



**FOR
RECOMMENDATION**

PUBLIC

OPEN SESSION

TO: University Affairs Board

SPONSOR: Kelly Hannah-Moffat, Vice-President, Human Resources & Equity
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PRESENTER: Kelly Hannah-Moffat, Vice-President, Human Resources & Equity
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DATE: January 19, 2021

AGENDA ITEM: 3

ITEM IDENTIFICATION:

Proposed Revisions: *Statement of Commitment Regarding Persons with Disabilities*

JURISDICTIONAL INFORMATION:

Under Section 5.4 of its Terms of Reference, the following matters fall under the purview of the University Affairs Board:

“University-wide matters affecting members of the University community that are not governed by academic policies or employment policies are the responsibility of the Board. These include such matters as non-academic discipline, sexual harassment, freedom of speech, alcohol use on campus, and smoking policies.”

GOVERNANCE PATH:

- 1. University Affairs Board [for recommendation] (January 19, 2021)**
2. Executive Committee [for endorsement and forwarding] (February 9, 2021)
3. Governing Council [for approval] (February 25, 2021)

PREVIOUS ACTION TAKEN:

The *Statement of Commitment Regarding Persons with Disabilities* was approved by Governing Council on November 1, 2004.

HIGHLIGHTS:

Background

The *Accessibility for Ontarians with Disabilities Act* (AODA) is a piece of legislation aimed at making the places we live, work and learn accessible. Under the regulations and standards of the AODA, obligated organizations, including the University, are required to have a statement of commitment that meets the following criteria:

- Meet the accessibility needs of persons with disabilities;
- Do so in a timely manner; and,
- Prepare and make public documents describing this commitment

Since 2004, the University has had a publicly available Statement of Commitment Regarding Persons with Disabilities (*Statement*) that clearly expresses that the University will ‘facilitate the accommodation of individuals with disabilities so that all may share the same level of access to opportunities, participate in the full range of activities that the University offers, and achieve their full potential as members of the University community.’ The *Statement* also provides that the ‘University will work to eliminate or minimize the adverse effects of barriers, including physical, environmental, attitudinal, communication and technological barriers, that may prevent the full participation of individuals with disabilities in the University community’.

Proposed administrative changes

As part of its ongoing review processes of the University’s compliance with the AODA, the AODA Office at the University has determined that an update to the *Statement* is required. This update will ensure the University’s full compliance and clarify the purpose of the *Statement*. This recommendation was made in consultation with the University’s Internal Audit office and senior legal counsel. This update is administrative in nature and will change two small aspects of the existing *Statement*. These changes are:

- To explicitly state accessibility needs will be met in a timely manner;
- To add the AODA in the policies and existing legislation listed

FINANCIAL IMPLICATIONS:

There are no direct implications for the University’s operating budget at this time.

RECOMMENDATION:

Be It Recommended

THAT the proposed revisions to the *Statement of Commitment Regarding Persons with Disabilities*, dated November 1, 2004, be approved, effective February 25, 2021

DOCUMENTATION PROVIDED:

- Revised *Statement of Commitment Regarding Persons with Disabilities* [track change version]
- Revised *Statement of Commitment Regarding Persons with Disabilities* [clean version] (January 6, 2021)

STATEMENT OF COMMITMENT REGARDING PERSONS WITH DISABILITIES

It is the University's goal to create a community that is inclusive of all persons and treats all members of the community in an equitable manner. In creating such a community, the University aims to foster a climate of understanding and mutual respect for the dignity and worth of all persons.

In working toward this goal, the University will strive to provide support for, and facilitate the accommodation of individuals with disabilities so that all may share the same level of access to opportunities, participate in the full range of activities that the University offers, and achieve their full potential as members of the University community. The University will work to eliminate or minimize the adverse effects of barriers, including physical, environmental, attitudinal, communication and technological barriers, that may prevent the full participation of individuals with disabilities in the University community. The University will meet the accessibility needs of members of the University community with disabilities in a timely manner. The University will provide the members of its community with opportunities for education and access to information regarding disability and the University's policies on disability.

At the same time, the University will endeavour to protect the individuals' privacy, confidentiality and autonomy.

The University re-affirms that all individuals are expected to satisfy the essential requirements of their program of studies or employment, while recognizing that students and employees with disabilities may require reasonable accommodations to enable them to do so. The University is, as always, committed to preserving academic freedom and its high level of academic standards.

The achievement of the University's goal depends on the participation of each and every member of the University community, including students, faculty, staff and alumni, as well as their respective representative organizations. Each of these parties has a role in creating an equitable and inclusive environment, as well as in the accommodation process and the identification, removal, and/or reduction of barriers. The consultative relationship among the members of the University community is based upon a shared desire for an open, supportive learning and working environment, and a shared respect for individual rights and dignity.

In working toward its goals under this Statement, the University is committed to acting conscientiously and in keeping with its own policies and existing legislation related to disability. These include:

- [University of Toronto policy on Access to Information and Protection of Privacy](#)

- [University of Toronto policy on *Employment Equity*](#)
- [University of Toronto Statement on *Human Rights*](#)
- [University of Toronto Statement of *Institutional Purpose*](#)
- [University of Toronto Statement on *Prohibited Discrimination and Discriminatory Harassment*](#)
- University of Toronto procedural guidelines for the accommodation of students, staff and faculty with disabilities
- [Ontario *Ontarians with Disabilities Act*](#)
- [Ontario *Human Rights Code*](#)
- [Accessibility for *Ontarians with Disabilities Act*](#)

For ease of reference, the statutory definition of the term "disability" is appended to this Statement. The application of this definition in a larger context will be addressed in procedural guidelines.

APPENDIX [TO STATEMENT]

The term "disability" is defined as follows in the Ontario *Human Rights Code*, R.S.O. 1990, c.H.19, as amended from time to time.

1. any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing, includes diabetes mellitus, epilepsy, a brain injury, any degree of paralysis, amputation, lack of physical co-ordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or other animal or on a wheelchair or other remedial appliance or device,
2. a condition of mental impairment or a developmental disability,
3. a learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language,
4. a mental disorder, or
5. an injury or disability for which benefits were claimed or received under the insurance plan established under the Workplace Safety and Insurance Act, 1997.

Approved by Governing Council on November 1, 2004, replacing the Services to Disabled Persons Policy approved by the Committee on Campus and Community Affairs on December 9, 1987.

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