

UNIVERSITY OF TORONTO
THE GOVERNING COUNCIL
REPORT NUMBER 202 OF
THE UNIVERSITY AFFAIRS BOARD

October 2, 2017

To the Governing Council,
University of Toronto

Your Board reports that it met on Monday, October 2, 2017, at 4:30 p.m. in the Council Chamber, Simcoe Hall, with the following members present:

Mr. Andrew Szende, Chair*
Ms Catherine Riddell, Vice-Chair
Professor Sandy Welsh, Vice-Provost,
Students
Mr. Steven R. Bailey
Mr. Vikram Chadalawada
Ms. Jiayi Chen
Dr. Avrum Gotlieb
Ms Amanda Harvey-Sanchez
Professor Mark Lautens
Mr. Zhenglin Liu
Ms Pingki Mazumder
Mr. John F. Monahan
Mr. David Newman, Senior Director, Student
Experience
Ms Mama Adobea Nii Owoo
Mr. Julian Oliveira
Ms Cristina Peter
Mr Mark Henry Rowswell

**present only for Item 1*

Regrets:

Mr. Aidan Fishman
Ira Jacobs
Professor Norman Labrie
Ms Samra Zafar

In Attendance:

Ms Mala Kashyap, Governor
Ms Gillian Morrison, Assistant Vice – President, Divisional Relations and Campaigns

Professor Donald Ainslie, Principal, University College
Ms Beth Ali, Executive Director of Athletics & Physical Activity
Mr. Paul Fraumeni, Executive Director, Digital Creative Services
Ms. Nora Gillespie, Senior Legal Council

Mr. Larry Whatmore
Mr. Robert Zhi Cheng Xu

Non-Voting Assessors:

Mr. Mark Overton, Dean of Student Affairs,
University of Toronto Mississauga (UTM)
Mr. Desmond Pouyat, Dean of Student Affairs,
University of Toronto Scarborough (UTSC)
Ms Meredith Strong, Director, Office of the
Vice-Provost, Students

Secretariat:

Mr. David Walders, Secretary

Ms Cheryl Gibbs, Assistant Director, Office of the Vice-Provost Students
Mr. Mike LeSage, Coordinator, Student Policy Initiatives, Office of the Vice-Provost, Students
Mr. Mathias Memmel, President, University of Toronto Students' Union
Ms Basit Tayyab, Office of the Vice-Provost, Students
Ms Helen Slade, Coordinator, Student Retention Services

ITEM 6 IS REPORTED FOR APPROVAL AND ALL OTHER ITEMS FOR INFORMATION

1. Welcome and Orientation

The Chair welcomed members and guests to the first meeting of the University Affairs Board for the 2017-18 governance year, and invited them to introduce themselves. He then provided an overview of the composition, role and responsibility of the Board and its members.

Professor Welsh then offered a presentation which included an overview of her portfolio and priorities for 2017-18, and also apprised members of various initiatives being undertaken by her office.

2. Calendar of Business: 2017-18

Professor Welsh provided a brief overview of the Calendar of Business.

3. Summer Executive Authority: Annual Report on UAB Approvals

The Chair advised the Board that there had been no business conducted under Summer Executive Authority that was within the purview of the Board.

4. University- Mandated Leave of Absence Policy: Draft for Information

Professor Welsh offered a presentation on the draft of the *University – Mandated Leave of Absence Policy*. Her presentation highlighted the development of the draft *Policy*, including consultation that continued to take place across various groups within the University community. She explained that the focus of the draft *Policy* was to provide a mechanism whereby a student may be placed on a mandatory leave of absence where, due primarily to mental health considerations, the student posed a risk of serious harm to themselves or others, or the significant impairment of the educational experience of others, or was otherwise unable to pursue their education at the University. It would apply to circumstances where accommodations and/or supportive resources had not been successful or were not feasible.

Under the draft *Policy*, students would be encouraged and supported to take a voluntary leave of absence as an initial step. If University-mandated leave of absence was necessary, the implementation of it was not at the discretion of the student, but rather at the discretion of the administration. There were built in mechanisms to ensure fair process, review and appeal.

The draft *Policy* would apply to a very small number of students who met the high threshold for intervention as described in the draft *Policy* and the presence of mental health or other concerns provided a context for University action that was not disciplinary in nature.

The draft *Policy* included the following guiding principles:

- All students in good standing at the University should have the opportunity to pursue their academic aspirations;
- The University offered supportive resources to assist students who were encountering academic difficulties, including where those difficulties may arise from mental health issues;
- The University wished to respond effectively and responsibly regarding students whose behaviour caused concern regarding their own safety or the safety of others, or whose behaviour negatively impacted the learning environment of others, including when such behaviour occurred in the context of mental health, and;
- The University had the right to address the conduct of a student where it was necessary to do so in order to protect that student and/or other members of the University, or to comply with legal duties, including statutory duties and those arising where it had a duty of care;
- A leave of absence from the University under the draft *Policy* was not to be treated, nor perceived, as punitive or disciplinary.

The Chair then invited Mr. Mathias Memmel, President, University of Toronto Students' Union, to offer comments on the draft *Policy*.

Mr. Memmel expressed overall support for the draft *Policy* and also raised the following concerns:

- Access to student personal health information records. Who would have access to them and how would privacy be managed?
- The decision should be evidence-based and fully involve mental health support resources at the University as well as external health professionals, where appropriate. How was this being assured?
- Timeline for appealing a decision of the Vice – Provost, Students to the Provost to place the student on mandatory leave and appealing a decision of the Provost to the Senior Chair of the University Tribunal. The entire appeal process was approximately 30 days. During an appeal, was the student effectively on an involuntary leave? Was the appeal period too lengthy?

In the ensuing discussion, members asked various questions, many of them on the matters raised by Mr. Memmel. Professor Welsh replied, noting that the privacy of student health records would be assured. Individuals who would have access to such information would be experienced in handling it and be fully aware of privacy concerns relating to such material. In some cases, the consent of the

student would also be required in order to disclose medical information. Turning to the diagnosis of student mental health, Professor Welsh noted that by the time the mandatory leave option was under consideration, the student would, in many cases, have already received support/accommodations through University resources and/or through external health care providers. These factors would be taken into account in making an evidence-based determination as to whether a University-mandated leave was required. Finally, regarding the timeframe for appeals, the timeframe set out in the draft *Policy* was intended to strike a balance between fairness and efficiency, and also to allow the student, who may be suffering acute mental health issues, to seek assistance and support so they could meaningfully participate in the appeals process.

There were also two queries which Professor Welsh noted would be addressed during subsequent consultation and discussion:

- Explanation of the differences in the level of support between students who agreed to take a voluntary leave versus students required to take a mandatory leave, and;
- What were the implications for international students on a University-mandated leave regarding study permits and access to health?

The Vice-Chair thanked Professor Welsh for her presentation.

5. Presentation: Update on Landmark Project

Professor Ainslie offered a presentation which provided an update on the Landmark Project. The presentation began by discussing the history of the development in and around King's College Circle, including the role that philanthropy had played in that development. The main goals of informing the Landmark Project were discussed, as well as details regarding proposed development plans. Finally, Professor Ainslie discussed the fundraising campaign objectives and campaign goals for the Project.

Members asked questions concerning the incorporation of Indigenous knowledge in the design of the Project as well as accessibility concerns. Professor Ainslie replied that while the project was not yet in the design development stage, Indigenous leaders and groups would be involved in the design consultation process and Indigenous knowledge would be incorporated in the final design. Turning to accessibility, Professor Ainslie advised that there would be various pick-up/drop-off and parking locations within the design to facilitate accessibility.

The Vice-Chair thanked Professor Ainslie for his presentation.

6. Report of the Previous Meeting – Report 201, June 1, 2017

Report Number 201, from the meeting held on June 1, 2017, was approved

7. Business Arising from the Report of the Previous Meeting

There was no business arising from the report of the previous meeting.

8. Date of Next Meeting: Monday, November 20, 2017 at 4:30 p.m.

The Chair confirmed the date of the next meeting was scheduled for November 20, 2017 at 4:30 p.m.

9. Report of the Senior Assessor

Professor Welsh advised the Board that there was a tri-campus initiative that had been initiated to examine voter turnout and engagement, specifically focused on voting in student referenda.

10. Other Business

There were no items of other business

The meeting adjourned at 6:42 p.m.

Secretary

Chair

October 3, 2017