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Université d'Ottawa
Cabinet de la vice-rectrice
à la gouvernance

University of Ottawa
Office of the Vice-President,
Governance

PERSONAL AND CONFIDENTIAL

**SENT BY E-MAIL AND
ORIGINAL DELIVERED BY HAND**

November 30, 2009

Mr. Marc Kelly
405 – 440 Wiggins Private
Ottawa, ON
K1N 1A7

Dear Mr. Kelly:

I have been asked to reply to the e-mail sent to the President on October 21 2009 by the SFUO Student Appeal Centre. A copy is attached for your reference. Given that the matters raised in the SFUO e-mail concern you and the criminal charges pending against you, I am responding directly to you.

At the outset, I wish to reiterate that it is entirely within the Crown's jurisdiction and authority to decide whether or not to withdraw the criminal charges of causing a disturbance. It is also the Crown's decision whether or not to pursue the criminal proceedings against you for your numerous alleged breaches of the court imposed conditions not to communicate with certain University representatives and not to come on campus. In addition, it is your choice as to whether you wish to resolve matters with the Crown. Nonetheless, we have spoken with the Crown to indicate that the University would not object should the Crown decide not to pursue any of these charges. In the meantime, the University expects you to respect the court imposed conditions that are in force.

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Regardless of the outcome and of the University's position in respect of these criminal proceedings, the University wishes to make it perfectly clear to you and in no uncertain terms that it cannot tolerate any disruptive and unacceptable behaviour on its premises such as the behaviour you have exhibited on campus in the past. Consequently, it has been decided that it is in everyone's interest that you pursue your studies at another university. Your attempted online registration for the Winter 2010 session is not accepted.

The University remains willing to facilitate the completion of your degree at another university by reviewing your chosen courses to determine their equivalency with courses given at the University and then issuing a letter of permission once their equivalency status is established.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Diane Davidson". The signature is fluid and cursive, with a long horizontal stroke at the end.

Diane Davidson
Vice-President, Governance

Attachment

Vice-rectrice à la gouvernance - Vice-President, Governance

From: appealsfuo@gmail.com on behalf of Mireille Gervais [case.cresac@sfuo.ca]
Sent: Wednesday October 21, 2009 3:53 PM
To: Allan Rock
Cc: Zachary Fouchard; Karine Hébert; Alain Roussy; Kathryn Prud'Homme; Diane Davidson; Ted Horton; Seamus Wolfe; Marc Kelly
Subject: Letter to President Rock on Serious Case of Targeted Political Discrimination

President Rock,

We, the Student Appeal Centre Officers, are writing concerning the most serious case of targeted political discrimination suffered by a student at the hands of your administration. We trust you are well aware of undergraduate student Marc Kelly's case but refer you to the Appeal Centre's recent public posting concerning the contrived criminal charges currently pending against him: www.cresac.info/news.html

Marc Kelly was arrested by the Ottawa Police at the request of your administration for attempting to film a public Senate meeting. Marc Kelly was barred from all University of Ottawa property because he upheld our institution's values with regards to transparency!

Today, whereas Senate meetings are now filmed with videos of the proceedings posted online and whereas our University governance is more transparent, Marc Kelly continues to face bogus criminal charges and banishment from campus. How can you genuinely speak of improving the student experience when you know very well that there is a student who cannot enjoy normal campus life as a result of getting involved in university governance? How can you speak of an inclusive and diverse campus when you know that an undergraduate student is held away from campus as if he were a dangerous criminal?

Whereas class attendance is mandatory for all other students, the University is frustrating Marc Kelly's efforts to receive a quality education and achieve academic excellence. Is the University saying that courses can be completed without having students attend lectures? Is the University saying that on-line power point presentations and readings are sufficient for learning and that professors' teachings and in-class interactions are irrelevant?

The Student Appeal Centre appeals directly to you to remedy this situation. The University can and has in the past petitioned the Crown to have Marc Kelly's undertaking modified so that he may have full access to campus.

The administration's attempt to keep Marc Kelly off campus is jeopardizing his graduation. Your predecessor, Gilles Patry, tried to impose a code of conduct. Students rebelled against the idea that the administration could dictate student behavior. What you and your administration have done to Marc Kelly is much worse than imposing code-like penalties for his behavior - you have removed him from his environment, thrown him into the criminal system and frustrated his efforts to graduate; all for something that the administration now willingly does: film the Senate meetings.

Mr Rock, in a recent University video you are portrayed as a defender of human rights. In that light, we expect you will act with urgency to repair the serious damage that has been done to Marc Kelly. The SAC asks that you instruct University Legal Counsel to petition the Crown to have the restrictions imposed on Marc Kelly immediately removed.

Sincerely,

Zachary Fouchard, Student Appeal Officer

Mireille Gervais, Student Appeal Officer

Karine Hébert, Student Appeal Officer

Student Appeal Centre

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