



SPECIAL MEETING FOR ACADEMIC COUNCIL

Tuesday, April 5, 2022

2:30 - 3:30 p.m., [Videoconference](#)

1 226-315-6069 PIN: 360 262 739#

AGENDA	Suggested Start Time
1. Call to Order (Chair)	2:30 p.m.
2. Upcoming Changes to Ontario Tech University's Public-Health Restrictions* (D) (Lori Livingston)	2:30 p.m.
3. Termination (Chair)	3:30 p.m.

Krista Hester, Acting Secretary

ACADEMIC COUNCIL REPORT

SESSION:

Public
Non-Public

ACTION REQUESTED:

Decision
Discussion/Direction
Information

TO: Academic Council

DATE: April 5, 2022

FROM: Dr. Lori Livingston, Provost and Vice-President, Academic

SUBJECT: Discussion about upcoming changes to Ontario Tech University's public-health restrictions

BACKGROUND/CONTEXT:

This document is to initiate discussion about the university's current [COVID-19 Mandatory Vaccination Directive](#) and [COVID-19 Face Coverings Directive](#), and the move to pause our COVID-19 Mandatory Vaccination Directive effective Sunday, May 1. To ensure the safety of the campus, we will continue with the COVID-19 Face Coverings Directive until at least May 30, at which time we will reassess the situation. These moves will align our practices with those being followed throughout the community in which we are situated while at the same time, we will continue to monitor scientific data and public health information.

At the onset of the pandemic, the university developed a set of guiding principles to help inform the decision-making process regarding the implementation of public-health protocols and the university's approach to a gradual return to campus.

With that in mind, the following principles have been drafted to help guide decision-making as we move toward a longer-term approach to living with and managing COVID-19:

- Continue to follow directives from multiple government levels and our public-health unit.
- Proactively identify, manage and communicate legislative requirements with a view to maintaining a safe and healthy workplace.
- Support the primary values and advance the mission of our university.

- Remain adaptable in order to respond to public-health recommendations in the event that the situation changes so that we can keep our community safe and our university operational.
- Integrate risk-management strategies and support our campus community to make informed decisions, while promoting personal and public responsibility.

The Pandemic Response Team will continue to meet regularly and base their discussions on the above principles. The COVID-19 Mandatory Vaccination Directive on the website will be updated effective May 1, 2022 to reflect the pause. The Provost is empowered by our policy framework to reactivate or pause the directive in future in accordance with Public Health guidance.

Next Steps

The well-being of the campus community remains the No. 1 factor in how we plan for and implement any decisions related to our on-campus public-health protocols. All community members are strongly encouraged to remain up-to-date on booster or fourth doses, when eligible, and we must all continue to wear a mask on campus.

SUPPORTING REFERENCE MATERIALS:

[COVID-19 Mandatory Vaccination Directive](#)

[COVID-19 Face Coverings Directive](#)

COVID-19 Mandatory Vaccination Directive

Classification number	ADM 1304.04
Parent policy	Booking and Use of University Space Policy
Framework category	Administrative
Approving authority	Provost and Vice-President, Academic
Policy owner	Vice-President, Academic and Provost
Approval date	September 1, 2021
Review date	August 31, 2022

Purpose

1. The purpose of this Directive is to support efforts to prevent the spread of COVID-19 within the university community. Vaccination against COVID-19 is the single most effective public health measure to reduce the spread of COVID-19. This Directive establishes a requirement for mandatory COVID-19 vaccination before permitting University Members and other individuals to enter University Space, including indoor and outdoor University Space.

Definitions

2. For the purposes of this Directive the following definitions apply:

“**Approved Vaccine**” means a COVID-19 vaccine approved by Health Canada or the World Health Organization.

“**Full Course**” means either a single dose of a single-dose vaccine, or two doses of a two-dose Approved Vaccine, or approved combination of vaccines.

“**Fully Vaccinated**” means that:

- An individual has received all required doses for a series of an Approved Vaccine, or approved combination of vaccines; and
- 14 days have passed since completing the course of doses.

“**Partially Vaccinated**” means that:

- An individual has received only a single dose of a two-dose course of an Approved Vaccine; or
- An individual has received all required doses for a series of an Approved Vaccine, but 14 days have not passed since completing the course of doses.

“**Public Health Guidance**” means the guidance of the Public Health Authority of Canada (<https://www.canada.ca/en/public-health/services/diseases/2019-novel-coronavirus-infection/prevention-risks/about-non-medical-masks-face-coverings.html>) (PHAC), Ministry of Health, Public Health Ontario, and Durham Region Health Department (DRHD). Where guidance from these organizations conflicts, the Durham Region Health Department’s guidance prevails.

“**University Space**” means any location owned, leased, rented or otherwise occupied by the University and made available for use.

“**University Member**” means any individual who is:

- Employed by the University or holding an appointment with the University, including paid, unpaid and/or honorific appointments (“**Employee**”);
- Registered as a student, in accordance with the academic regulations of the University (“**Student**”); and/or
- Otherwise subject to University policies by virtue of the requirements of a specific policy (e.g. Booking and Use of University Space) and/or the terms of an agreement or contract.

Scope and authority

3. This Policy applies to all University Members in University Space and all other individuals in University Space.
4. The Provost and Vice-President Academic, or successor thereof, is the Policy Owner and is responsible for overseeing the implementation, administration and interpretation of this Directive.

Directive

5. **Effective Date:** This Directive takes effect September 3, 2021.
6. **Mandatory Vaccination**
 - 6.1 From September 3 until October 17, 2021 only University Members who have:
 - a. Uploaded proof of having received a Full Course of an Approved Vaccine;
 - b. Uploaded a University-approved accommodation letter; or
 - c. Provided a self-declaration of being Partially Vaccinated, and provided proof of a negative rapid test

using the provided software/mobile application will be permitted to enter University Space.

- 6.2 All other individuals in University Space must have received a Full Course of an Approved Vaccine, as a condition of entering University Space.
- 6.3 As of October 17, 2021, Individuals who have not received a Full Course of an Approved Vaccine, or approved combination of vaccines will no longer be permitted to enter University Space without an approved accommodation plan, or until they become Fully Vaccinated.
- 6.4 Contractors must ensure that their workers are Fully Vaccinated before entering University Space. Sending an employee who is not Fully Vaccinated to University Space is a material breach of the University's contract with that contractor.

7. **Temporary rapid-testing process**

- 7.1 Until October 17, University Members who are Partially Vaccinated must proceed immediately to a rapid testing location and receive a rapid test with a negative result prior to entering University Space.
- 7.2 The University will make rapid testing locations available.

8. **Proof of COVID-19 Vaccination**

- 8.1 Individuals entering University Space will be required to upload proof of having received a Full Course of an Approved Vaccine on or before the date they intend to enter University Space.
- 8.2 University Members will be required to upload an official document issued by government or the organization that administered the vaccine using the provided software/mobile application. This document will include, at a minimum:
 - a. Individual's name;
 - b. Date of final vaccine dose of a Full Course; and
 - c. Name of the organization that issued the document.
- 8.3 **False declarations or false documents:** Individuals who make false declarations about, or provide false documents related to, being vaccinated may be subject to disciplinary actions, in accordance with a collective agreement or university policy, as applicable, up to and including, but not limited to:
 - expulsion for students,
 - termination for employees,
 - termination of contracts for material breach for contractors and
 - removal/restriction from campus for visitors and/or any other attendees.

Such individuals could also be at risk of criminal and/or civil liability.

9. **Privacy**

- 9.1 Personal information, including vaccination status and official documents, collected by Ontario Tech will be collected, disclosed, used, stored and retained in accordance with Ontario Tech's Freedom of Information and Protection of Privacy Policy and the Freedom of Information and Protection of Privacy Act. Access to this information will be limited within the University on a strict need-to-know basis.
- 9.2 The university may disclose this information to Durham College employees who are providing services to the University under an agreement to share services. This information will be shared only to the extent required to provide the service.
- 9.3 This information will be used and disclosed for the purpose of enacting this directive, as well as other purposes authorized and required by law, for example, it may be disclosed to the Chief Medical Officer of Health and Ontario public health units where disclosure is necessary for a purpose of the Health Protection and Promotion Act or local public health guidelines.
- 9.4 Personal information will be reviewed by authorized Ontario Tech staff and will be disposed of as soon as possible after review, unless further verification is required. Documentation that requires further verification will be retained until it has been validated. If documentation cannot be validated, it will be retained for the purpose of an investigation under section 8.3 of this Directive.

10. **Accommodation**

- 10.1 The University is committed to promoting an environment where everyone has an equal opportunity to contribute to their fullest potential and where all are treated with sensitivity, fairness and respect. Anyone who cannot be vaccinated, based on medical or other grounds recognized by the Ontario Human Rights Code, can request an accommodation to be considered on an individual case-by-case basis.
- 10.2 Individuals who receive an accommodation based on grounds recognized by the Ontario Human Rights Code are legally required to be accommodated and will be accommodated to the point of undue hardship.
- 10.3 To continue to protect the health and safety of the campus community, approved accommodations may include measures other than the applicant being granted access to campus.
- 10.4 Individuals who are granted accommodations to attend campus without being Fully Vaccinated may be subject to additional conditions that are deemed to be in the best interests of the health and safety of the individual and the broader community,

including but not limited to: heightened health and safety measures, alternative work and study arrangements, and rapid COVID-19 testing.

- 10.5 An approved accommodation plan must be in place and uploaded using the provided software/mobile application prior to entering University Space.
- 10.6 Disputes regarding the University's accommodation processes are addressed under the Respectful Campus Policy and related procedures.

11. Accommodations for students

- 11.1 Student requests for accommodation will be handled formally pursuant to the University's Accommodation Policy and applicable Academic Accommodation for Students with Disabilities Procedures.
- 11.2 A request for accommodation will be submitted using an Ontario Tech COVID-19 Vaccination Accommodation Application. Forms will be submitted to and reviewed by Student Accessibility Services.
- 11.3 Forms and email links
(<https://shared.ontariotechu.ca/shared/department/communications/documents/ready-for-you/covid-19-vaccination-accommodation-form.pdf>) are available on the web [LINK].

12. Accommodations for employees

- 12.1 Employee requests for accommodation will be handled formally pursuant to the University's Accommodation Policy and applicable Accommodation for Employees and Job Applicants with Disabilities Procedures.
- 12.2 A request for accommodation will be submitted using an Ontario Tech COVID-19 Vaccination Accommodation Application. Forms will be submitted to and reviewed by the Health and Disability Management Specialist, Human Resources.
- 12.3 Forms and email links
(<https://shared.ontariotechu.ca/shared/department/communications/documents/ready-for-you/covid-19-vaccination-accommodation-form.pdf>) are available on the web.

Monitoring and review

- 13. This Directive will be reviewed as necessary and at least every year and is subject to change at any time in accordance with Public Health Guidance. The Provost and Vice-President, Academic, or successor thereof, is responsible to monitor and review this Directive and related public health direction.

Relevant legislation

- 14. Human Rights Code, R.S.O. 1990, c. H.19

Occupational Health and Safety Act, R.S.O. 1990, c O.1, as amended

Freedom of Information and Protection of Privacy Act, R.S.O. 1990, Chapter F.31

Related policies, procedures & documents

15. Booking and Use of University Space Policy

Booking and Use of University Space Procedures

Student Conduct Policy

Accommodation Policy

Procedures for Accommodating for Employees and Job Applicants with Disabilities

Procedures for Academic Accommodation for Students with Disabilities

Respectful Campus Policy

COVID-19 Face Coverings Directive

Classification number	ADM 1304.03
Parent policy	Booking and Use of University Space Policy
Framework category	Administrative
Approving authority	Vice-President, Academic and Provost
Policy owner	Vice-President, Academic and Provost
Approval date	March 22, 2021
Review date	March 2022

Purpose

1. The purpose of this Directive is to support efforts to prevent the spread of COVID-19 within the university community by establishing standards for wearing Face Coverings in indoor or enclosed spaces and outdoor spaces where physical distancing cannot be maintained in University Space to protect University Members.

Definitions

2. For the purposes of this Directive the following definitions apply:
 - “**Face Covering**” means a medical or non-medical mask, consistent with Public Health Guidance.
 - “**Public Health Guidance**” means the guidance of the [Public Health Authority of Canada](https://www.canada.ca/en/public-health/services/diseases/2019-novel-coronavirus-infection/prevention-risks/about-non-medical-masks-face-coverings.html) (<https://www.canada.ca/en/public-health/services/diseases/2019-novel-coronavirus-infection/prevention-risks/about-non-medical-masks-face-coverings.html>) (PHAC), Ministry of Health, and Durham Region Health Department (DRHD). Where guidance from these organizations conflicts, the local health authority’s guidance prevails.
 - “**University Space**” means any location owned, leased, rented or otherwise occupied by the University and made available for temporary use.
 - “**University Member**” means any individual who is:

- Employed by the University or holding an appointment with the University, including paid, unpaid and/or honorific appointments (“**Employee**”);
- Registered as a student, in accordance with the academic regulations of the University (“**Student**”); and/or
- Otherwise subject to University policies by virtue of the requirements of a specific policy (e.g. Booking and Use of University Space) and/or the terms of an agreement or contract.

Scope and authority

3. This Policy applies to all University Members in University Space and all other individuals in University Space.
4. The Provost and Vice-President Academic, or successor thereof, is the Policy Owner and is responsible for overseeing the implementation, administration and interpretation of this Directive.

Directive

5. Use of Face Coverings

- 5.1 University Members and all other individuals in University Space are expected to bring and wear a Face Covering when they arrive. Face Coverings are mandatory in all areas of University Space.
- 5.2 The University will set out specific directions for the use of Face Coverings in areas where discretion is necessary.

6. Exceptions to the use of Face Coverings:

- 6.1 Face Coverings are not required in outdoor University Space where physical distancing of at least two meters can be maintained.
- 6.2 Face Coverings are not required for Employees working alone in an enclosed personal office space assigned to
- 6.3 Areas where Face Covering can be removed to eat will be designated by signage.
- 6.4 A person is exempt from wearing a Face Covering in University Space if they are under the age of two years, or are under five years and refuse to wear a Face Covering.

7. Enforcement

- 7.1 This Directive is enacted and enforced in ‘good faith’ and will be used as an opportunity to educate about the use of non-medical masks or face coverings in premises where physical distancing may be difficult.

8. Face Coverings

- 8.1 A Face Covering protects others from your respiratory droplets but will not protect you from the droplets of others.
- 8.2 Follow Public Health Guidance about [appropriate Face Coverings](https://www.canada.ca/en/public-health/services/diseases/2019-novel-coronavirus-infection/prevention-risks/about-non-medical-masks-face-coverings.html) (<https://www.canada.ca/en/public-health/services/diseases/2019-novel-coronavirus-infection/prevention-risks/about-non-medical-masks-face-coverings.html>) .
- 8.3 Wash your hands before putting on your mask or taking it off. Avoid moving, adjusting or touching the mask. Change your mask by only touching the straps or ear loops as soon as it gets damp or soiled. Do not touch the front of the mask.
- 8.4 The use of Face Coverings is not a replacement for proven measures such as handwashing and physical distancing.

9. Accommodation

- 9.1 Ontario Tech University is committed to promoting an environment where everyone has an equal opportunity to contribute to their fullest potential and where all are treated with sensitivity, fairness and respect. The University has policies and procedures to assist those who require accommodation. For more information about the University's accommodation procedures, please refer to the Policy library [link]. If you require accommodation, please speak to a person of authority.

Monitoring and review

10. This Directive will be reviewed as necessary and at least every year and is subject to change at any time in accordance with Public Health Guidance. The Provost and Vice-President, Academic, or successor thereof, is responsible to monitor and review this Directive and related public health direction.

Relevant legislation

11. This section intentionally left blank.

Related policies, procedures & documents

12. Booking and Use of University Space Policy
Booking and Use of University Space Procedures
Student Conduct Policy
Procedures for Accommodating for Employees and Job Applicants with Disabilities
Procedures for Academic Accommodation for Students with Disabilities

