

UNIVERSITY OF TORONTO
THE GOVERNING COUNCIL
REPORT NUMBER 209 OF
THE UNIVERSITY AFFAIRS BOARD

November 19, 2018

To the Governing Council,
University of Toronto

Your Board reports that it met on Monday, November 19, 2018, at 4:30 p.m. in the Council Chamber with the following members present:

Andrew Szende, Chair
Catherine Riddell, Vice-Chair
Sandy Welsh, Vice-Provost, Students
Isabelle Babici
Harvey Botting
Eric Bryce
Adam Fox
Susan Froom
Rachel Halpern
Ira Jacobs
Joseph Leydon
Litos (Hanze) Li
John F. Monahan
Sandhya Mylabathula
David Newman
Douglas McDougall
Harry Orbach-Miller
Stephanie Rose
Steven Thorpe

Regrets:

Ruqayyah Alibhai
Avrum Gotlieb
Farhana Islam
Mark Henry Rowswell
Aisha Ryan

Non-Voting Assessors:

Kelly Hannah-Moffat
Vice-President, Human Resource and Equity
Mark Overton, Dean of Student Affairs,
University of Toronto Mississauga (UTM)
Desmond Pouyat, Dean of Student Affairs,
University of Toronto Scarborough (UTSC)
Meredith Strong, Director, Office of the Vice-
Provost, Student and Student Policy Advisor

Secretary:

David Walders

Secretariat:

Anwar Kazimi
Patrick McNeil

Rosalyn Figov, Chief Operations Officer
Joshua Grondin, VP-University Affairs, University of Toronto Students Union (UTSU)
Julie McAlpine-Jefferies, Legal Counsel, Labour & Employment
Sophie McGibbon-Gardner, Academics and Funding Commissioner, GSU
Steve Moate, Senior Legal Counsel

ITEM 1 IS REPORTED FOR RECOMMENDATION, ITEM 5 IS REPORTED FOR APPROVAL
AND ALL OTHER ITEMS FOR INFORMATION

The meeting began *in camera*

1. Report of the University Affairs Board Striking Committee

On motion duly made, seconded and carried

IT WAS RESOLVED

THAT Rachel Halpern be appointed to the University Affairs Board, effective immediately, for a term ending June 30, 2019.

The meeting moved into open session.

The Chair welcomed members and guests to the meeting, offering a special welcome to Professor Douglas McDougall, who had recently been elected as a teaching staff Governor and appointed as a teaching staff member of the Board, and to Ms Rachel Halpern, who had been appointed as a co-opted administrative staff member of the Board during the *in camera* session.

2. *Smoke-Free Policy*

Professor Hannah-Moffat provided an overview to the proposed *Smoke-Free Policy* and, in so doing, also responded to questions submitted by members in advance of the meeting. She noted that the last update to the existing *Smoking Policy* was in 1995 and, since then, research demonstrating the harms of smoking had prompted municipal, provincial, and federal bodies to pass legislation controlling smoking. The proposed *Policy* reflected the University's commitment to providing a safe and healthy environment for its community.

The proposed *Policy* would apply to all who are present on University of Toronto property at any time and for any purposes, including employees, students, contractors, volunteers, and visitors. The prohibition included inside or outside vehicles while parked on University property as well as vaping. Enforcement of the proposed *Policy* would focus on educating its community about the policy and the risks of smoke and second-hand smoke. Training would be provided to Campus Police on expectations for enforcement and approaching/engaging all groups in violation of the proposed *Policy*.

The proposed *Policy* contained provisions to accommodate smoking as part of Indigenous ceremonial activities, and the duty to accommodate persons with disabilities in accordance with the *Human Rights Code*. Existing smoking cessation programs for students, staff and faculty were also outlined. Finally, Professor Hannah-Moffat noted that the safety of all University community members on all three campuses was a top priority. As such, campus-specific transitional arrangements would be considered, which would allow for the creation of designated smoking areas. Additional costs for establishing these designated smoking areas as well as for signage may be incurred and would be the responsibility of the individual campuses. The transitional period would be reviewed annually. Given the health and safety mandate of the proposed *Policy*, delaying the implementation of the proposed *Policy* beyond the January 1, 2019 proposed start date would not be advisable.

The Chair then invited representatives from the University of Toronto Student's Union (UTSU) and the University of Toronto Graduate Students' Union (GSU) who had been granted speaking privileges in advance, to address the meeting.

- Mr. Josh Grondin from UTSU expressed concern regarding consultation and advocated reporting by Campus Police of actions taken against smokers with a demographic breakdown.
- Ms Sophie McGibbon-Gardner from GSU expressed support for the spirit of the proposed *Policy* and also advocated reporting by Campus Police of actions taken against smokers with a demographic breakdown.

In the discussion that followed, questions were raised about the consultation process, reporting by Campus Police on punitive measures taken against individuals pursuant to the proposed *Policy* and the development of a guideline to the proposed *Policy*.

Professor Hannah-Moffat noted that the proposed *Policy* had been in development for several years and, during that time, many administrative stakeholder groups were consulted, including the presidents of unionized workers at the University. In cases such as this where a proposed *Policy* addressed health and safety concerns for all members of the University community, a broader consultation process was not always warranted. Turning to reporting, Professor Hannah-Moffat agreed that actions taken against those in violation of the proposed *Policy* by Campus Police would be included in the annual report by Campus Police. Finally, Professor Hannah-Moffat noted that work was underway to create a central website with resources and guidelines related to the proposed *Policy*, which would be available when the proposed *Policy* was scheduled to come into effect.

Professor Hannah-Moffat added that there had been discussions with all of the Federated Colleges at the University as well as other colleges associated with the University. There was widespread interest among all these institutions in adopting policies to address smoking based on the proposed *Policy*. Finally, Mr. Overton and Mr. Pouyat noted that initiatives were underway at UTM and UTSC to ensure the successful implementation of the proposed *Policy*, including planning for designated smoking areas.

A motion to refer the proposed *Policy* was duly made and seconded

THE MOTION FAILED

On motion duly made, seconded and carried

IT WAS RECOMMENDED

THAT the *Smoke-Free Policy*, dated January 1, 2019 be approved, effective January 1, 2019, replacing the *Smoking Policy*, dated April 4, 1995.

3. National Survey of Student Engagement (NSSE)

Mr. David Newman offered a presentation on the University's sixth set of NSSE results, appended [here](#), which provided an overview of the survey and highlighted the following:

- Engagement Indicators, which included academic challenges, learning with peers, experiences with faculty, campus environment
- High Impact Practices
- Major Barriers to Academic Success, for both first year and final year students

Mr. Newman then offered from examples of U of T initiatives developed as a result of the NSSE data, foremost among them being the Co-Curricular Record.

In the discussion that followed, members raised questions about interpretation and use of the survey data. In reply, Mr. Newman noted that the survey presented weighted averages, not percentages and was not a longitudinal survey (the survey had changed several times from inception). The data was presented to the leadership of University divisions to allow student engagement within divisions to be addressed.

The Chair thanked Mr. Newman for his presentation.

4. Annual Report on Non-Academic Discipline

Professor Welsh provided an overview of the Report and noted a Hearing under the Code of Student Conduct (the "Code") did not take place in the 2017-18 academic year. She also drew members' attention to the fact that, following implementation of the *Policy on Sexual Violence and Sexual Harassment* in January 2017, investigations pertaining to allegations of sexual violence and/or sexual harassment were now addressed under that Policy rather than under the Code. However, Hearings resulting from the Policy are dealt with under the Code and would be reported in this report.

In reply to requests from members, Professor Welsh indicated that, for future reports, she would attempt to provide an indication of the number of cases reported under the Code that also involved municipal Police Services.

The Chair thanked Professor Welsh for her Report.

5. Report of the Previous Meeting: Report 208 – October 1, 2018

The Report of the previous meeting was approved.

6. Business Arising from the Report of the Previous Meeting

Professor Welsh noted that a question was raised in advance regarding the Companion Guide to the *University-Mandated Leave of Absence Policy*. An initial draft of the Companion Guide was available and had been sent to the representative student committees and divisional student societies. Consultation meetings, including with students, would continue.

7. Date of Next Meeting – January 28, 2019 at 4:30 p.m.

The Chair confirmed that the next meeting would be held on January 28, 2019.

8. Reports of the Administrative Assessors

Professor Welsh reported that nominations for the University of Toronto Student Engagement in the Arts Awards (SEAA), which recognized undergraduate and graduate students who have made significant leadership and/or volunteer contributions to co-curricular arts activities at the University, were now open. The deadline for submission was February 1, 2019 and the awards ceremony would be held on March 19, 2019.

9. Other Business

The Chair advised the Board that Ms Catherine Riddell, the Vice-Chair, would be leaving her position at the University and, as such, will be leaving her position on the Board. He noted that Catherine had served as the Vice-Chair since 2015 and had done an exemplary job in her role. She had been a very active and dedicated member of the Board, providing thoughtful insight with respect to the items of business that have come before the Board. The Chair continued that Catherine had been invaluable in her role as Vice-Chair and had always provided sound advice and support. The Chair noted that it had been a pleasure to work with Catherine and wished her luck in her new role.

The meeting adjourned at 6:27 p.m.

Secretary

Chair

November 22, 2018