



Appendix: Freedom of Speech Annual Report Template (2023)

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

The institutional Freedom of Speech Annual Report will be a public document and should respect privacy obligations. Please report on events or incidents that took place between **August 1, 2022** and **July 31, 2023**.

The reports are to be posted on the institution's website and submitted to the Higher Education Quality Council of Ontario (HEQCO) by **September 1, 2023**.

Please submit your institution's annual report and the link to its location on your website to submissions@heqco.ca. Please reach out to HEQCO at the same address with any questions.

Section A: Institutional Policy

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

Has your institution amended its free speech policy (or policy framework) since the time of your 2022 report? If so, please explain the reason for the change and provide the link to its location on your institutional website.

No, the College has not amended its free speech policy or policy framework since our 2022 report.

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

Based on the individual, situational factors, and totality of circumstances persons are directed to one of the following:

Students

Student Rights and Responsibilities Office – Kelsey Doherty, Student Conduct & Accountability Specialist Kelsey.doherty@flemingcollege.ca 705-749-5530 ext. 1137

Employees

Human Resources (employees) – Natalie Julian, Client Services & Labour Relations Consultant natalie.julian@flemingcollege.ca 705-749-5530 ext. 1482

All Persons

Campus Security – Bryden Erdmann, Manager, Security and Emergency Preparedness Bryden.erdmann@flemingcollege.ca 705-749-5530 ext. 1060

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

All events on College property involving security concerns are governed by Policy 4-423 *Campus Security*, College Operating Procedure OP #4-423 *Campus Security Procedure*.

The policy and procedure are intended to provide information and direction related to issues of security, access to facilities and property, security camera use and matters of public safety and are designed to work in concert with other College policies.

Fleming College did not have any instances between August 1, 2022, and July 31, 2023 where a non-curricular event did not occur due to security concerns.

Fleming College's Day of Pink celebration on April 18, 2023 almost did not occur due to significant security concerns, both from Campus Security and the Peterborough Police Service, based on the attendance of two controversial speakers. Both speakers had recently been protested by right-wing groups both locally and nationally, in the days leading up to the event.

The event went ahead as planned after significant collaboration between event organizers, Campus Security, and the Peterborough Police Service, which involved a significant police and security presence on Campus for the event.

Trent University's Day of Pink event, planned for the same date and involving one of the same speakers, was ultimately cancelled the day prior due to the same security concerns and a lack of adequate security posture.

Section B: Complaints

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

Between **August 1, 2022** and **July 31, 2023**, did any member of the institutional community (or guests) make an official complaint about free speech? If yes, please provide a general description that protects the privacy of complainants.

On January 21, 2023, Fleming College Campus Security received a noise complaint from a student tenant residing at the College's on-campus student housing at the Frost Campus.

The initial complaint included concerns that other student tenants were using shouting, swearing, singing, and using insulting or obscene language, including racial and homophobic slurs. Security attended the location and spoke with the responsible parties, who were apologetic. Considering the fact in issue that the parties were in a dwelling-house, section 175 (1) of the Criminal Code could not be applied in this situation.

On January 22, 2023, Student Residence Life received a formal written complaint from the same complainant regarding the same parties, identifying racial slurs, and homophobic slurs in contravention of the College's free speech policy.

On January 24, 2023, the office of Student Rights and Responsibilities contacted the responsible parties and scheduled conduct interviews. The office of Student Rights and Responsibilities proceeded to conduct interviews with the responsible parties from February 03, 2023 to February 07, 2023.

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

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

Racial slurs, and homophobic slurs, in contravention of the College's free speech policy: "Speech that constitutes harassment, a threat or hate speech is not allowed."

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

Fleming College managed the free speech complaint using the procedures set out in the Free Speech Policy and affiliated Policies; College Policy #4-423, Campus Security and Administrative Operating Procedure OP #4-423, and College Policy #5-506, Student Rights and Responsibilities and Administrative Operating Procedure OP #5-506

On January 24, 2023, the office of Student Rights and Responsibilities contacted the responsible parties and scheduled conduct interviews. The office of Student Rights and Responsibilities proceeded to conduct interviews with the responsible parties from February 03, 2023 to February 07, 2023.

The issue was resolved through administrative process set out by the office of Student Rights and Responsibilities.

Section C: Summary Data

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

Number of official complaints received under the free speech policy relating to curricular and non-curricular events.	01
Number of official complaints reviewed that did not proceed.	0
Number of official complaints where the institution determined that the free speech policy was not followed appropriately.	01
Number of official complaints under the free speech policy that resulted in the institution applying disciplinary or other institutional measures.	01
To your knowledge, were any free speech complaints forwarded to the Ontario Ombudsman?	No

To the best of your ability, please provide an estimate of the number of **non-curricular events** held at the institution either online or in person between **August 1, 2022 and July 31, 2023**. Non-curricular events include, for example, invited speakers, sporting events, rallies, student life/student affairs events, conferences, etc., as opposed to regular events held as part of an academic program or course.

Fleming College had an estimated 381 events between August 01, 2022 and July 31, 2023 that were not held as part of an academic program or course.

Institutional Comments (if any).

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