



FOR INFORMATION

PUBLIC

OPEN SESSION

TO: University Affairs Board

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DATE: November 14, 2024 for November 21, 2024

AGENDA ITEM: 4

ITEM IDENTIFICATION:

Report on the Supportive Leaves Policy: 2023-24 (*previously the University-Mandated Leave of Absence Policy*)

JURISDICTIONAL INFORMATION:

Section 5.6 of the *Terms of Reference* for the University Affairs Board provides that:

The Board receives, annually from its assessors, reports on matters within its areas of responsibility, (for example, but not limited to, trademark licensing, non-academic discipline, and submission of audited financial statements of student societies) including statements of current issues, opportunities and problems, and recommendations for changes in policies, plans or priorities that would address such issues.

Section 82 of the Supportive Leaves Policy, provides that:

The Office of the Vice-Provost, Students, must prepare and submit annually to the University Affairs Board a report consisting of a narrative of the functioning of the Policy over the course of the preceding academic year. The report must also include statistics in aggregate form, without names or any identifying personal information, of the number of Students agreeing to a voluntary Supportive Leave, or being subject to a mandated Supportive Leave decision under this Policy and the numbers of any of those Students returning to registered status at the University during the academic year.

GOVERNANCE PATH:

1. **University Affairs Board [For Information] (November 21, 2024)**

PREVIOUS ACTION TAKEN:

The *University-Mandated Leave of Absence Policy* was approved on June 27, 2018. A report has been brought to the University Affairs Board (UAB) for Information in cycle 2 each year since (November 13, 2019; November 24, 2020; November 23, 2021; November 22, 2022; November 21, 2023; and November 21, 2024).

Per the provisions of the *University-Mandated Leave of Absence Policy*, a review of the *Policy* was conducted during the 2021-22 academic year. On February 15, 2023, the Governing Council approved recommended amendments, including renaming the *Policy*. The *Supportive Leaves Policy*, replacing the *University-Mandated Leave of Absence Policy*, came into effect on March 1, 2023.

HIGHLIGHTS:

In the 2023-24 academic year, the *Policy* was used nine times. Five of these cases involved Urgent Situations under the *Policy*. In addition, three cases proceeded under the *Policy* had started as *Code of Student Conduct* cases and three cases involved criminal charges.

During the reporting period (September 1, 2023 – August 30, 2024), there was one request for review by the Provost of the Vice-Provost's decision to deny a student's request to return to studies and extend their leave for the 2023-24 academic year. The Provost reviewed the student's submission and the Vice-Provost, Student's decision alongside all available information and upheld the Vice-Provost's decision. The student did not appeal the Provost's decision, as such, the University did not receive any requests for appeal to the University Tribunal (the second phase of appeal) during the 2023-2024 year.

As of August 30, 2024, there were 13 open Leave cases: one voluntary Supportive Leave and eight mandated Supportive Leaves; four cases are dormant (two voluntary and two mandated).

FINANCIAL IMPLICATIONS:

There are no financial implications.

RECOMMENDATION:

For Information.

DOCUMENTATION PROVIDED:

Annual Report: Summary of the Supportive Leaves Policy 2023-24.

Summary of Cases Under the Supportive Leaves Policy: 2023 – 2024

Preamble

This is the 2023-2024 report of the [Supportive Leaves Policy \(the “Policy”\)](#)¹ presented to University Affairs Board (UAB) annually in cycle 2 for information. The details presented within this report relate to cases under the *Policy* for the 2023–2024 academic year (September 1 – August 30), and is the first full year of activity under the revised *Policy*

As per the *Policy*, “The Office of the Vice-Provost, Students, must prepare and submit annually to UAB a report consisting of a narrative of the functioning of the *Policy* over the course of the preceding academic year. The report must also include statistics in aggregate form, without names or any identifying personal information, of the number of Students agreeing to a voluntary Supportive Leave or being subject to a mandated Supportive Leave decision under this *Policy* and the numbers of any of those Students returning to registered status at the University during the academic year.”

Statistics

The statistics presented in this report capture activity under the *Policy* from September 1–August 30 in the preceding academic year². To date, the annual report to UAB has included usage data since the *Policy* came into effect in 2018. However, now that the *Policy* is at the six-year mark, future reports will include data on the activity under the *Policy* during the previous academic year and the four preceding years of historical data.

Policy usage data to date:

	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	Total
Mandated Supportive Leaves	6	1	4	4	3	7	25
Voluntary Supportive Leaves	2	0	0	0	0	2	4
TOTALS:	8	1	4	4	3	9	29

Urgent Situations	6	0	2	3	2	5	18
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Returned to Studies	2	2	2	1*	3	5	14
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¹ The *Supportive Leaves Policy* replaced the *University-Mandated Leave of Absence Policy*, on March 1, 2023.

² As noted in 2021-2022 report we shifted the reporting period, starting in the 2022-2023 report, to be to September 1–August 30 to capture activity across the full cycle of the academic year.

In the 2023-2024 academic year, the Vice-Provost, Students, received nine requests from division heads to invoke the *Policy*. After careful review of the circumstances of each case, the *Policy* was used in each of the nine instances. Five of the nine cases involved Urgent Situations (section 46-49). Three of the nine cases had related *Code of Student Conduct* matters paused and shifted to *Supportive Leave Policy*, and three cases involved related criminal charges.

Activity highlights as of August 30, 2024:

- Nine new leave cases in 2023-2024 (seven mandated and two voluntary).
- Five students from the nine new leave cases in 2023-2024 engaged in the return to studies process during the 2023-2024 year, including expert medical assessment, and have been approved to re-engage in studies for Fall 2024. Of the five, two individuals chose to delay their return until January 2025.
- 13 open Leave cases: nine cases are active (one voluntary Supportive Leave and eight mandated Supportive Leaves); four cases are dormant (two voluntary and two mandated).
- One additional student, whose leave commenced in 2022-23, underwent the return to studies process, including expert medical assessment in 2023-2024, and has been advised that engagement in treatment and additional assessment is required before it will be safe for them to return to the University environment. This student has been provided with a recommended treatment plan by the medical assessor and continues to be supported by their Student Case Manager.
- One student's voluntary Supportive Leave was extended at their request as they indicated that they are focusing on their well-being and do not have an interest in returning to studies at this time.
- Four students from the nine active cases had their leaves extended by the University because they did not request to return to studies.
- Four cases (two voluntary and two mandated) are considered dormant, as the students have not engaged with the University nor expressed interest in return to studies. Due to the individualized approach with students under this *Policy*, in some circumstances the University would choose to connect via the Case Manager periodically, or in some instances it is preferable to allow the student to decide when it is best for them to contact us. In these cases, the door remains open for the student to re-engage. At some point, the University may exercise their discretion to terminate the student's registration and/or association if they do not engage in a specified period, per section 81. Careful consideration is given to each individual case on these sensitive matters.

Demographic data for all cases under the Policy to date (2018-2024):

Of the 29 cases under the *Policy to date*:

- 22 (76%) are domestic students and seven (24%) are international students;
- 26 (90%) are undergraduate and three (10%) are graduate students, studying in a range of programs across the University; and
- 22 (76%) identify as male, six identify as female (21%), and one prefers not to say.*

* Gender identity data is based on what was entered in ACORN at the time of reporting.

In future years, we plan to expand reporting in this area, as appropriate, based on information available through the [University of Toronto Student Equity Census Data](#).

Request to Review Decision

During the reporting period (September 1, 2023 - August 30, 2024), there was one request for the Provost to review the Vice-Provost, Students' decision to deny a student's request to return to studies and extend their leave for the 2023-2024 academic year. The decision was made after the student participated in an expert medical assessment. The University was deeply concerned that the student is not engaged in treatment and continues to find that their presence on campus would present a potential risk to community members (the first phase of appeal, per section V.A. of the *Policy*). The Provost reviewed the student's submission and the Vice-Provost, Student's decision alongside all available information and upheld the Vice-Provost's decision. The student did not appeal the Provost's decision, as such, the University did not receive any requests for appeal to the University Tribunal (the second phase of appeal) during the 2023-2024 year.

Note: The Provost has agreed to have the University Ombudsperson review the cases after the first year of the *Supportive Leaves Policy* (2023-2024). This review is currently underway.

Return to Studies

At the start of the Fall 2024 term, 14 of the 29 cases that have proceeded under the *Policy* since 2018, have resulted in the student returning to studies to date:

- Four of the students that have returned to studies have gone on to successfully complete their academic requirements and graduate.
- Seven students are continuing on with their studies and remain in good academic standing;
- One student has chosen to continue their studies at another institution:
- Two students are on a break from their registration at U of T, not under provisions of the *Policy*.

For the five students who returned to studies in the 2023-2024 academic year, conditions for return were similar to previous cases. The types of conditions put in place for return include the following: regular contact with their Student Case Manager; engaging with accessibility plans arranged with Accessibility Services; engaging in recommended treatment plans; reduced course loads and/or remote return to studies for online courses in limited situations; and no-contact orders with those who had been the focus of the safety concern.

Functioning of the *Policy*

Terms and Conditions

Some of the terms and conditions put in place under the *Policy* include the following: a full tuition refund for the courses the student was enrolled in; deferring exams and course deliverables; late withdrawals without academic penalty; providing access to Health and Wellness services during the leave and/or helping to transition to community care; continuation of student extended health insurance coverage; arrangements to complete course work off-campus; housing assistance; bursaries and support with OSAP and other funding related processes; arrangements for remote and or virtual psychological/psychiatric risk assessments to be conducted; regular contact with the Student Case Manager; and ongoing review of status and progress by the Vice-Provost Students and Student Support Team.

Student Case Manager and the Student Support Team

Each student was provided with a Student Case Manager (SCM) as per Section 28 of the *Policy*, and they acted as the student's point of contact, helping them navigate resources, understand the *Policy* and the process, and provide support. The SCM was chosen based on factors such as their familiarity with the student, the student's comfort level with the individual, and the position the individual holds at the University. For example, those working in Student Progress & Support were assigned the role of SCM in the 29 cases to date.

Further, in each case, a Student Support Team (SST) was formed as per Section 29 of the *Policy*. The SST was typically made up of the SCM, the local registrar, a regulated health professional, a representative from academic division/department, and other parties who were relevant to the case, such as an equity officer and accessibility services advisor. A medical professional who was not involved in the student's care was consulted in each case.

The *Policy* has provided the flexibility to put into place a plan that is reflective of the individual needs of the student.

Review of the Policy

When the *Policy* (previously the *University-Mandated Leave of Absence Policy*) was approved by Governing Council in 2018, it included a stipulation that the Provost review the *Policy* in the third academic year of its use and report the findings to the Governing Council.

In line with the *Policy* requirement, a review of the *Policy* was initiated in February 2021. Professor Donald Ainslie, Department of Philosophy, Faculty of Arts & Science, was asked to lead the review with the support of Varsha Patel, Assistant Dean of Student Success and Career Support, University of Toronto Scarborough. At the request of the representative student societies, the University extended the timeline for the review. Findings, recommendations, and a draft revised *Policy*, were shared with Governing Council during the 2022-2023 academic year governance cycle. The revisions were approved by Governing Council on February 15, 2023, and the revised *Supportive Leaves Policy* came into effect on March 1, 2023.

The *Supportive Leaves Policy* stipulates that the *Policy* will be reviewed again in its seventh academic year (originally approved and in effect in 2018), therefore the University anticipates the next review will commence next year in 2025.

Understanding and Navigating the Supportive Leaves Policy

In previous years, the annual report has addressed concerns about the *Policy's* scope and implementation. This feedback was considered as part of the recent *Policy* review and the subsequent revisions to the *Policy* that came into effect in 2023. In response to recommendations from the review, the University agreed to create a Companion Guide to help students, and those who work with students, understand and navigate the *Supportive Leaves Policy*.

The [Student Companion Guide to the Supportive Leaves Policy](#) is available on the Office of the Vice-Provost, Student's website. The development of the Guide included extensive consultation with student organizations as well as staff and faculty who have experience engaging with the *Policy*.

Concluding thoughts

The *Policy* is intended to provide a compassionate and non-punitive option for students who are exhibiting serious and concerning behaviour that threatens other's safety, or results in negative and material impacts on the learning environment of others. In a year that we noted three cases that proceeded under the *Policy* started as *Code of Student Conduct* cases and three cases involved criminal charges, the University continues to see strong evidence that the *Policy* is offering a beneficial alternative to disciplinary processes and punitive outcomes that could ultimately impact a student's academic record and, in some instances, their ability to return to the University.

Considering the six years of data available on the usage of the *Policy*, it is evident that the *Policy* provides students a pathway to take time away from their studies to focus on their health and well-being and then resume their studies once they are well enough to do so. The University remains firm about the need for this *Policy*, which was established in response to a recommendation from the University of Toronto Ombudsperson's annual report to Governing Council that called upon the University to establish a compassionate and supportive means to remove a student from the University in situations where existing non-academic discipline policies are not appropriate due to serious mental health concerns, or other extenuating factors.

Weighing the purpose of the *Policy* and its Guiding Principles alongside the outcomes, the University is extremely satisfied with its implementation to date. We are very pleased with the outcomes so far because we continue to see students, who were previously languishing in their mental health and academics and/or being subject to punitive disciplinary processes, and they are now being provided with opportunities to prioritize their health and wellbeing and then options to return to pursue their academic and personal goals with the intervention of the *Policy*.