2016~~ **Originating Office:** ~~Office~~ [insert date]
Approval Authority: ~~Board of the Secretary-
General~~ Governors

Supersedes /Amends: ~~September 18, 2008~~ May 20, 2016 **Policy Number:** SG-4

PREAMBLE

Concordia University (the "University") has a vested interest in the protection and regulation of ~~its name~~ the University's Name (as well as its logo and/or related insignia (shield, wordmark and icon ~~defined below~~), which taken as a whole create the University's signature. ~~The use of the University's Name is a privilege and any permission related to use of the foregoing, in whole or in part, is at the sole discretion of the University.~~ It is also in the University's best interests to present a consistent visual character that reflects its identity both in print and digital forms. As such, guidelines and verification systems are required to ensure that the University builds a ~~uniform and recognizable consistent~~ presence within the community ~~through both the appropriate display of these symbols and a consistent interpretation of its character in and that all visual communications:~~ align with the core values of the University.

SCOPE

This ~~policy~~ Policy applies to any and all internal and external representations, whether printed, electronic ~~or~~, digital or in any other form, which make use of ~~Concordia~~ the University's name, ~~logo and/or related insignia~~ Name and the University's ~~image~~ reputation as a whole.

PURPOSE

The purposes of this ~~policy~~ Policy are ~~a)~~:

- a) to provide the framework for the regulation of the quality and uniformity of the University's image Name in both internal and external representations;

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b) to set parameters which the University uses to grant or decline permission to use the University's Name; and ~~b)~~

~~a)c)~~to ensure that the parties who have received permission to use the University's ~~name, logo and/or related insignia~~ Name do so only in a manner which is consistent with the values, reputation and orientation (present or future) of the University: and in compliance with all applicable legislation and other University policies.

DEFINITIONS

For the purposes of this Policy, the following definitions shall apply:

"Digital Representation" means any and all digital representations by or pertaining to the University, including but not limited to advertising, posters, brochures, magazines, newsletters, conference programs, annual reports, websites, web-based applications, Concordia's mobile application and social media accounts in digital form.

"Group" means any student or student collective forming a group for the purposes of pursuing an activity, whether or not funded by a student fee levy.

"Printed Representation" means any and all printed or tangible representations by or pertaining to the University, including but not limited to advertising, posters, billboards, brochures, magazines, newsletters, conference programs, annual reports, clothing and vehicles in printed form.

"Public Materials" mean any Digital Representation and/or Printed Representation made available to the University community or to the public.

"University Name" means Concordia University's name, logo, faculty names, names of schools and/or related insignia, shield, wordmark, icon, and any Printed Representation, Digital

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Representation and/or other representation thereof, including but not limited to its letterhead and business cards.

POLICY

POLICY

Internal and External Representations –~~Printed~~

1. In order to ensure an appropriate appearance consistent with the reputation and future orientation of the University as an academic institution, University Communications Services (“UCS”) shall have final approval for any ~~public materials~~ Public Materials containing the University’s ~~name, logo and/or related insignia,~~ Name for ~~all internal or external~~ publicity purposes. ~~Examples of such public materials include, but are not restricted to: advertising, posters, billboards, brochures, magazines, newsletters, conference programs, annual reports and University vehicles.~~
2. Public ~~materials~~ Materials using the University’s ~~name, logo and/or related insignia~~ Name shall follow the guidelines as set out in the ~~Communications and Print Graphics Standards Manual~~ available at UCS: [Communications and Print Graphics Standards Manual](#).
3. University departments requiring and/or producing such ~~public materials~~ Public Materials, must follow one of the options itemized in the [Procedures Handbook](#).
4. The use of the University’s ~~name, logo and/or related insignia~~ Name, in a manner which could directly or indirectly convey the message or impression that the University is engaged in a purely commercial, political, illegal or immoral activity is prohibited.

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5. Any use of the University's ~~name, logo and/or related insignia (including University letterhead or business cards)~~ Name shall be for University ~~business-related activities~~ only.

~~Internal and External Representations – Digital (websites, mobile sites and social media accounts)~~

6. The University's websites are to be dedicated to the activities of the ~~institution~~ University, such as recruitment, teaching, research, services, student life, management and administration, alumni and donor relations, community outreach, or other promotional purposes.
7. The University has a web content management system (~~"WCMS"~~) that is used to house all its public ~~and mobile administrative and academic~~ websites (representing a core functionality and/or service) under the Concordia.ca domain name. The WCMS is also used to house the University's intranet for faculty and staff members. This WCMS includes the ~~Concordia logo, design~~ University's Name, and ensures that its framework (header, navigation, and footer) is always designed respecting the latest brand standards. Operating the WCMS is the joint responsibility of UCS and Instructional and Information Technology Services ("IITS").
- ~~8. Websites from some units~~ Certain websites constitute exceptions that need not be housed on the WCMS. ~~Refer to the Procedures Handbook for more~~ More information.
- ~~9.8. Refer to the Procedures Handbook for more information about how to submit requests to house unit websites outside of the WCMS either using the Concordia.ca domain name or an alternative domain name. is available in the Procedures Handbook.~~
- ~~10.9. UCS is responsible for managing the main Concordia.ca public website and, the intranet for students, faculty and staff, and Concordia's mobile application. The responsibility for developing, managing and updating content on faculty and departmental webpages, as well as administrative ones, remains with these individual areas on administrative ones is outlined in the Procedures Handbook.~~

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~~11.10.~~ Concordia.ca websites that run on the WCMS will adopt suffix domain names (e.g., Concordia.ca/artsandscience). ~~There are exceptions to suffix domain names. Refer to,~~ with further information in the *Procedures Handbook* for more information.*Procedures Handbook.*

~~12.11.~~ UCS is responsible for managing all Concordia.ca domain names, ~~including the abovementioned exceptions. To submit and for approving all new subdomain requests for a Concordia.ca domain names, which include shortcut domain names and romance URLs, refer to the~~ *Procedures Handbook.*

~~13.12.~~ Social Media:

- The University's social media presence ~~promotes~~ the activities of the ~~institution~~ University, namely, recruitment, teaching, research, services, management, student life, and administration, alumni and donor relations, community outreach, etc.
- Managing the University's overall social media presence is the responsibility of UCS, while managing the social media presence of faculties, departments and administrative units remains with those areas.
- ~~To~~ University departments who wish to submit a request to open and manage a social media account on behalf of a faculty, department or administrative unit, ~~refer to the~~ *Procedures Handbook.* ~~should refer to the~~ *Procedures Handbook.*

~~14.13.~~ Mobile Applications

- The University's mobile ~~platforms~~ application ~~promotes~~ the activities ~~of the institution, namely, recruitment, teaching, research, services, management, information and administration, alumni systems relating to the student experience; and donor relations, community outreach, etc.~~
- Managing the University's ~~overall~~ mobile ~~platforms~~ application is the joint responsibility of UCS and IITS.
- ~~To submit a request to develop mobile applications and/or to use SMS notifications, refer to the~~ *Procedures Handbook.*

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Brand Integration

- ~~15.14.~~ The University acknowledges and welcomes external support received by individual faculties, departments or units ~~that may include the.~~ The integration of a donor's name, logo and/or related insignia shall be at the sole discretion of the University and in compliance with this and other relevant University policies and the *Procedures Handbook*.
- ~~16.15.~~ The University's ~~name, logo and/or related insignia~~ Name must remain prominent on all Public Materials, when being used with any ~~sub-brand being integrated within, and subordinate to, the University's name logo and/or related insignia on all public printed or electronic materials.~~ other brands.
- ~~17.16.~~ The Secretary-General, or designate, shall have final approval for any exceptional, custom-designed or integrated name, logo and/or related insignia in accordance with the process in the *Procedures Handbook*.

Other Clubs, Groups, Organizations or Associations

- ~~18.17.~~ Any ~~club, group, organization or association (hereinafter referred to individually and collectively as "Group")~~ wishing to use the University's ~~name, logo and/or insignia~~ Name, shall apply ~~to the Board of Governors (the "Board")~~ for such permission ~~on the form using the *Permission Form*~~ provided by the Secretary of the Board. ~~Go to *Permission Form*, of Governors (the "Board") and such request shall be submitted to the Secretary-General.~~

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- ~~19.18.~~ The decision to grant permission request from a Group for the use of the University's ~~name, logo and/or insignia~~Name shall be assessed by the Secretary-General based on the guidelines set forth in the ~~Procedures Handbook~~Procedures Handbook.
- ~~19.~~ The privilege of using the University's name, logo ~~The assessment will, without limitation, include an analysis of whether or not such use could adversely affect the reputation of the University or create confusion and whether or not the activities or actions of the group are consistent with the values, reputation and/or orientation (present or future) of the University. If, in the context of this assessment, the Secretary-General is of the opinion that the proposed name could adversely affect the reputation of the University or create confusion, they may, if they deem appropriate in the circumstances, recommend to the Group that it provide an alternate name and/or related insignia shall normally be granted without a fixed term but may be reviewed modified request.~~
- ~~20.~~ If, in the opinion of the Secretary-General, acting in consultation with the Chair of the Governance and revoked by the Board at any time, upon the recommendation of the Secretary General, if it is deemed that the Group no longer satisfies Ethics Committee, the Group does not satisfy the guidelines outlined in the ~~Procedures Handbook, this Policy~~Procedures Handbook or if its activities or actions ~~may~~could adversely affect ~~or are adversely affecting~~ the reputation of the University and/or are inconsistent with the values, reputation and the future/or orientation (present or future) of the University, the Secretary-General may decline to bring the request forward to the Board.
- ~~20.21.~~ If the Secretary-General recommends a request for the use of the University's Name, such recommendation shall be made to the Board. The Board's acceptance of such recommendation remains at its sole discretion.
- ~~21.22.~~ Upon the recommendation of the Secretary-General, the Board may decide to grant permission to use the University's name, logo and/or related insigniaName, on a conditional basis or, in cases where the potential liability to the University is significant,

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may require the Group to enter into a written, ~~contractual~~ agreement with the University outlining respective rights and responsibilities.

~~23.~~ The decision to either grant or decline the request for the use of the University's Name shall be communicated to the requesting party.

~~24.~~ The privilege of using the University's Name, if granted, may be reviewed and revoked by the Board at any time, upon the recommendation of the Secretary-General, if it is deemed that the Group no longer satisfies the guidelines outlined in the *Procedures Handbook*, or this Policy.

~~22-25.~~ Any Group granted permission to use the University's ~~name, logo and/or related insignia~~ Name shall adhere to generally accepted accounting standards and manage their funds with the utmost integrity.

~~23-26.~~ The granting of permission to use the University's ~~name, logo and/or related insignia~~ Name, shall in no way impose any liability upon the University for the actions or activities of a Group.

~~24-27.~~ The ~~At any time, the~~ Secretary-General may require, ~~at any time~~, a written report from a Group with respect to a particular matter or, more generally, with respect to the Group's actions or activities.

~~25-28.~~ Any Group using the University's ~~name, logo and/or related insignia~~ Name, at or before July 2001 shall be exempt from the application process outlined in ~~Sections 18~~ section 17 of this Policy and is deemed to have been granted permission in accordance with this Policy. However, these Groups and their use of the University Name remain subject to ~~Sections 1 through 17 and 19 through 25~~ all other provisions of this Policy.

Licensing Program

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29. The name Concordia University, its logo and related insignia are registered ~~trademarks~~service marks in accordance with the Trademarks Act, R.S.C., 1985, c. T-13. The use of these registered ~~trademarks~~service marks by third parties is at the prerogative~~sole discretion~~ of the ~~Board~~University. The Secretary-General is responsible for overseeing the authorization process for such use by the third party, as well as for overseeing the University's licensing program. ~~Please refer to the Procedures Handbook,~~ with further information in the Procedures Handbook.

Policy Responsibility and Review

~~26.~~30. The overall responsibility for details implementing and recommending amendments to this Policy shall rest with the Secretary-General.

Authority

~~27.~~ ~~The Secretary General is responsible for the implementation and interpretation of this Policy.~~

Adopted

Approved by the Board of Governors on May 20, 2016 and [insert date]



PROCEDURES HANDBOOK

As per Policy on the Use of Concordia University's Name, Logo, and Related Insignia, and the Governance of its Visual Character and Digital Presence (SG-4)

~~Last Updated – November 2020~~

This ~~Procedure~~Procedures Handbook** is related to and does not replace or supersede the contents of the Policy on the Use of Concordia University's Name, Logo and Related Insignia, and the Governance of its Visual Character and Digital Presence (SG-4) (the "Policy"), and reflects the current practices regarding: the use of The University's Name, and the governance of its visual character and digital presence. Unless otherwise defined herein, all capitalized terms shall have the meaning ascribed to them in the Policy.**

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1. Logo use by University Departments

University departments requiring and/or producing printed ~~public materials~~Public Materials, must follow one of these options:

- Submit their requirements and specifications to University Communications Services ("UCS") for the internal production of the material;

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- Create their own material, which must be submitted to UCS for verification and approval; or
- Arrange for the production of the material by an external company. The company must be selected from a list of approved contractors provided by UCS. The material shall be verified and approved by UCS. A department that chooses this option is responsible for any related fees.

Please contact the ~~UCS brand and studio manager (veronique.verthuy@concordia.ca)~~ **UCS Brand and Studio Manager** to request the University's official logo and any official photography.

~~Logo use~~

2. Use by Clubs, Groups, Organizations or Associations

The decision to grant, ~~decline or withdraw~~ permission to ~~a club, group, organization or association (hereinafter referred to individually and collectively as "Group") for the use of use~~ the University's ~~name, name logo and/or insignia~~ Name, shall be assessed based on the following guidelines:

- The nature of the Group - a group should be of the sort that one would associate with a ~~university~~ University community. For example, a not-for-profit group is generally preferable to a for-profit group;
- The membership of the Group – a Group in which membership is restricted to University students, faculty, staff or alumni is preferable. The membership should be large enough to warrant using the University's ~~name, logo and/or insignia~~ Name, and to ensure certain stability to the Group;
- The goals and objectives of the Group - the objectives and proposed activities of the Group should contribute to the educational, social or cultural values of the University;
- The organizational structure of the Group - the Charter, by-laws, procedures or rules of conduct of the Group should be presented. Such documents should enable all members joining the Group to be fully aware of their rights and responsibilities;
- The resources of the Group - the human, financial and material resources available to the Group should be demonstrably adequate for the Group to fulfill its mission and objectives;

PROCEDURES HANDBOOK

As per Policy on the Use of Concordia University's Name, and the Governance of its Visual Character and Digital Presence (SG-4)

- The history of the Group - a Group that has a proven track record for integrity and success is preferable;
- The internal and external support for the Group: A Group that has received support from other recognized internal and external groups in their application for permission is preferable;
- The quality of the application itself: a Group that submits a well-organized, well-documented and well-argued application is preferable.

3. Use of University's Name

In accordance with the principles outlined in the Policy on the Use of Concordia University's Name, and the Governance of its Visual Character and Digital Presence (SG-4), the request for the use of the University's Name may be declined or withdrawn, where the requesting party or user of the University Name engages in any activities that may:

- a. result in discrimination, harassment, including sexual harassment;
- b. be threatening or violent or pose a threat to property as defined in the Code of Rights and Responsibilities (BD-3);
- c. constitute a form of discrimination prohibited under the Quebec Charter of Human Rights and Freedoms, R.S.Q., chapter C-12;
- d. be contrary to applicable legislation or University policies;
- e. adversely affect the reputation of the University; and
- f. be inconsistent with the values, reputation, and the orientation (present or future) of the University.

The prohibitions hereinabove are to be read and interpreted in the most expansive terms to ensure compliance with the University's values, ethos, orientation (present of future) and ensure the protection of its reputation.

3.4. Use of Additional Logos and/or Graphic Elements on concordia.ca

Any web presence created under the concordia.ca domain is not permitted to have its own unique logo and/or graphic element displayed their page(s).

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As per Policy on the Use of Concordia University's Name, and the Governance of its Visual Character and Digital Presence (SG-4)

Exceptions include:

Research centres and/or labs whereby funding agreements stipulate that a graphic element must be present on any or all web presences. Legacy centres and units that already have an approved element being used on their web pages.

~~Grandfathered centres and units that already have an approved element being used on their web pages.~~

4.5. Licensing Program

All applications for the use of the University's ~~name, logo and/or related insignia~~ Name, for commercial purposes ~~and/or exceptional custom design~~ shall be made, in the first instance, for conditional approval of the application, to the ~~UCS brand and studio manager (vUCS Brand and Studio Manager)~~ ronique.verthuy@concordia.ca.

Upon conditional approval of the application, the potential licensee shall submit designs incorporating the University's ~~name, logo and/or related insignia~~ Name, as well as product samples for initial approval by UCS and final approval by the Secretary-General, in accordance with the Policy on the Use of Concordia University's Name, and the Governance of its Visual Character and Digital Presence (SG-4)

Following ~~approval by the Secretary-General~~ grant of a request, a non-exclusive, revocable licensing agreement shall be entered into with the licensee. The licensing agreement shall apply for a specific term and shall, in cases where it is for commercial use, provide for a royalty fee to be paid to the University based on the wholesale price of the product. All royalty fees shall be credited to various scholarships and awards.

In the event of an application for the use of the University ~~name, logo and/or related insignia~~ Name, in conjunction with fund-raising or charitable events, the Secretary-General may decide that royalty fees shall not be charged.

The University Bookstore, the Office of Advancement and Alumni Relations and the Department of Recreation and Athletics are excluded from the mandatory licensing program.

PROCEDURES HANDBOOK

As per Policy on the Use of Concordia University's Name, and the Governance of its Visual Character and Digital Presence (SG-4)

6. Websites

a) Web publication protocols

There are four “tiers” of web content publication protocols at Concordia University.

1. Web content that represents a core functionality and/or service of the University.
 - a. ~~I.e.;~~ a faculty, department, unit, program, service, research centre, etc.
2. Web content created in partnership with the University
 - a. ~~Partnered~~I.e.; partnered programs, research grants, research networks, initiatives, etc.
3. Web content that supports a more individual endeavour for a faculty member in the university
 - a. ~~I.e.;~~ personal website for a faculty member, or a website to support a specific course
4. Web content that supports a research lab and/or group owned by a faculty member(s)

Tier 1: This is the responsibility of the Web Communications team. All content *must* be published in the University's chosen Web Content Management System (WCMS) Adobe Experience Manager (AEM).

Tier 2: This is the responsibility of the Web Communications team. Whether or not the website should live on the WCMS is at the discretion of the Web Communications team; each request will be evaluated on a case-by-case basis. In cases where an exception has been granted (see section 5d) and the website can live externally to Concordia.ca, the required web presence on our WCMS gets reduced to a single web page that summarizes the external web presence.

Tiers 3 and 4: UCS is not involved in the creation of websites that fall into these tiers. Any existing websites that fall into these categories that currently live on our WCMS will be grandfathered, however further substantial overhauls/revamps will not be undertaken.

b) Websites not housed on Concordia.ca

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As per Policy on the Use of Concordia University's Name, and the Governance of its Visual Character and Digital Presence (SG-4)

Websites from the following units are not housed on Concordia.ca:

- University-affiliated daycare centres
- Student groups, associations, and clubs
- Unions and other similar associations

c) *Grandfathered Legacy websites and servers*

Websites housed on University-affiliated secondary servers prior to January 1, 2015, will continue to be accommodated to the extent that it is possible to do so within the parameters established by IITS for the ease, security and maintenance of secondary servers.

A unit that forms a part of the above list of exceptions planning to launch a website after January 1, 2015, and have it housed on Concordia.ca, will have to work within the parameters established by IITS for the use, security and maintenance of secondary servers. The request will also be reviewed by UCS as should the new website fall into the categorization of a tier 1 or tier 2 web presence (section 5a), it will be required that the new website be built on the University's WCMS.

d) *Requests to be exempt from use of the WCMS and/or Concordia.ca domain name*

Websites from the following units may apply to be exempt from Concordia's Web Content Management System (WCMS) and be housed on a non-Concordia server and not have a Concordia.ca domain name:

- A research centre consortium that involves external partners
- Research centres/units for which the visual component of the site is considered integral to the research/creation itself

To apply for an exemption, a unit must submit a written request to [UCS Web Communications \(caroline.damour@concordia.ca\)](mailto:caroline.damour@concordia.ca) ~~UCS Web Communications~~.

If the request is granted, the unit must:

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- Work with University Communications Services (UCS) to create a landing page within the concordia.ca website
- Have the external website conform to Concordia's overall look & feel
 - The website design must be approved by UCS
 - The domain name must be approved by UCS
 - The website must contain the Concordia logo in a prominent location

e) Request for migration to Concordia's WCMS

To begin the process of moving a website that was previously hosted on a secondary Concordia server, or an external server, to the WCMS, the following information must be provided in writing to [UCS Web Communications \(caroline.damour@concordia.ca\)](mailto:caroline.damour@concordia.ca) **UCS Web Communications**):

- A justification from the Dean or VP, Research and Graduate Studies or AVP Research shall be used to evaluate the merit of the project. This justification should also answer the following questions:
 - Who is responsible for managing the website?
 - Who is the website's target audience? (e.g., current students, prospective students, current faculty, prospective faculty).
 - Is the current website running on a third-party application?

Evaluation: UCS /IITS Liaison committee will review the written request and contact the unit in question to discuss how to best move the site to Concordia's WCMS.

Timeline: If granted, a prospective timeline for migrating a unit's website will be established pursuant to discussions with UCS.

f) Subdomains

When Concordia launched its unified web presence using the Adobe Experience Manager Web Content Management System, the University moved from having web presences live in a subdomain environment to a sub-folder environment. As per clause 5c, there are several grandfathered informational websites still in existence, however no new web presences may

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be created on a subdomain of Concordia.ca. Exceptions to this rule are made on a case-by-case basis for Web-based institutional applications (see Section 6) that support a core University function and/or initiative, and for shared initiatives with partner organizations. Requests to have a subdomain request approved must be sent to [Web Communications \(either by email: caroline.damour@concordia.ca, UCS Web Communications](mailto:caroline.damour@concordia.ca) or via the current IITS ticketing system)

g) Requests for major changes to Concordia.ca and [EspaceCarrefour](#)

There may be requests for major changes to the Concordia.ca public website and/or the intranet ([EspaceCarrefour](#)), such as the revamping of the information architecture (navigation/page structure), visual redesigns, as well as the development of new features and functionality.

Any major changes should be first discussed with the unit's Communications Advisor prior to submitting a request. Units without a Communications Advisor are invited to contact webcoord@concordia.ca

Request submission process: A unit may provide its written request for major changes to the Concordia.ca website and to [EspaceCarrefour](#), to [UCS Web Communications \(by email: webcoord@concordia.ca UCS Web Communications](#) or via [and Easy Projects an Easy Projects Web Request Form](#)). This request must include the following information:

- Is the change for Concordia.ca, [EspaceCarrefour](#) or both?
- Does the change involve information architecture, visual redesigns and/or the development of new features and functionality?
- Describe the requested changes in detail (ideally using a Word document).
- Who is the website's target audience? (e.g., current students, prospective students, current faculty, prospective faculty).

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- Why are you requesting this change?
- Do you have analytics to accompany your request?

Evaluation: UCS Web Communications will review the written request and contact the unit in question.

Timeline: If the request is accepted, a prospective timeline will be established pursuant to discussions with UCS.

h) Website Access and Maintenance

Members of the Concordia community may request access to specific pages within the Concordia.ca website as per the conditions outlined in the [AEM Web Training and User Access Agreement](#). Once a user has been trained and given access to their unit's webpages, UCS's role (with regards to that specific unit's pages) changes from being an author and updater, to one of support for the trained user. Unless large changes need to be undertaken*, the trained user is expected to update and maintain their unit's web presence.

**examples of large changes include changes in navigation, landing page layout, visual design changes, creation/deletion of multiple pages, page moves and creation of folders.*

5.7. Web-based Institutional Applications

Academic and administrative units may house web-based institutional applications outside of the WCMS—either using the Concordia.ca domain name or an alternative domain name should the WCMS not meet the needs of the unit in question. In order for an application to be considered, it must support a core University function and/or initiative.

Examples of such applications are:

- the University's student information system (SIS)
- HR & Finance systems (Unity)

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- Student CRM
- Selligent
- Embrace the City

All institutional applications must have their UI/design approved by UCS *prior to launch* to ensure the overall UX harmonization and seamless branding of Concordia's institutional applications.

DRAFT

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As per Policy on the Use of Concordia University's Name, and the Governance of its Visual Character and Digital Presence (SG-4)

6.8. Concordia's Mobile Application (The Concordia App)

a) Requests to add content to the Concordia App

Request process: Individuals who would like to submit a request to develop content to be placed on the Concordia app should write a proposal that contains the following information and [email it send](mailto:caroline.damour@concordia.ca) to caroline.damour@concordia.ca **UCS Web Communications**)

- What is the motivation behind the requested content?
- Who is the target audience?
- Project summary
- Project stakeholders
- Technical/user requirements
- Future maintenance (effort and costs)

Evaluation: Representatives from both UCS and IITS meet monthly to evaluate and approve such requests. Please note that, in order to develop a better understanding of the associated requirements and to be best poised to evaluate a request, UCS and IITS may request that a proposal and a presentation be delivered about the suggested addition(s) to the app.

Timeline: A prospective timeline will be established pursuant to discussions with UCS and IITS representatives.

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As per Policy on the Use of Concordia University's Name, and the Governance of its Visual Character and Digital Presence (SG-4)

7.9. Institutional Social Media Accounts

a) Creating an institutional social media account

If an academic or administrative unit wishes to create and manage a Concordia social media account, that unit should contact its Communications Advisor or the [UCS Social Media team \(socialmedia@concordia.ca\)](#), [UCS Social Media team](#) who will review the written request and contact the unit in question to discuss optimal solutions. Once the social media account is approved, a Concordia branded avatar will be created by the UCS Studio team.

Creating an account without in-depth knowledge of social media best practices or an awareness of the time, resource and content requirements is not advisable, especially considering content may be able to be promoted on existing accounts that already boast a large follower base. For example:

- Concordia Facebook: 107,000+ followers
- Concordia Twitter: 74,000+ followers
- Concordia Instagram: 31,000+ followers
- Concordia LinkedIn page: 240,000+ followers
- Concordia YouTube: 11,900+ channel subscribers
- Concordia Flickr: 3,600,000+ views

Managing a social media account is labour intensive and requires a plan that includes answers to the following questions:

Goals

- What are the goals of the proposed social media account(s)???
- Who are the audiences you are trying to reach? Are they on social media? If so, which platforms?
- What content will you be sharing on these platforms? Is the nature of the content a good fit with content typically posted on the target platforms?
- Does the content appeal to the targeted demographic?

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- How would this presence work with other communication channels used by the University (website, other social media services)?
- Does a similar social media presence already exist? If so, would working with this presence make better sense for the targeted audience?

Level of engagement

- What time commitment is required to run the proposed account(s)?
- Are the required resources available?
- How will the community be engaged and what are the implications of its participation?
- How often will content need to be produced to keep the channel(s) refreshed and relevant?
- How can the Concordia brand be protected? Is additional moderation necessary?
- For how long will the proposed presence exist?

Strategic considerations

- How will success be measured in qualitative and quantitative terms?
- What is the proposed exit strategy?
- Is the overall time investment and cost worth the benefit the social media channel(s) /presence will deliver?

Request submission process: A unit may contact the Communications Advisor responsible for that unit who will work with it and the UCS social media team to help the unit:

- Map out its needs - set up a meeting with a member of the social media team to discuss best options to meet the unit's goals
- Help identify and recommend an appropriate name/handle and hashtag
- Help set up the account(s)

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- Provide graphic materials for the accounts (ie Avatar, suggestions for cover images)
- Provide branding guidelines for things like bios, about sections...etc. ensuring- that the unit is following University branding guidelines and policies
- Provide overall guidelines and help with social media standards, including tagging, replying, the use of hashtags, link shorteners, etc.
- Make suggestions as to how to promote the unit's content and events in conjunction with the social media team, via the weekly social media line-up, in addition to possibly collaborating with other units at the University with a presence on social media
- Offer suggestions on how to engage with a unit's audiences on social media and how to respond to negative comments

Units who do not have a Communications Advisor are invited to contact socialmedia@concordia.ca.

b) Social media promotion request

A unit interested in requesting the promotion of an initiative or event or running a social media promotional campaign should ~~should~~ contact their Communications Advisor or the ~~UCS social media team (socialmedia@concordia.ca)~~ **UCS social media team** for assistance **at least ~~two~~four weeks before the ~~start of the campaign or event or deadline or initiative itself~~**, to allow enough time to identify the goals for the campaign, appropriate platforms, content, appropriate hashtags, partners (if applicable), timing/rollout schedule and other aspects related to the plan for the campaign itself.



REPORT TO THE BOARD OF
GOVERNORS

GRAHAM CARR
PRESIDENT AND VICE-CHANCELLOR

DECEMBER 2022

INTRODUCTION

In a defining moment for our community, the **President’s Task Force on Anti-Black Racism** launched its **Final Report** at 4TH Space on October 28th. It was an important marker of Concordia’s commitment to dismantling systemic racist structures and implementing new initiatives to help ensure a more equitable future for our Black community members. I invite all those who haven’t already to read the final report, linked [here](#). One of the suggested actions of the Task Force was for Concordia to acknowledge the role of racism in the 1969 student protest at Sir George Williams University and extend a public apology for the university’s handling of these events.

The **Concordia Stingers** received one of the largest gifts in Stingers history. **Power Corporation of Canada** is providing **\$1.3 million** to fund a suite of annual financial awards open to women’s basketball, hockey, rugby and soccer players. In addition to athletic awards, the gift will support women’s varsity athletes in the areas of leadership, health and well-being, community outreach and national competitiveness.

LAUNCH EVENTS

The **official launch** of the **SHIFT Centre** took place on October 31st. The new SHIFT location provides Concordia with a community-oriented, collaborative space where people can come to network, collaborate and learn more about social transformation and community engagement. It seeks to motivate people to address societal challenges and create a more just, inclusive and broadly prosperous Montreal. The launch also marked the beginning of Open House week at the centre, which included guided tours. The SHIFT Centre was made possible thanks to a \$10-million gift from the Amelia and Lino Saputo Foundation and the Mirella and Lino Saputo Foundation.

The official launch of the **Sustainability in the Digital Age Think Tank** was announced on November 17th during the **Canadian Science Policy Conference** held in Ottawa. The internal launch was held on November 30th at 4TH SPACE. The goal of this new think tank, which is a collaboration with the Future Earth Canada Hub, is to influence policy changes to reach global climate goals, reverse biodiversity loss, support more equitable access to the digital economy and build public awareness on digital sustainability. **Damon Matthews** (Department of Geography, Planning and Environment) is one of the think tank’s scientific co-directors; **Éliane Ubalijoro**, director of Future Earth Canada, serves as executive director.

Concordia launched the new **Accessibility Hub** ahead of the International Day of Persons with Disabilities on December 3rd. The hub is a one-stop online resource on accessibility and disability at the university. The hub provides all Concordians with information on accessible event planning, facilities management, instructor resources and highlights Policy on Accessibility and Accommodation for Students and Employees.

AWARDS

Concordia graduate **Avery Mikolic-O'Rourke**, BFA 22, won the **BMO 1st Art!** competition prize for Quebec. The alumnus of the intermedia program in Concordia's Department of Studio Arts earned the recognition for his video installation, *Center-Point Cycle*. The video collage is comprised of 700 video clips shot across eight hours from the same vantage point on Montreal's Jacques Cartier Bridge. Avery's work was on view at the Art Museum at the University of Toronto from October 26th to November 19th.

Angélique Willkie (Department of Contemporary Dance) was recognized by the **Prix de la danse de Montréal** for her work *Confession Publique*. Angélique received the Prix interprète, which highlights an artist's dance work deserving of special recognition for its artistic approach and interpretation. Angélique was also praised for her commitment to the dance discipline and community.

Judith Woodsworth, a former president of Concordia, and a recently retired translation studies professor from the Faculty of Arts and Science, received the prestigious 2022 **Governor General's Literary Award** in the French-to-English translation category in recognition of her translation of **Pierre Anctil's** *Histoire des Juifs du Québec*.

Two doctoral students are among the recipients of this year's prestigious **Vanier Canada Graduate Scholarship**. **Mackenzie Thornbury**, a PhD candidate in molecular biology, was recognized for her work on yeast engineering and organic acids. **Sara Matovic**, a PhD candidate in psychology, was honoured for her research into adverse childhood experiences and their impact on emotional well-being later in life. The Vanier scholarship program aims to position Canada as a global centre of excellence in graduate research. Each scholarship, awarded in the social sciences, humanities and natural sciences, is valued at \$50,000 per year for three years.

Trina Cooper-Bolam is the latest Concordia scholar to receive a **Banting Postdoctoral Fellowship**, which will support her postdoctoral project "Storied Transformations: Decolonizing Inherited Space through Memorial Performance." The project is a transdisciplinary investigation into the reclaiming of the former Shingwauk Indian Residential School in Sault Ste. Marie, Ontario, in collaboration with survivors. Trina will be working with **Erica Lehrer**, professor of history and founding director of the university's Curating and Public Scholarship Lab. Banting Fellowships are valued at \$70,000 per year for two years.

Charlie Galea McClure, an undergraduate student in the university's Film Animation program, is among the winners of this year's 46th annual **Ottawa International Animation Festival (OIAF)**. Charlie took home the Canadian Student Competition prize for a short experimental-horror film, "I Had a Dream of a House at Night." The film makes creative use of a variety of techniques, including under-camera paper cut-outs, pixilation, clay on glass, 35mm manipulation, mono-

printing, digital compositing and stop-motion. OIAF is North America's oldest and biggest animation festival.

TEACHING AND RESEARCH

The first of its kind in Quebec, the **Concordia Institute of Aerospace Design and Innovation (CIADI)** is celebrating its **20th anniversary** in support of aerospace research and training for students, researchers and industry. Originally aimed at undergraduates CIADI will soon expand its services to benefit Concordia graduate students.

Concordia's new **researcher-in-residence** is **Stéphanie Hornstein**, BFA 15. Currently a PhD candidate in the Department of Art History, her research project during her residency is: "Journey Through the Stacks: The Shelf-Life of Photographically Illustrated Travelogues, 1880-1930." Now in its sixth year, the researcher-in-residence program supports the library's efforts to foster a strong research culture and promote evidence-based librarianship.

Concordia's Department of Economics is hosting two independent Canadian senators. Senator **Paul Massicotte** spoke on the afternoon of November 21st while Senator **Tony Loffreda**, BComm 85, and a former member of the Board of Governors, will appear on January 30th, 2023.

With a grant awarded by the Québec *Ministère de l'Éducation et de l'Enseignement supérieure*, Concordia Continuing Education (CCE) is offering a new **Certificate in Cybersecurity Proficiency**. Part of a mandate to provide short courses that meet priority training needs, the certificate will focus on how cybersecurity is no longer solely an IT issue, but a broader one that is relevant to everyone and important to non-technical professionals who deal with sensitive or confidential data. In addition, 15 full bursaries are available for those interested and in need of financial aid.

CCE is also offering a new certificate in **AI Proficiency**, set to launch in January 2023. The four-course program aims to improve literacy in the field and address gaps among non-technical learners. Participants will learn how to incorporate AI into their respective fields and gain the critical skills needed to anticipate shortcomings.

Concordia's Centre for Teaching and Learning (CTL) has launched a **Contemplative Pedagogies initiative**, which focuses on promoting reflection and well-being among faculty through mindfulness and self-compassion. Funded by *Entente Canada-Québec pour l'enseignement dans la langue de la minorité et des langues secondes*, the initiative began in September 2022 and will run until June 1st, 2023. The long-term goal of the initiative is to create a better learning environment for students by encouraging faculty to bring the principles of mindfulness and self-compassion into the classroom.

Concordia has updated its subscription to the **Udemy Business** platform which offers more than 7,500 non-academic courses ranging from cloud computing, software skills and technology trends

to leadership and marketing, finance and accounting, project management and operations. There is also a very strong selection of courses geared toward personal growth, health and wellness, language learning and hobbies. Online learning platforms are increasingly the way that people seek out and receive non-academic training. Udemy, which is available to faculty, staff and students, provides easy, online access to high-quality courses linked to the newest trends and technologies.

Liangzhu (Leon) Wang (Department of Building, Civil and Environmental Engineering) is collaborating with Planet GreenLeaves Inc. on a *Programme de soutien aux organismes* funded by the *Ministère de l'Économie, de l'Innovation et de l'Énergie* titled “*Plateforme urbaine avec la technologie des jumeaux numériques pour la réduction des émissions de gaz à effet de serre au Québec.*” The project aims to develop an urban platform using digital twin technology to monitor and predict Greenhouse Gas emissions, allowing governments to best plan tree-planting essential to the reduction of carbon emissions and the filtration of urban pollutants. This two-year project is valued at **\$323,022**.

Pragasen Pillay (Department of Electrical and Computer Engineering) and NSERC will be collaborating with Opal-RT and Dana TM4 on a project co-funded by NSERC and InnovÉÉ titled “*Conception et émulation de machines à aimants permanents pour véhicules électriques.*” The project, having a potential high impact on the Canadian automotive industry, aims to develop improved electric machine designs and advanced machine models, including thermal performance and emulation of permanent magnet synchronous machines. This three-year project is valued at **\$808,621**.

Catherine Mulligan (Department of Building, Civil and Environmental Engineering) in collaboration with Université du Québec en Abitibi-Témiscamingue and with the in-kind support of industry partners BioCAST Systems Inc. and Agnico-Eagle Mines Ltd., has received funding from the *Fonds de recherche du Québec – Nature et technologies (FRQNT)* for the project titled “*Application de l'efficacité eau-énergie dans l'industrie manière.*” The goal is to develop a gold mine effluent treatment system that will enable the mining companies to reduce costs, improve the potential for water reuse, and limit their environmental impact. The three-year project is valued at **\$441,000**, with a \$381,000 cash contribution from FRQNT.

Ursula Eicker (Department of Building, Civil and Environmental Engineering) has partnered with Siemens Canada on the co-creation of a smart building and research pilot project titled “Occupant-centric control for institutional buildings; a case study in Concordia’s Webster Library.” The proposed project aims to establish a “living lab” in the Webster Library for the performance of research on the growing topic of Occupant Centric Control (OCC) for building operations, with the goal of decreasing energy consumption. The two-year project is valued at **\$400,000**; **Siemens** is providing \$300,000 in cash support, Concordia is providing \$100,000 in-kind.

Two **SSHRC Connection grants** totalling **\$45,106** were awarded.

Following 17 two-hour online events (**17 Rooms**), each meant to examine and further activate Concordia's work towards the U.N. Sustainable Development Goals, 4TH Space staged a hybrid workshop activity for all 17 Rooms participants on November 1st by hosting **The 18th Room**.

4TH Space celebrated **four years of knowledge mobilization** activities and held the inaugural fall 2022 collaboration event between 4TH Space and the Applied AI Institute on November 14th. This event was followed in quick succession by three AI cluster workshops meant to build momentum and community towards the Institute's forthcoming projects.

An **Online Age Verification** event at 4TH Space developed in collaboration with PhD Candidate **Azfar Adib** brought together Senator **Julie Miville Dechêne** and MP **Arnold Viersen** as engaged panelists, along with scholars **Nima Karimian** and **Penny Rankin**. Also at 4TH Space was **Rock your Mocs**, a conversation developed in collaboration with colleagues from the Indigenous Directions office.

On November 7th, **PERFORM** joined forces with the **McConnell Brain Imaging Centre** to host a research retreat to foster research collaborations. Twenty researchers presented their work and exchanged on potential research initiatives. On December 15th, **PERFORM** hosted a colloquium featuring **Jennifer McGrath** (Department of Psychology) titled "Timing in the Wild: Developmental Progression of Sleep, Circadian Rhythms, and Cardiometabolic Health."

December 3rd marked the launch of **GAMERella**, the world's longest running inclusive game jam organized by the Technoculture, Art and Games (TAG) Research Centre, which is part of the **Milieux** Institute. This game jam catering to women and marginalized people celebrated its 10th anniversary with a hybrid event that gathered local and international participants for an entire weekend of collaborative game-making. This year, the event was sponsored by local impact founders Motive Studio and Weird Ghosts.

On December 2nd, a virtual **open house** was live streamed via YouTube, allowing **Milieux** to reach prospective national and international students as they navigate the process of university applications. Attendees had the opportunity to experience our study-laboratory spaces, meet our students and researchers, learn about program opportunities and ask live questions, with over 30 members on-site participating in the live broadcast.

The artist **Skawennati** — member of Indigenous Futures at **Milieux** and AbTeC co-director — exhibited the nine-episode series "Time Traveller" at the Musée d'art contemporain (MAC) earlier this fall. Skawennati's work offers a postcolonial rereading of the history of Indigenous peoples.

The **Leonard and Bina Ellen Art Gallery** hosted artist **Simon Belleau** as part of SIGHTINGS 36: Untitled. Simon presented a screening of an archival exploration of an unrealized film, "233 SOUTH WACKER DRIVE, CHICAGO, IL (2014)." The event took place as part of the gallery's public programming on November 23rd.

The website **MUMTALAKAT**, developed by the Ellen Gallery as a conclusion to a three-year program in Arabic for the Arabic-speaking community in Montreal, will be launched in January. The website brings together a series of video and audio interviews with Arabic-speaking refugees and immigrants about the significance of an object that has accompanied them in their journey here. It also includes three critical essays, a bibliography and links to online resources.

Concordia International:

The Concordia research community received the new **Concordia-Mitacs call for Globalink awards**. The program will support 49 international research projects and provide Concordia researchers the opportunity to develop and strengthen their international partnerships through co-supervision of graduate students from 16 countries.

Concordia continues to advance its Africa Initiative through the **FutureWise** project. FutureWise aims to work with African universities, industries and civil society on integrating experiential learning opportunities and para-curriculum activities that would help close the gap between graduation and employment. Concordia International conducted a consultation exercise with around 20 African industry leaders to understand their talent needs.

In 2021, Concordia secured funding through the **Queen Elizabeth Scholars (QES)** program to foster its connections with West African universities. There have been several exchanges of researchers since then. On November 24th, two Concordia-QES visiting scholars from Ghana were invited to speak at the first *Sommet mondial de l'entrepreneuriat féminin innovant et inclusif*. Concordia's success in managing the QES program secured its leadership position among the 15 Canadian universities which are participating in the QES West Africa program. Concordia International will chair an interuniversity group to share best practices and offer a platform for Canadian and West African scholars to share experience and collaborate.

Concordia established **international partnerships** with: AI Sweden, the national Swedish centre for applied artificial intelligence; University of Brasilia, for academic and research exchange; and renewed an agreement with University of Alfonso Sabio.

The executive secretary of the **International Forum for Aviation Research** and coordinator for aeronautics and international relations of the **German Aerospace Centre** visited Concordia on November 21st. There, they met with representatives from CIADI and Concordia International to discuss collaboration opportunities.

Concordia **hosted ambassadors** from Denmark, Finland, Iceland, Norway and Sweden. The visit was part of the joint Scandinavian ambassadorial to Montreal. The ambassadors were interested in learning more about the research conducted at Concordia on sustainability. Several Concordia researchers attended the meeting and presented their work. The ambassadors followed up on

their visit in connecting Concordia researchers to relevant industries and research institutes in their countries.

On November 30th **Solange Quintero**, Consul General of Panama in Montreal, hosted a reception at Concordia marking **Panama's Separation Day**. Concordia also hosted members of the **diplomatic corps** on December 7th at the Concordia University Conference Centre.

Along with **Dominique Bérubé**, Vice-President, Research and Graduate Studies, I participated in **Entretien Jacques Cartier (EJC)**, which took place in Montreal, Ottawa, Sherbrooke and Quebec City from November 28th to 30th. Entretien Jacques Cartier bridges education, economic and cultural ecosystems between Auvergne-Rhône-Alpes, France, and Francophone territories in Canada. As a result of the EJC, Concordia International met with two delegations from Lyon, Chambre de Commerce de l'Industrie de Lyon and Université Lumière Lyon 2, to discuss future academic collaboration and mobility opportunities for students.

UNIVERSITY ADVANCEMENT

The sixth edition of the **Chancellor's Builders Circle and Friends Dinner** took place on November 1st. The event was an occasion to celebrate philanthropy and discuss how continued private support will allow the university to pursue its momentum. **Helen Antoniou**, chairperson of Concordia's Board of Governors and Concordia Chancellor **Jonathan Wener** opened the evening to highlight the important role philanthropists play in our success.

Brendan Flynn, BComm 86, MBA 88, made a planned gift estimated at \$2 million towards a future endowment to support undergraduate students, regardless of faculty, who have overcome hardship and exhibit financial need.

A **\$1.4-million** gift from **Scotiabank** will provide equal support for two initiatives: C-RISE (Career Roadmap for International Student Excellence), managed through John Molson's Career Management Services, which provides international students with tools and support as they adjust to life in Canada, and Kaié:ri Nikawerà:ke, a bridging program to help Indigenous students acclimate to university.

The **John Dobson Foundation** gave **\$500,000** to empower research-based startup entrepreneurs through initiatives facilitated by Concordia's District 3 Innovation Hub and V1 Studio.

With a gift of **\$500,000**, **CIBC** has established a suite of undergraduate and graduate awards at the Gina Cody School of Engineering and Computer Science and John Molson School of Business that will empower underrepresented groups and encourage a more equitable and inclusive workforce.

Kenneth Woods, MBA 75, LLD 17, gave more than **\$400,000** to further support the John Molson School's Kenneth Woods Portfolio Management Program.

Joseph Pataki, BEng 74, president and co-founder of Quad Engineering, made a planned gift of **\$125,000** to fund an annual scholarship for women international students enrolled in engineering programs at the Gina Cody School.

Luigi Liberatore, LLD 18, honorary co-chair of the annual Concordia Golf Classic and president of Elmag Investments, donated **\$100,000** to this year's tournament in support of student scholarships and bursaries.

Louis Tanguay, BComm 75, LLD 18, made a planned gift of **\$100,000** in support of Concordia's Greatest Needs.

A Life Well Lived Foundation made a gift of **\$50,000** to support the work of the Gina Cody School's Thermal Spray and Surface Engineering Research Centre. Under the direction of Christian Moreau, professor in the Department of Mechanical, Industrial and Aerospace Engineering, the centre is pursuing more sustainable approaches to surface-coating applications and technologies.

Cathy Mullen, former chair of the Department of Art Education, made a **\$40,000** bequest to the Department of Art Education Development Fund.

Eric St-Pierre, BA 06, executive director of the **Trottier Family Foundation**, made a gift of **\$25,000** to support sustainability-related projects through the Concordia Sustainability Action Fund.

In alumni news, **Gina Cody**, MEng 81, PhD 89, was named **Outstanding Major Donor** for 2022 by the Association of Fundraising Professionals (AFP) Quebec.

SERVICES AND SUSTAINABILITY SECTOR

Sustainability

Concordia University was one of the 45 host institutions at this year's **Global Conference on Sustainability in Higher Education** on October 18th, October 26th, and November 3rd. Throughout the three days of the conference, there were over 4,700 attendees from 23 countries and 353 institutions.

In October, Concordia launched the **Sustainable Event Guide**. The guide is meant to help all Concordians host more socially and environmentally sustainable events. It was developed by the Office of Sustainability and Hospitality Concordia in collaboration with the Access Centre for Students with Disabilities, the Black Perspectives Office, the Office of Community Engagement, the Equity Office, the Office of Indigenous Directions, and Zero Waste Concordia in Facilities Management. This guide aims to address aspects of sustainability related to in-person, virtual, and hybrid events. The Office of Sustainability presented its Sustainable Virtual Event guide at the Global Conference on Sustainability in Higher Education.

Student Sustainability Ambassador **Karine Balé** is a finalist for the Association for the Advancement of Sustainability in Higher Education (AASHE) **Student Sustainability Leadership Award** for her Sustainability Ambassadors Program project. Her campus sustainability ecosystem map, which is featured on the Concordia website, uses system mapping to offer a simplified visual of initiatives and organizations promoting sustainability at Concordia. This award is given by AASHE to individuals that are inspiring continued progress toward environmental, social and economic health.

The Office of Sustainability has launched a new **volunteer management system** for campus sustainability volunteering opportunities. This application aims to document all available groups, projects, departments and initiatives in need of students to volunteer their time towards a sustainability-related cause. This system will make getting students involved and managing volunteers much easier.

MEMORANDUM

Date: December 15, 2022
To: Board of Governors
From: Denis Cossette, CFO
Subject : April 30, 2022 Financial Statements

Following the presentation of a draft, unaudited version of the April 30, 2022 financial statements at the last meeting of the Board of Governors (Board) held on October 27, 2022, the purpose of this memo is to provide the Board with an update regarding the audit of the financial statements.

This memo is prepared with information in hand as of December 8, 2022.

The audit is almost complete, and it is expected that the external auditors KPMG, will be in a position to issue their final report in the coming days, (on or before December 22, 2022). The report presented by the external auditors at the December 7, 2022 Audit Committee meeting was prepared with information in hand as of December 1, 2022, and it was updated by the external auditors during the Audit Committee meeting. The financial statements present a net surplus of \$ 8.8M for the Operating Fund.

The main topics currently under review by the external auditors are as follows:

- Revenue recognition, capitalization and long-term deferred contributions in the Capital Fund;
- Vacation accrual for employees and related to the carry-forward of vacation banks from previous years.

The updated versions of the audited financial statements and auditors' report will be circulated by email to the Audit Committee members and the recommendation for approval of the financial statements to the Board will be effected by electronic exchange (via email).

As we finalize this process within the unique context of the transformation and implementation of UNITY, we want to recognize the effort of the Concordia team and the collaboration from our external auditors KPMG.

Denis Cossette, CFO

Concordia University

Executive Summary¹ of Concordia University's

April 30, 2022 Audited Consolidated Financial Statements

Results of the 2021-2022 financial year demonstrate the continued impact on University operations of the global pandemic declared on March 13, 2020. During this reporting period, COVID-19 continued to impact our operations and we needed to adapt our activities in a hybrid environment. Transitioning both academic and administrative operations to combine in-person and virtual working environments required heavy investments in digital technologies, software licenses, and additional teaching assistants to improve the teaching and learning experience in this new environment. Concordia reported to the Ministère de l'enseignement supérieur (the "MES") more than \$37M of net costs directly related to the impact of COVID-19 on our operations since the beginning of the pandemic.

While Concordia's student base declined by 2.7% in 2021-2022 as a result of prudent management during 2021-2022, Concordia was able to achieve a net operating surplus of \$8.8M after transfers.

Other important aspects of the financial year include:

- capital investments that remain strong with \$94.2M;
- positive cashflow from operations at \$66.3M; and
- increase of investments managed by the Foundation from \$325.5M to \$347.1M, an increase of 6.6%.

The main highlights of the financial statements are as follows:

1. Statement of Operations:

Description	Operating Fund		Total Funds	
	2021-2022	Variance vs 2020-2021	2021-2022	Variance vs 2020-2021
Total Revenues	\$587.4M	\$60.4M	\$696.4M	\$32.7M
Total Expenses	\$556.1M	\$40.4M	\$727.7M	\$43.0M
Surplus (Deficit) before interfund transfers	\$31.2M	\$20.0M	\$(31.3)M	\$(10.3)M
Interfund transfers	\$(22.4)M	\$(1.1)M	-	-
Surplus (Deficit) after interfund transfers	\$8.8M	\$21.1M	\$(31.3)M	\$(10.3)M

¹ Prepared by Mr. Denis Cossette, CFO, Concordia University on December 8, 2022

As described last May in the 2022-2023 Budget presentation to the Board, Concordia was expecting a deficit in the order of \$20.5M in the Operating Fund for the 2021-2022 fiscal year. At the end of the fiscal year, the government awarded a one-time, non recurring grant of \$23.1M to cover costs related to salary indexation from 2019-2020 to 2021-2022 and to compensate for additional costs resulting from COVID-19. This additional grant, combined with cost savings, have contributed to generate the \$8.8M surplus after transfers declared in the financial statements.

Some key elements of the Operating Fund included in the Statement of Operations and Changes in Fund Balances can be summarized as follows:

- Increase of government operating grants by \$36.9M (13%), mainly related to the \$23.1M one-time, non recurring grant previously mentioned;
- Increase in tuition fee revenues of \$13.8M or 7.5% as compared to 2020-2021;
- Reduction of \$7M of the future benefits costs, mainly related to the strong returns from our Pension Fund, reducing the current costs for future benefits;
- Increase of provision for vacation expense by \$16M, to record the carry-forward vacation banks of our Faculty and staff.

2. Statement of Financial Position

Description	Capital Fund		Total Funds	
	2021-2022	Variance vs 2020-2021	2021-2022	Variance vs 2020-2021
Total Assets	\$1 101.8M	\$22.8M	\$1 562.0M	\$35.2M
Total Liabilities	\$982.9M	\$63.0M	\$1 490.2M	\$81.3M
Net Assets	\$118.9M	\$(40.2)M	\$71.8M	\$(46.1)M

Our financial position remains strong and stable as compared to 2020-2021. It is important to mention that due to the strong performance of our Registered Pension Plan, our Employee and future benefit obligations, as shown in our liabilities, have improved by more than \$81M. The Registered Pension Plan now has a going-concern surplus of \$152.1M, which is not recorded in our financial statements as described in Note 11, Employee future benefits. The funding policy of the Registered Pension Plan states that in no event can the University take contribution holidays and therefore, this amount is not in our asset base.

Growth in assets stems from the increase in fair market value of our investments and continued growth in our capital investment, including an increase in intangible capital assets of \$18M under information technology, related to the UNITY project.

Our capacity to generate cashflow remains strong, as demonstrated by the \$66.3M of cash generated by our operating activities.

3. Investments

As described in Note 5 of the financial statements, investments ended the year at a high fair market value of \$347.1M, an increase of 6.6% as compared to 2020-2021. The Endowment Fund represents a total of \$139.1M (Note 13).

4. Internally restricted net assets and Endowment funds

The University has the following internally restricted net assets and Endowment funds to support its financial sustainability, totalling \$295.3 M (\$292.9M in 2020-2021):

	2021-2022	2020-2021
- Endowment funds to support scholarships and research activities (Note 13 of the financial statements)	\$139.1M	\$145.0M
- Sinking funds for long-term debt repayment (Note 12 of the financial statements)	\$ 79.6M	\$ 81.9M
- Internally restricted funds to support Operating fund future commitments (Note 12 of the financial statements)	\$ 76.6M	\$ 66.0M

5. Other financial highlights

Additional key financial information regarding the 2021-2022 fiscal year is as follows:

- Research revenues remain stable at \$49.7M
- Designated revenues generated a total of \$25.7M of revenues, similar to 2020-2021
- Capital investments remain strong at \$94.2M compared to \$103.7M in 2020-2021, demonstrating the commitment of the University to develop its long-term infrastructure capacity
- The University maintains a good balance between delivery of research activities (\$49.7M of revenues in 2021-2022) and capacity to generate new awards (\$86.2M of deferred revenue to be used in future years). It supports the University's capacity to sustain its strategic priority to increase its research activity
- Our Active Debt-per-FTE ratio continues to be strong at \$5,964, well below our \$ 12,000 threshold (note 21 of the financial statements)
- Our Strategic Debt-to-FTE ratio is \$2,484, which is below our threshold of \$3,000

6. Independent Auditors' Report

Subject to the final review of the audit, KPMG, the Independent Auditors, is expected to issue a report with no reserve. The Auditors had the opportunity to present in detail a full report to the Audit Committee, including an in-camera session with the Audit Committee members, without the presence of the Administration of the University. The Auditors confirmed their complete independence in their report.

7. Impact of UNITY on the preparation of the financial statements

UNITY implementation has created additional efforts for both Management and external auditors for the audit of the University's financial statements. The impact of this transformation required a modification of our regular timeline to prepare the financial statements and required additional work to validate the new modules implemented with UNITY, including the research grant and accounts receivable module, the capital assets module, and the vacation banks module. These changes have provoked a delay of approximately seven weeks. We are planning to return to the regular schedule for the 2022-2023 fiscal year and we will present the audited financial statements to the Board at the October, 2023 Board meeting.

8. Conclusion

As indicated at the beginning of this Executive Summary, throughout the year, Concordia had to navigate a complex environment, including impacts arising from the COVID pandemic and the implementation of UNITY. We made the necessary investments to preserve our capacity to deliver quality courses to our student population as well as the transition to a hybrid work environment for our employees. The financial investments to support our operations during the COVID-19 pandemic which exceeded \$37M should not overshadow the colossal efforts that Concordia deployed to re-design its academic and research mission, its services and its work environment. Despite the uncertainty that this situation provoked for Concordia, its financial position remains stable as shown in our 2021-2022 Consolidated Financial Statements.

The consolidated financial statements fairly and accurately present the financial situation of the University, the results of operations and cashflow for the year ended April 30, 2022.

Consolidated Financial Statements of
(In thousands of dollars)

CONCORDIA UNIVERSITY

Year ended April 30, 2022

CONCORDIA UNIVERSITY

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(In thousands of dollars)

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STATEMENT OF ADMINISTRATOR’S RESPONSIBILITY

Management of Concordia University (the "University") is responsible for the preparation of the consolidated financial statements, the notes and all other financial information contained in this financial report.

Management has prepared the consolidated financial statements in accordance with Canadian accounting standards for not-for-profit organizations. In order to achieve the objective of fair presentation in all material respects, reasonable estimates and professional judgments were used. Management believes the consolidated financial statements present fairly the University's consolidated financial position as at April 30, 2022, and the consolidated results of its operations, consolidated changes in fund balances and consolidated cash flows for the year then ended.

In fulfilling its responsibilities and recognizing the limits inherent in all systems, management has developed and maintains a system of internal control designed to provide reasonable assurance that the University's assets are safeguarded from loss and that the accounting records are a reliable basis for the preparation of the consolidated financial statements. The system of internal controls is monitored by the University's internal audit service.

The Board of Governors is responsible for ensuring that management fulfills its responsibilities for financial reporting, and is ultimately responsible for reviewing and approving the consolidated financial statements. The Board of Governors carries out its responsibility for review of the consolidated financial statements principally through the Audit Committee. All members of the Audit Committee are not officers or employees of the University. The Audit Committee meets with management, the external auditors as well as the internal auditors to discuss the results of audit examinations and financial reporting matters to satisfy itself that each party is properly discharging its responsibilities. The external and internal auditors have full access to the Audit Committee with or without the presence of management.

The financial statements as at and for the year ended April 30, 2022, have been audited by KPMG LLP, the auditors appointed by the Board of Governors. The independent auditors' report outlines the scope of their audit and their opinion on the preparation of the information included in the consolidated financial statements.

Graham Carr
President and Vice-Chancellor

Denis Cossette
Chief Financial Officer

DRAFT – AUDIT IN FINAL REVIEW

INDEPENDENT AUDITORS' REPORT

To the Board of Governors of Concordia University

Opinion

We have audited the consolidated financial statements of Concordia University (the "Entity"), which comprise:

- the consolidated statement of financial position as at April 30, 2022
- the consolidated statement of operations and changes in fund balances for the year then ended
- the consolidated statement of cash flows for the year then ended
- and notes to the consolidated financial statements, including a summary of significant accounting policies

(Hereinafter referred to as the "financial statements").

In our opinion, the accompanying consolidated financial statements present fairly, in all material respects, the consolidated financial position of the Entity as at April 30, 2022, its consolidated results of operations and its consolidated cash flows for the year then ended in accordance with Canadian accounting standards for not-for-profit organizations.

Basis for Opinion

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the "***Auditors' Responsibilities for the Audit of the Financial Statements***" section of our auditors' report.

We are independent of the Entity in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada and we have fulfilled our other responsibilities in accordance with these requirements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Responsibilities of Management and Those Charged with Governance for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with Canadian accounting standards for not-for-profit organizations, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the Entity's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the Entity, or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the financial reporting process of the Entity.

Auditors' Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditors' report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit.

We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion.

The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.

- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the internal controls of the Entity.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.

DRAFT – AUDIT IN FINAL REVIEW

Page 3

- Conclude on the appropriateness of management’s use of the going concern basis of accounting and based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Entity’s ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditors’ report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditors’ report. However, future events or conditions may cause the Entity to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.
- Obtain sufficient appropriate audit evidence regarding the financial information of the entities or business activities within the group Entity to express an opinion on the financial statements. We are responsible for the direction, supervision and performance of the group audit. We remain solely responsible for our audit opinion.

Montréal, Canada

Date

December 7, 2022 7:57 AM

CONCORDIA UNIVERSITY

Consolidated Statement of Financial Position
(In thousands of dollars)

April 30, 2022, with comparative information for 2021

	<u>Total Funds</u>		<u>Operating Fund</u>		<u>Research Fund</u>		<u>Designated Fund</u>		<u>Restricted Funds</u> <u>Capital Asset Fund</u>	
	2022	2021	2022	2021	2022	2021	2022	2021	2022	2021
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Assets										
Current assets:										
Cash	10,766	21,490	10,766	21,490	–	–	–	–	–	–
Grants receivable (note 2)	58,813	43,274	31,244	21,875	25,252	20,997	2,317	402	–	–
Accounts receivable (note 3)	37,940	60,432	20,357	37,375	16,268	12,070	1,298	1,701	17	9,286
Prepaid expenses and other assets	9,773	6,972	4,692	5,222	–	–	227	543	4,854	1,207
	117,292	132,168	67,059	85,962	41,520	33,067	3,842	2,646	4,871	10,493
Amount receivable from the Ministère de l'Enseignement supérieur ("MES") (note 4)	51,436	64,757	–	–	–	–	–	–	51,436	64,757
Grants receivable (note 2)	32,647	30,894	–	–	–	–	–	–	32,647	30,894
Research partnership investment	715	715	–	–	715	715	–	–	–	–
Due from other funds, without interest	–	–	–	–	44,765	35,629	223,921	220,035	–	–
Investments (note 5)	347,088	325,473	347,088	325,473	–	–	–	–	–	–
Tangible capital assets (note 6)	943,803	916,559	–	–	–	–	–	–	943,803	916,559
Intangible capital assets (note 7)	69,005	56,256	–	–	–	–	–	–	69,005	56,256
	1,561,986	1,526,822	414,147	411,435	87,000	69,411	227,763	222,681	1,101,762	1,078,959

See accompanying notes to consolidated financial statements.

CONCORDIA UNIVERSITY

Consolidated Statement of Financial Position (continued)
(In thousands of dollars)

April 30, 2022, with comparative information for 2021

	Total Funds		Operating Fund		Research Fund		Designated Fund		Restricted Funds Capital Asset Fund	
	2022	2021	2022	2021	2022	2021	2022	2021	2022	2021
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Liabilities and Fund Balances										
Current liabilities:										
Cash – bank overraft	5,053	16,049	5,053	16,049	–	–	–	–	–	–
Bank loans (note 8)	187,646	137,662	138,217	137,662	–	–	–	–	49,429	–
Trade payables and other liabilities	116,070	109,530	86,598	72,382	758	48	10,039	9,830	18,675	27,270
Agency and fiduciary accounts	22,141	12,613	22,141	12,613	–	–	–	–	–	–
Unearned revenue	43,285	33,054	43,285	33,054	–	–	–	–	–	–
Deferred contributions (note 9)	86,242	69,363	–	–	86,242	69,363	–	–	–	–
Current portion of long-term debt (note 10)	42,080	40,673	–	–	–	–	–	–	42,080	40,673
	502,517	418,944	295,294	271,760	87,000	69,411	10,039	9,830	110,184	67,943
Deferred contributions (note 9)	206,829	203,874	–	–	–	–	78,656	67,859	128,173	136,015
Due to other funds, without interest	–	–	166,465	193,984	–	–	–	–	102,221	61,680
Long-term debt (note 10)	642,305	654,240	–	–	–	–	–	–	642,305	654,240
Employee future benefit liability (note 11)	138,597	131,906	138,597	131,906	–	–	–	–	–	–
	1,490,248	1,408,964	600,356	597,650	87,000	69,411	88,695	77,689	982,883	919,878
Fund surplus (deficit):										
Unrestricted deficit	(124,164)	(120,251)	(124,164)	(120,251)	–	–	–	–	–	–
Deficit from employee future benefit obligation	(138,597)	(131,906)	(138,597)	(131,906)	–	–	–	–	–	–
Internally restricted (note 12)	156,164	147,869	76,552	65,942	–	–	–	–	79,612	81,927
Endowments (note 13)	139,068	144,992	–	–	–	–	139,068	144,992	–	–
Invested in capital assets	39,267	77,154	–	–	–	–	–	–	39,267	77,154
	71,738	117,858	(186,209)	(186,215)	–	–	139,068	144,992	118,879	159,081
Commitments (note 20)										
Contingencies (note 22)										
Subsequent event (note 24)										
	1,561,986	1,526,822	414,417	411,435	87,000	69,411	227,763	222,681	1,101,762	1,078,959

See accompanying notes to consolidated financial statements.

On behalf of the Board:

_____ Chair of the Board

_____ Governor

CONCORDIA UNIVERSITY

Consolidated Statement of Operations and Changes in Fund Balances (In thousands of dollars)

Year ended April 30, 2022, with comparative information for 2021

	<u>Total Funds</u>		<u>Operating Fund</u>		<u>Research Fund</u>		<u>Designated Fund</u>		<u>Restricted Funds</u>	
									<u>Capital Asset Fund</u>	
	2022	2021	2022	2021	2022	2021	2022	2021	2022	2021
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Revenues:										
Tuition fees	199,109	185,280	199,109	185,280	–	–	–	–	–	–
Grants (note 14)	415,005	387,419	320,965	284,021	49,124	48,547	11,930	14,970	32,986	39,881
Services to the community, students and other income	58,586	51,976	55,818	49,476	46	176	2,722	2,121	–	203
Ancillary services and rental properties (note 15)	10,159	4,366	10,159	4,366	–	–	–	–	–	–
Donations	11,467	6,898	504	484	429	–	7,586	5,131	2,948	1,283
Investment income (loss) (note 5)	2,052	27,750	799	3,316	120	(120)	3,497	3,564	(2,364)	20,990
	696,378	663,689	587,354	526,943	49,719	48,603	25,735	25,786	33,570	62,357
Expenses:										
Academic activities and support (note 16)	312,097	295,599	312,097	295,599	–	–	–	–	–	–
Research	75,585	75,509	25,897	26,991	49,688	48,518	–	–	–	–
Institutional services and support (note 16)	129,996	105,427	129,996	105,427	–	–	–	–	–	–
Services to the community, students and other expense	33,154	27,681	33,154	27,681	–	–	–	–	–	–
Endowed and restricted projects	26,014	25,480	–	–	–	–	26,014	25,480	–	–
Employee future benefits (note 11)	44,927	51,962	44,927	51,962	–	–	–	–	–	–
Ancillary services and rental properties (note 15)	9,359	7,484	9,359	7,484	–	–	–	–	–	–
Capital maintenance projects	19,648	18,032	–	–	–	–	–	–	19,648	18,032
Interest on bank loans	726	1,901	698	550	–	–	–	–	28	1,351
Interest on long-term debt (note 10)	21,997	25,295	–	–	–	–	–	–	21,997	25,295
Amortization of tangible capital assets	48,999	46,755	–	–	–	–	–	–	48,999	46,755
Amortization of intangible capital assets	5,216	3,610	–	–	–	–	–	–	5,216	3,610
	727,718	684,735	556,128	515,694	49,688	48,518	26,014	25,480	95,888	95,043
Excess (deficiency) of revenues over expenses before										
interfund transfers	(31,340)	(21,046)	31,226	11,249	31	85	(279)	306	(62,318)	(32,686)
Interfund transfers (note 17)	–	–	(22,395)	(23,468)	(31)	(85)	310	726	22,116	22,827
Excess (deficiency) of revenues over expenses after										
interfund transfers	(31,340)	(21,046)	8,831	(12,219)	–	–	31	1,032	(40,202)	(9,859)

See accompanying notes to consolidated financial statements.

CONCORDIA UNIVERSITY

Consolidated Statement of Operations and Changes in Fund Balances (continued)

(In thousands of dollars)

Year ended April 30, 2022, with comparative information for 2021

	Total Funds		Operating Fund		Research Fund		Designated Fund		Restricted Funds Capital Asset Fund	
	2022	2021	2022	2021	2022	2021	2022	2021	2022	2021
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Excess (deficiency) of revenues over expenses after interfund transfers (balance brought forward)	(31,340)	(21,046)	8,831	(12,219)	–	–	31	1,032	(40,202)	(9,859)
Remeasurements and other items (note 11)	(8,825)	52,405	(8,825)	52,405	–	–	–	–	–	–
Endowment contributions received	2,020	3,236	–	–	–	–	2,020	3,236	–	–
Investment gain (loss) on endowments (note 5)	(7,975)	24,153	–	–	–	–	(7,975)	24,153	–	–
	(46,120)	58,748	6	40,186	–	–	(5,924)	28,421	(40,202)	(9,859)
Fund balances, beginning of year	117,858	59,110	(186,215)	(226,401)	–	–	144,992	116,571	159,081	168,940
Fund balances, end of year	71,738	117,858	(186,209)	(186,215)	–	–	139,068	144,992	118,879	159,081

See accompanying notes to consolidated financial statements.

Year ended April 30, 2022

	2022	2021
Cash provided by (used in):		
Operating:		
Deficiency of revenues over expenses	\$ (31,340)	\$ (21,046)
Items not involving cash:		
Net change in fair value of financial assets and liabilities	–	(212)
Net change in deferred contributions - Research Fund	16,879	12,277
Amortization of tangible capital assets	48,999	46,755
Amortization of intangible assets	5,216	3,610
Employee future benefits expense over funding contributions	(2,134)	4,960
Net change in working capital items	28,698	31,376
	66,318	77,720
Financing:		
Bank loans	49,984	5,149
Amount receivable from the MES	13,321	2,287
Issuance of long-term debt	29,948	49,895
Repayment of long-term debt	(40,476)	(36,843)
Deferred contributions - Designated and Capital Asset Fund	2,955	19,585
Endowment contributions received	2,020	3,236
	57,752	43,309
Investing:		
Acquisition of investments	(68,571)	(19,289)
Re-invested capital	(5,130)	(3,735)
Disposal of investments	39,210	7,382
Change in fair value of investments	12,876	(39,942)
Investment (loss) gain on externally restricted endowments	(7,975)	24,153
Acquisition of tangible capital assets	(76,243)	(85,370)
Acquisition of intangible assets	(17,965)	(18,369)
	(123,798)	(135,170)
Cash and cash equivalents	272	(14,141)
Cash and cash equivalents, beginning of year	5,441	19,582
Cash and cash equivalents, end of year	\$ 5,713	\$ 5,441
Cash and cash equivalents consists of:		
Cash	10,766	21,490
Cash – bank overdraft	5,053	16,049
Cash and cash equivalents, end of year	\$ 5,713	\$ 5,441

See accompanying notes to consolidated financial statements.

Year ended April 30, 2022

Concordia University (the "University") was incorporated under the *Concordia University Act*, S.Q. 1948 c. 91 as amended by S.Q. 1959-60, c. 191 and S.Q. 2006, c. 69. The University's mission includes post-secondary and graduate education, research and public service. The University is a registered charity under Section 149 of the *Income Tax Act* and it is exempt from the payment of income tax.

1. Significant accounting policies:

The University's consolidated financial statements are prepared in accordance with Canadian accounting standards for not-for-profit organizations in Part III of the *CPA Canada Handbook*.

(a) Basis of presentation:

These consolidated financial statements include the assets, liabilities, revenues, expenses and other transactions of Concordia University and the Concordia University Foundation, an entity controlled by the University. All transactions, assets and liabilities between the two entities have been eliminated. These consolidated financial statements do not include the assets, liabilities and operations of the Fondation universitaire de l'Université Concordia, the Concordia University Press, Galilei Innovations Inc., Innovations Galilei 2 and the Kenneth Woods Portfolio Management Foundation since these controlled entities are not material to the consolidated financial statements of Concordia University. Refer to Note 18 on required disclosures for the other controlled entities.

(b) Use of estimates:

The preparation of consolidated financial statements requires management to make estimates and assumptions that affect the amounts recorded in the consolidated financial statements and notes to consolidated financial statements. In particular, significant estimates are made regarding the valuation of receivables, fair values of assets and liabilities including derivatives and effectiveness of hedging relationships, useful lives of capital assets, provisions for contingencies and employee future benefits. These estimates are based on management's knowledge of current events and actions that the University may undertake in the future. Actual results may differ from these estimates.

(c) Financial assets and liabilities:**(i) Initial measurement:**

Upon initial measurement, the University's financial assets and liabilities are measured at fair value, which, in the case of financial assets or financial liabilities that will be measured subsequently at amortized cost, is increased or decreased by the amount of the related financing fees and transaction costs. Transaction costs relating to financial assets and liabilities that will be measured subsequently at fair value are recognized in operations in the year they are incurred.

Year ended April 30, 2022

1. Significant accounting policies (continued):

(ii) Subsequent measurement:

At each reporting date, the University measures its financial assets and liabilities at amortized cost (including any impairment in the case of financial assets), except for life insurance policies which are measured at the greater of fair value at acquisition and cash surrender value, research partnership investments and investments in common shares and investment funds which are measured at fair value, and bond investments which the University has elected to measure at fair value by designating that fair value measurement shall apply.

Financial assets and liabilities measured at amortized cost are calculated using the effective interest method (including any impairment in the case of financial assets). Interest calculated using the effective interest method is presented in the consolidated statement of operations and changes in fund balances under net investment income, interest on bank loans or interest on long-term debt, as appropriate.

With respect to financial assets measured at amortized cost, the University assesses whether there are any indicators of impairment. When there is an indication of impairment, and if the University determines that during the year there was a significant adverse change in the expected timing or amount of future cash flows from a financial asset, it will then recognize a reduction as an impairment loss in operations. The reversal of a previously recognized impairment loss on a financial asset measured at amortized cost is recognized in operations in the year the reversal occurs.

(d) Derivative financial instruments:

The University uses derivative financial instruments to manage its interest rate risk exposure. It does not use these derivative financial instruments for trading or speculative purposes. The University has elected to use hedge accounting to recognize the interest rate swaps that it uses to provide protection against interest rate fluctuations on its variable interest rate for long-term debt. These interest rate swaps require the periodic exchange of interest payments without an exchange of the notional (capital) amount on which payments are calculated.

At the inception of the hedging relationship, the University formally documents the hedging relationship, identifying the hedged item, the related hedging items, the nature of the specific risk exposure being hedged and the intended term of the hedging relationship. Both at the inception of the hedging relationship and throughout its term, the University has reasonable assurance that the critical terms of the hedged item and the related hedging item will remain the same.

Year ended April 30, 2022

1. Significant accounting policies (continued):**(e) Fund accounting:**

The Operating Fund is used to account for the University's academic and administrative services. Unrestricted resources as well as internally restricted resources are reported in this fund.

Externally restricted resources that are used for research and research-related purposes are reported in the Research Fund.

The Designated Fund is used to account for funds received from external entities for specific purposes imposed by the outside donor or party.

Assets, liabilities, revenues and expenses related to the capital assets owned and managed by the University are reported in the Capital Asset Fund, including the cost of capital assets purchased, funded and expensed by other funds in the year of acquisition.

(f) Revenue recognition:

The University follows the deferral method of accounting for contributions, comprised of grants and donations. Under this method, contributions restricted for future period expenses are deferred and are recognized as revenue in the year in which the related expenses are incurred. Unrestricted contributions are recognized as revenue when received or receivable if the amount to be received can be reasonably estimated and collection is reasonably assured.

Endowment contributions and restricted investment income earned on endowments and not available for distribution are recognized as direct increases in net assets in the period in which they are received or earned. Investment income earned on endowment and available for distribution are deferred and recognized as revenue in the period in which the related expenses are incurred and contributions in capital assets that are not subject to amortization are reported as direct increases in the appropriate fund balance.

Investment income, excluding restricted investment income earned on endowment and designated funds, is comprised of interest, dividends, income distributions from pooled funds and realized and unrealized gains and losses, and is recorded as revenue in the consolidated statement of operations.

Interest income is recognized on a time apportionment basis.

Year ended April 30, 2022

1. Significant accounting policies (continued):

(f) Revenue recognition (continued):

The University's principal sources of revenue, aside from contributions, are tuition fees, services to the community, student services, ancillary services, other income and rental of properties. Revenue is recognized when the following criteria are met:

- Persuasive evidence of an arrangement exists;
- Delivery has occurred and services have been rendered;
- The price is fixed or determinable;
- Collection is reasonably assured.

Revenue is recognized as services are provided. Receipts for which revenue is not yet earned are recorded as unearned revenue.

(g) Contributed supplies and services:

The University may recognize contributed supplies and services when the fair value of these contributions can be reasonably estimated and if it would have had to otherwise acquire these supplies and services for its normal operations.

(h) Cash and cash equivalents:

Cash and cash equivalents include cash on hand, bank balances and short-term investments with original maturities of three months or less, net of bank overdrafts whenever they are an integral part of the University's cash management process.

(i) Other assets:

Tenant inducements and commissions on rental of properties included in other assets are deferred and amortized on a straight-line basis over the duration of the respective leases.

(j) Tangible and intangible assets:

Tangible and intangible assets are recorded at cost. Interest related to capital assets under construction is capitalized at rates reflecting the financing costs of such assets. Contributed capital assets are recorded at fair value at the date of contribution.

Year ended April 30, 2022

1. Significant accounting policies (continued):

(j) Tangible and intangible assets (continued):

Construction in progress includes buildings under construction and other major capital projects. Once completed, projects are transferred to their respective asset class and amortized.

The art collections received by gift and bequest are recorded in the Capital Asset Fund at cost or nominal value at the date of contribution if they can be reasonably estimated, and they are not amortized.

Information technology development in progress includes internally developed systems software. Once completed, projects are transferred to their respective asset class and amortized.

(k) Amortization:

(i) Tangible and intangible assets subject to amortization are amortized on a straight-line basis over their estimated useful lives as prescribed by the MES over the following periods:

Assets	Period
Tangible capital assets:	
Land improvements	20 years
Buildings	40 to 50 years
Building alterations	25 to 40 years
Leasehold improvements	Lease term (max. 10 years)
Furniture and equipment	3 to 15 years
Library collection	10 years
Intangible assets:	
Information technology	10 to 15 years

Amortization is recorded in the Capital Asset Fund.

Year ended April 30, 2022

1. Significant accounting policies (continued):

(k) Amortization (continued):

(ii) Write-down:

Tangible capital assets, intangible assets and other assets subject to amortization are tested for recoverability when events or changes in circumstances indicate that their carrying amount may not be recoverable. The carrying amount of a long-lived asset is not recoverable when it exceeds the sum of the undiscounted cash flows expected to result from its use and eventual disposal. In such a case, an impairment loss must be recognized and is equivalent to the excess of the carrying amount of a long-lived asset over its fair value.

(l) Foreign currency translation:

The University uses the temporal method to translate transactions denominated in a foreign currency. Under this method, monetary assets and liabilities are translated at the exchange rate in effect at the consolidated statement of financial position date. Non-monetary assets and liabilities are translated at historical exchange rates, with the exception of those recognized at fair value, which are translated at the exchange rate in effect at the statement of financial position date. Revenues and expenses are translated at the exchange rate in effect at the date they are recognized. The related exchange gains and losses are recognized in the statement of operations.

(m) Employee future benefits:

The University accrues its obligations under the defined benefit pension plans and the other benefit plans as the employees render the services necessary to earn the pension benefits. More specifically, the University recognizes its obligations under the defined benefit plans on the consolidated statement of financial position, net of the fair value of plan assets. The University determines the defined benefit obligations using the most recent actuarial valuation prepared for accounting purposes, which is extrapolated to the University's year-end. The total defined benefit plan cost includes current service cost and finance cost and is recognized in operations under Employee future benefits. Remeasurements and other items, which include actuarial gains and losses related to the obligations, the difference between the actual return on plan assets and interest income deducted from the finance cost as well as past service cost, are recognized separately on the statement of changes in fund balances. Remeasurements and other items are not classified to the statement of operations in a subsequent year.

Year ended April 30, 2022

1. Significant accounting policies (continued):

(n) Internally restricted fund balance:

The internally restricted fund is used for two types of transactions:

- The University has adopted a policy to internally restrict the Operating Fund balance of unspent budgeted amounts relating to specific programs. The programs covered by this policy are described in Note 12.
- Management has chosen to internally restrict unspent budgeted amounts from the Operating Fund that relate to specific key University’s priorities.

2. Grants receivable:

	2022				
	Operating	Research	Designated	Capital	Total
Current:					
Amount receivable from the MES	\$ 31,219	\$ –	\$ 1,407	\$ –	\$ 32,626
Amount receivable from federal agencies	25	21,162	210	–	21,397
Amount receivable from provincial agencies (other than MES)	–	4,090	700	–	4,790
	31,244	25,252	2,317	–	53,813
Long-term:					
Amount receivable from the MES	–	–	–	2,500	2,500
Amount receivable from federal agencies	–	–	–	7,397	7,397
Amount receivable from provincial agencies (other than MES)	–	–	–	22,750	22,750
	\$ 31,244	\$ 25,252	\$ 2,317	\$ 32,647	\$ 91,460

Year ended April 30, 2022

2. Grants receivable (continued):

						2021
	Operating	Research	Designated	Capital		Total
Current:						
Amount receivable from the MES	\$ 21,992	\$ –	\$ 302	\$ –	\$	22,294
Amount receivable from federal agencies	(117)	17,667	–	–		17,550
Amount receivable from provincial agencies (other than MES)	–	3,330	100	–		3,430
	21,875	20,997	402	–		43,274
Long-term:						
Amount receivable from the MES	–	–	–	2,135		2,135
Amount receivable from federal agencies	–	–	–	858		858
Amount receivable from provincial agencies (other than MES)	–	–	–	27,901		27,901
	\$ 21,875	\$ 20,997	\$ 402	\$ 30,894	\$	74,168

3. Accounts receivable:

	2022	2021
Operating Fund:		
Tuition fees, net of an allowance for doubtful accounts ⁽ⁱ⁾	\$ 8,335	\$ 12,282
Services, advances and other	7,704	3,803
Accounts receivable and advances to a wholly-owned subsidiary of a controlled entity	3,720	7,344
Net investment sales receivable	598	13,946
	\$ 20,357	\$ 37,375

⁽ⁱ⁾ As at April 30, 2022, the gross carrying amount of tuition fees receivable totals \$15,824 (2021 - \$18,694). These tuition fees receivable are presented in the financial statements net of an allowance for doubtful accounts of \$7,489 (2021 - \$6,412).

Year ended April 30, 2022

4. Amount receivable from the MES:

This University accounted for a grant receivable from the MES resulting from the difference between the net value of the University’s capital assets funded by the MES and the value of the long-term debt serviced by the Government of Québec.

5. Investments:

	2022		2021	
	Fair value	Cost	Fair Value	Cost
Equities	\$ 25,647	\$ 23,835	\$ 32,844	\$ 30,696
Bonds	5,523	5,943	4,216	4,245
Investment funds	312,835	286,331	285,330	239,875
Fair value of life insurance policies	3,083	3,083	3,083	3,083
	\$ 347,088	\$ 319,192	\$ 325,473	\$ 277,899

Life insurance represents the greater of either the fair market value of insurance policies at acquisition or the current cash surrender value of insurance policies held.

As at April 30, 2022, the weighted average interest rate of the bonds is 2.53% (2021 - 2.15%) and the weighted average duration is 3.74 years (2021 - 4.58 years).

Income earned on investments in the year was as follows:

	2022	2021
Investment income:		
Dividends	\$ 2,932	\$ 2,984
Interests	1,390	1,285
Partnership income	1,293	863
Pooled fund income	215	–
	5,830	5,132
Realized gains	7,672	7,079
Unrealized gains (losses)	(19,461)	46,234
Other	(71)	(12)
Income (loss)	\$ (6,030)	\$ 58,433

Year ended April 30, 2022

5. Investments (continued):

Based on the University’s revenue recognition method, investment income was recognized in the consolidated financial statements as follows

	2022	2021
Increase (decrease) in Endowment Funds	\$ (7,975)	\$ 24,153
Recognized as investment income	2,052	27,750
Net change in deferred contributions	(107)	6,530
	\$ (6,030)	\$ 58,433

6. Tangible capital assets:

	2022		
	Cost	Accumulated amortization	Net book value
Land	\$ 77,991	\$ –	\$ 77,991
Land improvements	5,698	1,984	3,714
Buildings, building alterations and leasehold improvements	1,148,614	375,149	773,465
Furniture and equipment	114,941	54,990	59,951
Library collection	48,476	23,910	24,566
Art collections	4,116	–	4,116
	\$ 1,399,836	\$ 456,033	\$ 943,803

	2021		
	Cost	Accumulated amortization	Net book value
Land	\$ 68,139	\$ –	\$ 68,139
Land improvements	4,312	1,603	2,709
Buildings, building alterations and leasehold improvements	1,109,080	352,030	757,050
Furniture and equipment	121,063	58,757	62,306
Library collection	45,104	22,865	22,239
Art collections	4,116	–	4,116
	\$ 1,351,814	\$ 435,255	\$ 916,559

During the year, the University disposed of fully amortized tangible capital assets totalling \$28,220 (2021 - \$21,597).

Year ended April 30, 2022

7. Intangible capital assets:

	2022		
	Cost	Accumulated amortization	Net book value
Information technology - Development in progress	\$ 5,127	\$ –	\$ 5,127
Information technology	91,800	27,922	63,878
	\$ 96,927	\$ 27,922	\$ 69,005

	2021		
	Cost	Accumulated amortization	Net book value
Information technology - Development in progress	\$ 42,047	\$ –	\$ 42,047
Information technology	36,916	22,707	14,209
	\$ 78,963	\$ 22,707	\$ 56,256

During the year, the University disposed of fully amortized intangible assets totalling nil (2021-\$123).

Year ended April 30, 2022

8. Bank loans:

The University has an unsecured on-demand revolving credit facility of \$475,000. This credit facility can be drawn on prime rate, bankers’ acceptances or SOFR loans. As at April 30, 2022, the University had on prime rate, a total of \$5,622 (2021- \$4,521) bearing interest of 2.26% (2021 – 2.20%), total outstanding bankers’ acceptances amounted to \$19,900 (2021 - \$1,000) bearing interest at a rate of 1.48% (2021 - 0.54%) and in addition, the University had drawn SOFR loans amounting to \$112,695 CAD equivalent (2021 - \$136,621), bearing interest at 1.16% (2021 - 0.32%), including the cross-currency swap strategy and accrued interest. The weighted average rate on all credit line financing was 1.25% (2021 – 0.34%).

In accordance with the MES annual review, in September 2022, the University received authorization to use credit lines up to \$568,313, which includes \$197,303 of a credit line serviced by MES with Financement-Québec to finance capital expenses funded in the Plan Quinquennal des Investissements Universitaires. As at April 30, 2022, the total use of the Financement-Québec credit line, amounted to \$49,429.

In May 2022, the University issued an amendment to the irrevocable letter of credit to the U.S. Department of Education, for US\$889 (2021-US\$889). The irrevocable letter of credit bears a term of 12 months, ending on May 31, 2023. The amount represents 50% of the Title IV, Higher Education Act Program funds received by the University under the U.S. Federal Student Aid Program.

9. Deferred contributions:

The deferred contributions represent unused resources that are allocated to specific purposes imposed by the outside donor or party.

				2022	2021
	Research	Designated	Capital	Total	Total
Balance beginning of year	\$ 69,363	\$ 67,859	\$ 136,015	\$ 273,237	\$ 241,375
Amount received in the current year	66,598	36,532	25,728	128,858	168,608
Amount recognized in operations	(49,719)	(25,735)	(33,570)	(109,024)	(136,746)
End of year balance, current deferred contributions	88,242	–	–	88,242	69,363
End of year balance, long-term deferred contribution	\$ –	\$ 78,656	\$ 128,173	\$ 206,829	\$ 203,874

Year ended April 30, 2022

10. Long-term debt:

	2022	2021
Capital Asset Fund:		
Serviced by the University:		
Loans, bearing interest at CDOR, payable in monthly varying instalments, maturing between April 2025 and April 2038 ⁽ⁱ⁾	\$ 57,799	\$ 66,425
6.550% (effective interest rate of 6.970%) \$200,000 Series A Senior Unsecured Debentures, due September 2, 2042, issued by the University and subject to a trust indenture, which contains certain covenants placing restrictions on the University with respect to the giving of security, disposition of assets and other matters	191,002	190,806
3.678% \$50,000 Series B Senior Unsecured Debentures, due February 10, 2059, issued by the University and subject to a trust indenture, which contains certain covenants placing restrictions on the University with respect to the giving of security, disposition of assets and other matters	50,000	50,000
3.626% \$25,000 Series C Senior Unsecured sustainable Debentures, due February 10, 2039, issued by the University and subject to a trust indenture, which contains certain covenants placing restrictions on the University with respect to the giving of security, disposition of assets and other matters	25,000	25,000
Serviced by the Government of Québec:		
Financement-Québec loans bearing interest at rates ranging between 0.0791% to 3.619% and maturing between September 2022 through February 2044	360,584	362,682
	684,385	694,913
Current portion of long-term debt	42,080	40,673
Long-term debt	\$ 642,305	\$ 654,240

Year ended April 30, 2022

10. Long-term debt (continued):

- (i) The University has entered into several long-term interest rate swap loan agreements to manage its interest rate risk. These transactions are effective at fixed rates ranging between 1.210% and 3.045% with an underlying CDOR of 1.333% (2021 - 0.413%). The combined notional amount of outstanding swap agreements at April 30, 2022 is \$57,799. The combined fair value of liabilities of the agreements calculated according to information obtained from the financial institution is \$3,914 (2021 - \$73).

The MES makes two types of grants to universities: operating grants and capital grants. Capital grants are authorized under the five-year university capital investment plan and are funded by the Government of Québec out of public borrowing in the University's name (a process known as grant bonds). As a result, the long-term debt listed above is managed, administered and serviced by the Government of Québec.

In accordance with its charter and the government decrees adopted pursuant to its charter (the last such decree 1057-2018 was adopted on August 7, 2018), the University may have an outstanding aggregate principal amount of debentures and debt securities, which may not exceed \$1,000,000 at any time, excluding amounts borrowed by way of loan or promissory note.

The proceeds from the Series A, Series B and Series C Senior Unsecured Debentures were used primarily to finance the University's capital projects in the last several years. These offerings were separate and distinct from the existing "grant bonds" process, which have been used by the Government of Québec to finance capital spending in the education system, in which grant bonds are managed, administered and serviced by the Government of Québec. The debentures are direct obligations of the University.

Year ended April 30, 2022

10. Long-term debt (continued):

Repayments of principal over the years are scheduled as follows:

	Serviced by the University	Serviced by the Government of Québec	Total
2023	\$ 8,763	\$ 33,317	\$ 42,080
2024	8,898	32,543	41,441
2025	8,613	30,232	38,845
2026	3,877	35,805	39,682
2027	2,554	54,285	56,839
Thereafter	291,096	174,402	465,498
	\$ 323,801	\$ 360,584	\$ 684,385

The University has created a sinking fund in its internally restricted funds to support the repayment of this long-term debt. See Note 21 for further details on the University’s capital asset management and financing policy.

Interest on long-term debt:

	2022	2021
Serviced by the Government of Québec	\$ 9,062	\$ 9,308
Serviced by the University	17,195	16,642
Changes in fair value of the derivative financial instrument	(4,260)	(655)
	\$ 21,997	\$ 25,295

Year ended April 30, 2022

11. Employee future benefits:

The University measures its accrued benefit obligations and the fair value of plan assets for accounting purposes as at April 30 of each year. Additionally, the financial status of the funded defined benefit pension plan is also measured through actuarial valuations for funding purposes at least once every three years. These financial statements were prepared using assumptions from an actuarial valuation performed as at December 31, 2019.

The employee future benefit liability is as follows:

	2022			
	Registered Pension Plan	Other Retirement- Related Benefit Plans	Post- Retirement and Post- Employment Benefits	Total
Balance, beginning of year	\$ –	\$ 33,630	\$ 98,276	\$ 131,906
Expense	27,553	3,517	13,857	44,927
Funding contributions	(34,760)	(4,145)	(8,156)	(47,061)
Remeasurements and other items ⁽ⁱ⁾	7,207	2,442	(824)	8,825
Net employee future benefit liability, end of year	\$ –	\$ 35,444	\$ 103,153	\$ 138,597

⁽ⁱ⁾ A valuation allowance of \$81,309 is included in the remeasurements and other items of the Registered Pension Plan for the year ended April 30, 2022.

Year ended April 30, 2022

11. Employee future benefits (continued):

	2021			
	Registered Pension Plan	Other Retirement- Related Benefit Plans	Post- Retirement and Post- Employment Benefits	Total
Balance, beginning of year	\$ 55,583	\$ 31,901	\$ 91,867	\$ 179,351
Expense	36,161	3,381	12,420	51,962
Funding contributions	(36,893)	(2,806)	(7,303)	(47,002)
Remeasurements and other items ⁽ⁱⁱ⁾	(54,851)	1,154	1,292	(52,405)
Net employee future benefit liability, end of year	\$ –	\$ 33,630	\$ 98,276	\$ 131,906

(ii) A valuation allowance of \$70,806 is included in the remeasurements and other items of the Registered Pension Plan for the year ended April 30, 2021.

(a) Reconciliation of the funded status of the benefit plans to the amounts recorded in the consolidated financial statements:

	2022			
	Registered Pension Plan	Other Retirement- Related Benefit Plans	Post- Retirement and Post- Employment Benefits	Total
Defined benefit obligations	\$ 1,275,410	\$ 35,444	\$ 108,829	\$ 1,419,683
Fair value of plan assets	1,427,525	–	5,676	1,433,201
Surplus (deficit)	152,115	(35,444)	(103,153)	13,518
Valuation allowance ⁽ⁱ⁾	(152,115)	–	–	(152,115)
Net employee future benefit liability end of year	\$ –	\$ (35,444)	\$ (103,153)	\$ (138,597)

Year ended April 30, 2022

11. Employee future benefits (continued):

(a) Reconciliation of the funded status of the benefit plans to the amounts recorded in the consolidated financial statements (continued):

(i) Since the Registered Pension Plan's funding policy states that in no event can the University take contribution holidays, the expected future benefit that Concordia can expect to realize from the plan assets is nil and therefore, a valuation allowance of \$152,115 (2021 - \$70,806) was applied against the surplus as at April 30, 2022.

	2021			
	Registered Pension Plan	Other Retirement- Related Benefit Plans	Post- Retirement and Post- Employment Benefits	Total
Defined benefit obligations	\$ 1,217,165	\$ 33,630	\$ 102,369	\$ 1,353,164
Fair value of plan assets	1,287,971	–	4,093	1,292,064
Surplus (deficit)	70,806	(33,630)	(98,276)	(61,100)
Valuation allowance ⁽ⁱ⁾	(70,806)	–	–	(70,806)
Net employee future benefit liability end of year	\$ –	\$ (33,630)	\$ (98,276)	\$ (131,906)

Year ended April 30, 2022

11. Employee future benefits (continued):

(b) Significant assumptions:

The significant assumptions used are as follows:

	2022					
	Registered Pension Plan		Other Retirement- Related Benefit Plans		Post- Retirement and Post- Employment Benefits	
Accrued benefit obligations:						
Discount rate	%	5.90	%	5.90	%	5.90
Rate of compensation increase		2.50		2.50		2.50
Benefits costs:						
Discount rate	%	5.90	%	5.90	%	5.90
Rate of compensation increase		2.50		2.50		2.50
<hr/>						
	2021					
	Registered Pension Plan		Other Retirement- Related Benefit Plans		Post- Retirement and Post- Employment Benefits	
Accrued benefit obligations:						
Discount rate	%	5.90	%	5.90	%	5.90
Rate of compensation increase		2.50		2.50		2.50
Benefits costs:						
Discount rate	%	5.90	%	5.90	%	5.90
Rate of compensation increase		2.60		2.60		2.60

Year ended April 30, 2022

11. Employee future benefits (continued):

(b) Significant assumptions:

Assumed health care cost trend rates are based on the following:

		2022		2021
Initial health care cost trend rate	%	5.12	%	5.21
Cost trend rate declines to		3.97		3.97
Year when the rate reaches the level at which it is assumed to remain at		2036		2036

(c) Benefits paid:

Benefits paid by the Pension Plan for the Employees of Concordia University were \$62,112 (2021 - \$64,442), benefits paid by the other retirement-related benefit plans totaled \$4,145 (2021 - \$2,807) and post-retirement and post-employment benefits paid amounted to \$6,476 (2021 - \$7,766).

Year ended April 30, 2022

12. Internally restricted fund balances:

	2022	2021
Academic-related:		
Institutional projects	\$ 29,451	\$ 30,083
Services to students and the community	18,094	17,970
Employee and faculty development	4,524	4,162
Other	(218)	1,386
Emergency funds	–	(9,769)
	51,851	43,832
Research-related:		
Internally funded projects	18,505	16,647
Infrastructure for research units	5,180	4,114
	23,685	20,761
Capital and technology projects	1,016	1,349
Total - Operating Fund	76,552	65,942
Capital Asset Fund - Sinking Fund for long-term debt repayment (note 21)	79,612	81,927
	\$ 156,164	\$ 147,869

Year ended April 30, 2022

13. Endowments:

Endowment funds are composed of restricted donations received by the University. Donations that have been internally designated as endowments are accounted for as transfers to the Endowment funds. Investment returns generated from endowments are used in accordance with the various purposes established by the donors at the discretion of the University. The University protects the future purchasing power of its endowments by designating a portion of the annual investment income earned to endowments, known as capital protection. Accordingly, the University has established a policy of setting the amount of income available for spending to 3.5% (2021 - 3.5%) annually. The purpose of this policy is to allow the University to distribute a consistent amount of income from endowment on an annual basis regardless of the investment income earned in the fiscal year.

Activities in the endowments were as follows:

	2022	2021
Balance, beginning of year	\$ 144,992	\$ 116,571
Contributions	2,020	3,236
Investment income (loss), net of fees	(3,340)	28,478
Investment income distributed for spending	(4,635)	(4,325)
Transfers from other funds	31	1,032
	(5,924)	28,421
Balance, end of year	\$ 139,068	\$ 144,992

Year ended April 30, 2022

14. Grants:

	2022				
	Operating	Research	Designated	Capital	Total
Government of Québec	\$ 315,177	\$ 5,696	\$ 9,723	\$ 28,529	\$ 359,125
Government of Canada	5,321	35,732	424	4,144	45,621
Non-governmental grants	467	7,696	1,783	313	10,259
	\$ 320,965	\$ 49,124	\$ 11,930	\$ 32,986	\$ 415,005

	2021				
	Operating	Research	Designated	Capital	Total
Government of Québec	\$ 278,465	\$ 6,244	\$ 12,987	\$ 36,999	\$ 334,695
Government of Canada	5,446	30,412	365	-	36,223
Non-governmental grants	110	11,891	1,618	2,882	16,501
	\$ 284,021	\$ 48,547	\$ 14,970	\$ 39,881	\$ 387,419

Year ended April 30, 2022

15. Ancillary services and rental properties:

	2022		
	Revenues	Expenses	Excess (deficiency)
Retail stores	\$ 418	\$ 105	\$ 313
Residences	3,769	3,717	52
Parking	980	506	474
Food and conference services	114	(938)	1,052
Other services	1,462	3,179	(1,717)
Rental properties	3,416	2,790	626
	\$ 10,159	\$ 9,359	\$ 800

	2021		
	Revenues	Expenses	Excess (deficiency)
Retail stores	\$ 1,114	\$ 1,302	\$ (188)
Residences	(66)	1,784	(1,850)
Parking	419	424	(5)
Food and conference services	(13)	1,106	(1,119)
Other services	89	296	(207)
Rental properties	2,823	2,572	251
	\$ 4,366	\$ 7,484	\$ (3,118)

Year ended April 30, 2022

16. Expenses:

	2022	2021
Academic activities and support:		
Academic	\$ 274,863	\$ 262,376
Library	14,941	14,746
Instructional and information technology services	22,293	18,477
	<u>312,097</u>	<u>295,599</u>
Institutional services and support:		
Administration	82,802	61,184
Facilities and operation services	42,960	40,006
Rented facilities	4,234	4,237
	<u>129,996</u>	<u>105,427</u>

Year ended April 30, 2022

17. Interfund transfers:

The University manages its cash centrally in the Operating Fund. Receipts and disbursements of other funds are recorded as amounts due to or from the Operating Fund. The balances are non-interest bearing and have no fixed terms of repayment.

	2022			
	Operating Fund	Research Fund	Designated Fund	Capital Asset Fund
Contributions towards the following:				
Major renovation or construction projects	\$ (1,070)	\$ –	\$ –	\$ 1,070
Interest on capital debt	(17,702)	–	–	17,702
Equipment	(3,344)	–	–	3,344
Research Partnership Investment	–	–	–	–
Specific university projects	(279)	(31)	310	–
	\$ (22,395)	\$ (31)	\$ 310	\$ 22,116

	2021			
	Operating Fund	Research Fund	Designated Fund	Capital Asset Fund
Contributions towards the following:				
Major renovation or construction projects	\$ (2,758)	\$ –	\$ (290)	\$ 3,048
Interest on capital debt	(15,870)	–	–	15,870
Equipment	(4,676)	–	(233)	4,909
Research Partnership Investment	167	(85)	(82)	–
Specific university projects	(331)	–	1,331	(1,000)
	\$ (23,468)	\$ (85)	\$ 726	\$ 22,827

Year ended April 30, 2022

18. Related party transactions:

(a) eConcordia.com:

The University exercises significant influence over eConcordia.com, a registered charity under the *Income Tax Act*. eConcordia.com has a wholly-owned subsidiary, KnowledgeOne Inc., that provides courses for the advancement of learning on electronic or other new media. There are no significant differences in accounting policies between eConcordia.com, KnowledgeOne Inc. and the University.

The University incurred service fees from KnowledgeOne Inc. for the delivery of courses to students of the University. The expense (net of rebates) amounted to approximately \$12,153 (2021 - \$11,690). The University invoiced operating costs and management fees amounting to approximately \$85 (2021 - \$114). The University has accounts receivable and non-interest bearing advances totalling \$3,720 (2021 - \$7,344).

(b) Controlled entities:

(i) Fondation universitaire de l'Université Concordia:

The University exercises control over the Fondation universitaire de l'Université Concordia (hereafter the "Fondation"). By law, the Fondation's resources must be used exclusively to promote and financially support the teaching and research activities of the University. The Fondation was created by Order-in-Council 834-97, dated June 25, 1997, of the provincial government, in accordance with the *Loi sur les fondations universitaires*. As a mandatory of the Crown, it is recognized as a charitable organization under both the *Income Tax Act* (Canada) and the *Taxation Act* (Québec). As at April 30, 2022, the Fondation remained inactive.

(ii) Concordia University Press:

The Concordia University Press is incorporated under the *Canada Not-for-profit Corporations Act* for the purposes of publishing scholarly books that cross disciplinary boundaries and propel scholarly inquiries into new areas and wishes to assist the University by publishing scholarly works in order to disseminate knowledge and educate. The University exercises control over Concordia University Press by virtue of the fact that the majority of its board members hold senior management positions at the University.

(iii) Galilei Innovations Inc.:

Galilei Innovations Inc. is a wholly-owned subsidiary of Concordia University and is incorporated under the *Business Corporations Act* of Québec. As at April 30, 2022, the corporation remained inactive.

Year ended April 30, 2022

18. Related party transactions (continued):

(iv) Innovations Galilei 2:

The University exercises control over Innovations Galilei 2, which is incorporated under Part II of the *Canada Business Corporations Act*. The purpose of the entity is to provide consulting and other services to new businesses and entrepreneurs.

(v) The Kenneth Woods Portfolio Management Foundation:

The Kenneth Woods Portfolio Management Foundation is incorporated under Part II of the *Canada Business Corporations Act* as a not-for-profit organization and is a registered charity under the *Income Tax Act*. It provides financial support, investment resources, assistance and training for students at Concordia University in the Kenneth Woods Portfolio Management Program and the Calvin Patter Fellowship Program. The University exercises control over the Kenneth Woods Portfolio Management Foundation by virtue of the fact that the majority of its board members hold senior management positions at the University.

The University’s related party transactions were concluded in the normal course of operations and are measured at the exchange amount, which is the amount established and accepted by the parties.

The following table presents condensed financial information of its related parties:

			2022	2021
	eConcordia.com/ Knowledge One	Controlled entities	Total	Total
Statement of operations:				
Revenues	\$ 13,683	\$ 3,155	\$ 16,838	\$ 15,780
Expenses	10,263	649	10,912	12,018
Surplus over expenses	3,420	2,506	5,926	3,762
Statement of financial position:				
Total assets	7,262	4,339	11,601	10,817
Total liabilities	6,859	223	7,082	13,175
Surplus (Deficit)	403	4,116	4,519	(2,358)
Statement of cash flows:				
Operating activities	4,653	723	5,376	2,153
Investing activities	(827)	(268)	(1,095)	(1,348)
Financing activities	(3,500)	(700)	(4,200)	(1,910)

Year ended April 30, 2022

19. Financial risks:

(a) Credit risk:

The University is exposed to credit risk from its debtors. A significant portion of the University's receivables are due from governments, which are believed to be at low risk of default. The University considers tuition fees receivable as a financial asset with greater credit risk exposure and considers the concentration of the remaining risks to be minimal considering the large base of counterparties. See Note 3 for details on the gross carrying amount of tuition receivables and the allowance for doubtful accounts that addresses this risk.

The University is also exposed to credit risk from investments in corporate bonds, since failure of any of these parties to fulfill their obligations could result in significant financial losses for the University. The risk is mitigated by adhering to the investment policy targets as described in the investment policy. In addition, monitoring by investment managers is done on a regular basis. Currently, the allocation to corporate bonds in the University's portfolio is low. Additionally, some investment funds indirectly expose the University to credit risk.

(b) Market risk:

The University's financial instruments expose it to market risk, in particular, to interest rate risk and currency risk, resulting from both its investing and financing activities.

(i) Interest rate risk:

Interest rate risk refers to the adverse consequences of interest rate changes on the University's cash flows and financial position. The University is exposed to interest rate risk as a result of short-term floating rate bank indebtedness and the variable interest rate on the long-term debt serviced by the University. The long-term debt serviced by the Government of Québec does not bear any risk since the debt service is financed by the Government of Québec.

The University's other financial instruments do not comprise any interest rate risk since they do not bear interest.

The University manages the interest rate risk on short-term bank indebtedness by locking in to fixed rates as described in Note 8. Interest rate risk on long-term debt

Year ended April 30, 2022

19. Financial risks (continued):

(i) Interest rate risk (continued):

serviced by the University has been mitigated by entering into an interest rate swap agreement as described in Note 10.

(b) Market risk (continued):

(ii) Currency risk:

The University is exposed to currency risk due to cash and cash equivalents and investments denominated in U.S. dollars. As at April 30, 2022, financial assets in foreign currency represent cash and cash equivalents of \$1,651 (2021 - \$2,219) and investments totalling \$85,189 (2021 - \$63,582). The University is also exposed to currency risk from a \$112,695 (2021 - \$87,817) bank loan denominated in U.S. dollars. The risk associated with this foreign currency bank loan is mitigated by a cross-currency interest rate swap agreement as described in Note 8.

(iii) Other price risk:

The University is exposed to other price risk due through its investments in common shares and investment funds since changes in market prices could result in changes in the fair value or cash flows of these instruments. Additionally, some investment funds also indirectly expose the University to other price risk.

(c) Liquidity risk:

The University's liquidity risk represents the risk that the University could encounter difficulty in meeting obligations associated with its financial liabilities. The University manages its liquidity risk by monitoring its operations. The University prepares budgets and cash forecasts to ensure it has sufficient funds to fulfill its obligations.

There have been no significant changes to the risk exposures during the year.

Year ended April 30, 2022

20. Commitments:

(a) Operational commitments:

As part of its operations, the University has entered into various long-term agreements. The most significant agreements have led to the following contractual obligations:

- An amount of \$3,572 related to consulting services to implement an ERP system. This contractual obligation will be payable during fiscal year 2023;
- An amount of \$10,784 for the construction, renovations and land improvement agreements to be completed during fiscal years 2023 and 2024; and
- As at April 30, 2022, the University has lease commitments totalling \$95,280 maturing through to August 31, 2038. Future minimum lease payments for the next five years are \$4,772 in 2023, \$5,460 in 2024, \$5,645 in 2025, \$5,710 in 2026 and \$5,776 in 2027.

(b) Investment commitments:

The University has committed to making investments that will be funded in future years in accordance with the terms and conditions agreed in the agreements. As at April 30, 2022 the University has committed \$7,894 to private equity investments. The financing of the commitments can be requested at various dates until 2030.

21. Capital Assets Management and Financing Policy:

The Operating Fund has a \$348,330 commitment (2021 - \$325,305) towards the Capital Asset Fund to finance the capital assets with a useful life greater than 10 years; as well as a commitment of \$166,166 (2021 - \$155,820) towards capital assets with a useful life of less than 10 years. All of this net of the balance held in the Sinking Funds as of April 30, 2022. Therefore, these two commitments go into two separate sinking funds at the University.

The first sinking fund related to capital assets with a useful life greater than 10 years is dedicated to the repayment of certain debts of the University, namely, the \$275,000 Series A, Series B and Series C Senior Unsecured Debentures in September 2042 (Series A), February 2059 (Series B) and February 2039 (Series C). The fund is comprised of an initial gift of \$3.4 million transferred in May 2010. In addition, \$22.6 million in unrestricted donations were transferred to this fund when it was first created. In 2022, an amount of \$1,500 (2021 - \$1,500) was transferred to this fund. As at April 30, 2022, the fund balance is \$79,612 (2021 - \$81,927). All these amounts combined with future payments on existing pledges and annual contributions will be invested to generate the required funds to meet the University's future debt obligations by 2039, 2042 and 2059.

21. Capital Assets Management and Financing Policy (continued):

The University’s capital investments are governed by its Capital Assets Management and Financing Policy. They are determined through the University’s Capital Budget process, which is approved by its Board of Governors and is an integrated process with the University operating and cash budgets. The capital budget along with the University’s financing program are integrated through asset allocation, funding and financing sub-policies.

The Funding Policy is composed of 13 indicators that measure the overall health of the University’s financial position. Two of the most important ratios are the debt burden and debt/FTE indicators. These support in determining the affordability of the University’s capital investment needs and, as a result, its capital budget.

The debt burden ratio is segregated into two components:

- the overall interest cost of the University, where its affordability is determined to be no more than 5% of total revenues;
- the University’s overall capital repayment contributions (including those for the pension plan) toward the repayment of its financial debt. For the capital repayment contribution portion, the University does not set a ceiling, but will rather seek to contribute as much as possible in order to create fiscal capacity towards its future capital investment needs.

For the debt/FTE ratio, it is comprised of two components: the active component for which the University has determined its affordability to be no more than \$12,000 of total debt (only the portion for which the University is responsible for the servicing; therefore, it excludes all government subsisted debt and net of established accumulated sinking funds per one full time equivalent registered student ("FTE")), and the strategic component for which the University has determined its affordability to be no more than \$3,000 of total debt.

The results of the ratios are as follows:

	2022	2021
Active Debt-to-FTE	\$ 5,964	\$ 5,722
Strategic debt-to-FTE	2,484	1,348
Debt burden - overall interest	2.3%	3.1%
Debt burden - overall capital repayment	0.5%	0.6%

Year ended April 30, 2022

22. Contingencies:

As with other large institutions of a similar nature, the University is party to various legal proceedings, including claims such as grievances arising under its collective agreements, claims instituted by building contractors for additional payments, claims for damages, other claims which may present themselves from time to time under the laws regulating employment matters, and claims instituted by students or former students.

While it is not possible at this time to assess definitely the outcome of these claims, the University has serious grounds to defend these claims and it is confident that they will be resolved without material effect on the University's financial position. The University has accrued an amount it deems sufficient to cover any potential losses from these claims.

23. Pledges receivable:

Pledges receivable from donors are not recorded in the consolidated statement of operations and changes in fund balances for the restricted funds. Pledges receivable amounted to \$53,586 as at April 30, 2022 (2021 - \$50,278).

These pledges will be recognized in the financial statements when collected.

24. Subsequent event:

In May 2022, Concordia has entered into a \$50,000 10-year long-term interest rate swap loan agreement at a fixed rate of 3.959%, to align with the University's Financing Policy.