



Appendix: Freedom of Speech Annual Report Template (2022)

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, 2021** and **July 31, 2022**.

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, 2022**.

We recognize that the ongoing COVID-19 pandemic impacted operations during the period covered by this report. Please reach out to Amy Kaufman, Director of Policy, Research and System Improvement, at HEQCO with any questions.

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

Section A: Institutional Policy

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

Has your institution amended its free speech policy (or policy framework) since the time of your 2021 report? If so, please explain the reason for the change and provide the link to its location on your institutional website.

Toronto Metropolitan University's (TMU) institutional free speech policy framework has not changed since the 2021 report.

There are multiple designated offices at TMU where members of the community are directed when there is a free speech related question or complaint. Complaints related to free speech at TMU are resolved depending on the nature of the alleged offence. The following are the designated offices:

Human Rights Services: Complaints related to the discrimination and harassment policy are handled through the Human Rights Services office. The policy places freedom of expression and freedom from intimidation and harassment as guiding principles. As such, any instance where a community member feels as though they have been the subject of discrimination (based on a ground protected under the Ontario Human Rights Code) from any other member of the community or feels as though they have been harassed to the point where they cannot exercise their freedom of speech, can be reported through the Human Rights Services office. A prescribed process to resolve complaints is in place that may result in several different outcomes or remedies for infractions found to be valid. Full details on this process are available at <https://www.torontomu.ca/policies/policy-list/dhp-policy/>

Contact: <https://www.torontomu.ca/humanrights/>

Student Conduct Office: Complaints about the conduct of students related to free speech events are handled by the Student Conduct Office, which is responsible for administering the Student Code of Non-Academic Conduct. This policy prohibits any conduct which is abusive, demeaning, threatening, or endangers health and safety. It prohibits the disruption of the learning, teaching and work environment, and distribution of malicious and untrue material. A breach of the policy may result in a range of penalties. Details of this process can be found online at <https://www.torontomu.ca/student-care/students/student-code-of-conduct/file-complaint/>

Contact: <https://www.torontomu.ca/student-care/students/student-code-of-conduct/file-complaint/>

Ombudsperson's Office: Students who wish to take up a complaint through an independent avenue may elect to contact the Ombudsperson's Office, which will assess and discuss issues with students, investigate them if appropriate, or make a referral to the appropriate services and areas of the university.

Contact: <https://www.torontomu.ca/ombudsperson/>

Campus Security: In instances where specific actions by community members pose an immediate risk to the safety of community members, a 24/7 access to security services is available at TMU. Where events that stand to create a significant amount of controversy on campus are anticipated, campus security must be engaged within the risk assessment process. For spontaneous incidents, such as protests or demonstrations, security will ensure that safety and peace are maintained, but will typically not shut events down without engaging other decision-makers. Temporary space users are expected to pay for any extra costs to the university caused by events.

Contact: <https://www.torontomu.ca/community-safety-security/>

Student Life Office: Student Life office is a one-stop window for students who wish to plan or host an event. This office assists students with planning and delivering events and meeting the requirements of TMU's policies. While other offices more formally conduct investigations and enforce TMU's free-speech-related policies, this office can help coordinate, liaise and ensure that students with complaints access the appropriate avenues.

Contact: <https://www.torontomu.ca/student-life-and-learning/>

Senate Statement of Free Speech: In May 2010 TMU's (then Ryerson) Senate approved and posted its statement on Freedom of Speech found at: [https://www.torontomu.ca/content/dam/senate/documents/Statement on Freedom of Speech May 04 2010.pdf](https://www.torontomu.ca/content/dam/senate/documents/Statement_on_Freedom_of_Speech_May_04_2010.pdf)

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

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?

TMU navigates free speech related cost and safety concerns related to events on campus through a detailed event risk-management process that assesses each requested non-curriculum event on campus.

To our knowledge, there were no instances where a non-curriculum event did not proceed due to security concerns or related costs. We have set out below a description of the process.

A Student Affairs team reviews each student event request to ensure that the appropriate level of safety precautions are taken. Factors that go into the review include the nature of the event itself, whether government officials or other VIPs will be in attendance, whether alcohol will be consumed, or whether physical activity that could result in injury will be a component of the event. Sometimes, the nature of the event will be to discuss a controversial topic, or to bring in a controversial speaker.

In cases where events have the potential to be high risk for any of the above reasons, a Campus Response Team is assembled to recommend an execution plan. This team is made up of representatives from the academic (Provost's and

President's Office) and administrative components of the university (Vice President Administration, Legal, Public Affairs). The purpose of such a team is to ensure that an event can proceed without posing a threat to campus safety or the integrity of the university.

The team recommends an execution plan for the event, which includes a calculation of additional security costs, if necessary. From this execution plan, conditions, restrictions, and obligations are determined that align with TMU's policies (including upholding free speech). A user agreement is created, including any additional estimated security or other site costs, and sent to the event organizer. If this agreement is successfully signed, the event proceeds.

For faculty, staff, members of the public, and alumni, an on-line space reservation request form must be completed and submitted to Events and Space Reservation Services. The Department reviews all requests for potential risks and to ascertain space availability. Events that pose potential risks are flagged for review, and event organizers are held to similar standards as students.

Section B: Complaints

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

Between **August 1, 2021** and **July 31, 2022**, 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.

There are multiple avenues for students and community members to register complaints when they have concerns about free speech. Sometimes these will come through official channels (i.e. Human Resources, Human Rights Services and Student Conduct Office, Security); other times they will surface organically through calls to security, or letters and emails to the senior administration.

For the purposes of reporting, complaints are defined as instances where an individual complained about either:

1. being prevented from exercising their free speech through the actions of another individual or group; or
2. being subjected to inappropriate behaviour while exercising their free speech.

In the reporting year, there were no complaints were submitted that related to free speech.

While the campus was open, given the health protocols and public safety measures in place surrounding COVID-19, much of the academic and non-academic activities were conducted remotely and online and as a result did not require much on-campus presence.

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.).

Organized Events

During the reporting period, no free-speech complaints related to organized events held on campus were registered through official channels.

Spontaneous Incidents

Outside the scope of organized events, unplanned free-speech incidents occur on a university campus at any time, including protests and demonstrations involving TMU community members and non-community members.

TMU is located in the heart of downtown Toronto. The campus is open to the public and the streets that run through the campus are public property. Often, non-community members enter the campus to protest or to demonstrate.

As the streets are public property, TMU has no tools with which to govern the free speech of non-Community members who enter our campus. Canadian statutes governing free speech and personal conduct apply to these individuals.

For TMU community members, TMU's framework of free speech-related policies applies regardless of whether the complainant is a TMU community member, or a non-community member.

Intake Through Campus Security

When complaints or incidents related to protests, demonstrations or other exercises of free speech occur, TMU Security is often the first point of contact.

In the reporting period, campus security received no complaints related to free speech from students, staff, and non-community members.

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?

While there were no free speech complaints in this reporting period, TMU has the following mechanisms should such issues arise:

Student Code of Conduct

Incidents involving students are handled through the Student Code of Non-Academic Conduct. This policy specifically protects free speech and the right to protest but allows the university to issue sanctions to students who engage in behaviour that infringes on the free-speech rights of others.

In the reporting period, no complaints related to free speech as described in the definition above were filed in relation to the Student Code of Conduct.

Human Rights Services

Human Rights Services conducts investigations related to discrimination and harassment with regard to any TMU community member (faculty, staff and students). No complaints related to free speech as described in the definition above were filed with Human Rights Services in the reporting period.

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.	0
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.	0
Number of official complaints under the free speech policy that resulted in the institution applying disciplinary or other institutional measures.	0
To your knowledge, were any free speech complaints forwarded to the Ontario Ombudsman?	No

To the best of your ability, please provide an estimate of the number of **non-curricular events** held at the institution between **August 1, 2021 and July 31, 2022**. 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.

*We acknowledge the difficulty of tracking events held remotely due to campus closures caused by the pandemic and recognize that institutions may be unable to

For the dates outlined there were 1857 events, of these none were cancelled/denied due to freedom of speech related concerns. We did refer one for additional review by TMU's Community Safety and Security event risk management team:

Upon referral to security no additional action was required when the event was reviewed further.

provide a complete response to this question for 2021-22.

Institutional Comments (if any).

The 2021-22 academic year had continued impacts given the upheaval of managing through the COVID-19 pandemic. Given the primarily remote provision of both academic and non-academic activities, there were a substantial decrease in on-campus, in-person activity.