

Thursday, April 19, 2018

10:00 a.m. – 12:40 p.m.

North Campus, ERC 3023

Toll-Free: 1-877-385-4099 Participant Passcode: 1028954#

Members: Karyn Brearley (Chair), Doug Allingham, Lisa Edgar, Andrew Elrick,
Francis Garwe, Jay Lefton, Steven Murphy

Staff: Robert Bailey, Jamie Bruno, Becky Dinwoodie, Craig Elliott, Cheryl Foy,
Doug Holdway, Susan McGovern, Olivia Petrie

AGENDA

No.	Topic	Lead	Allocated Time	Suggested End Time
	PUBLIC SESSION			
1	Call to Order	Chair		
2	Agenda (M)	Chair		
3	Conflict of Interest Declaration	Chair		
4	Approval of Minutes of the Meeting of February 7, 2018* (M)	Chair		
5	Chair's Remarks	Chair		10:10 a.m.
6	President's Remarks: <ul style="list-style-type: none"> • Pilot Agenda Format • Executive Compensation Plan • Board Recruitment 	S. Murphy	15	10:25 a.m.
7	Governance			
7.1	By-law No. 2 Implementation: <ul style="list-style-type: none"> • Academic Council Governance Committee*(D) 	C. Foy	15	10:40 a.m.
7.2	Annual Board Practices Assessment* (D)	C. Foy	5	10:45 a.m.
7.3	Policy: <ul style="list-style-type: none"> (a) Policy Framework Review* (D) (b) Policy on Sexual Violence for Students and Procedures for Responding to Incidents of Sexual Violence – Annual Report* (U) 	C. Foy	15	11:00 a.m.
8	Nominations			
8.1	Board 2018-2019 Election Results & Update* (M)	C. Foy	10	11:20 a.m.
9	Other Business	Chair		
10	Adjournment (M)	Chair		11:25 a.m.

	NON-PUBLIC SESSION (material not publicly available)			11:30 a.m.
11	Call to Order	Chair		
12	Conflict of Interest Declaration	Chair		
13	Approval of Minutes of the Meeting of February 7, 2018* (M)	Chair		11:35 a.m.
14	President's Remarks	S. Murphy	10	11:45 a.m.
15	Confidential Questions (if any): <ul style="list-style-type: none"> • Pilot Agenda Format • Executive Compensation Plan • Academic Council Governance Committee • Annual Board Practices Assessment • Policy Framework Review • Policy on Sexual Violence for Students and Procedures for Responding to Incidents of Sexual Violence Review • Board 2018-2019 Election Results 	Chair	10	11:55 a.m.
16	Human Resources: <ul style="list-style-type: none"> • Labour Relations Update* • Legal Update 	R. Bailey C. Foy	15	12:10 p.m.
17	Governance			
17.1	Board Engagement: <ul style="list-style-type: none"> • Review of Implementation of Updated Committee/Board Report* (D) 	Chair	10	12:20 p.m.
17.2	Policy: (a) Board Attendance Policy Review* (D)	Chair	10	12:30 p.m.
18	Other Business	Chair		
19	<i>In Camera</i> Session (M)	Chair		
20	Termination (M)	Chair		12:40 p.m.

Public Session Minutes for the Meeting of February 7, 2018
10:00 – 11:00 a.m., ERC 3023

Attendees: Karyn Brearley (*via teleconference*) (Chair), Doug Allingham (*via teleconference*), Robert Bailey, Lisa Edgar, Andrew Elrick (*via teleconference*), Francis Garwe, Jay Lefton (*via teleconference*)

Staff: Jamie Bruno, Becky Dinwoodie, Cheryl Foy, Jennifer Freeman, Doug Holdway, Lori Livingston, Susan McGovern, Niall O’Halloran

Guests: Mike Eklund & Christine McLaughlin (UOIT FA)

1. Call to Order

As the Chair was participating by teleconference, she asked F. Garwe to Chair the meeting.

The Chair called the meeting to order at 10:02 a.m.

2. Agenda

Upon a motion duly made by K. Brearley and seconded by L. Edgar, the Agenda was approved as presented.

3. Conflict of Interest Declaration

There were no conflict of interest declarations.

4. Approval of Minutes of the Meeting of November 15, 2017

Upon a motion duly made by L. Edgar and seconded by D. Allingham, the Minutes were approved as presented.

5. Chair's Remarks

K. Brearley thanked F. Garwe for chairing the meeting since she was unable to attend the meeting in person.

6. President's Remarks

R. Bailey provided an update on the presidential transition. He reminded the committee that the Board approved the Terms of Reference for a Presidential Transition Committee the previous week. The senior leadership team has prepared a briefing binder for the incoming President. He also advised that procedures for the upcoming Provost and VP Research searches are being reviewed and updated. He reported on a recent presentation given to the Pension & Benefits Committee. As a result of the presentation, a working group will be formed to review and update the university's benefits. R. Bailey directed the committee to the Taskforce Terms of Reference that were included in the meeting material for information.

7. Governance

7.1 By-laws Implementation Plan

C. Foy summarized the background to the proposed By-laws Implementation Plan. Most of the changes to By-law No. 1 are administrative in nature. She focused on the implementation plan for By-law No. 2, with the priority being consideration of establishing a governance committee for Academic Council. She also discussed the Parking Lot of work to be completed. C. Foy responded to questions from the committee. She reviewed the rationale for having two separate By-laws. The committee supported the proposed plan.

7.2 Policy:

(a) Policy Framework Review

C. Foy delivered the Policy Framework Review presentation, which was circulated in advance of the meeting. A goal of the review is to make the Policy Framework documents as easy as possible to use. She provided an overview of the consultation pathway and discussed the importance of consultation in the framework, including the use of the online consultation tool.

C. Foy answered the committee's questions. She explained that the Policy Framework document requires Board approval since it delegates authority to approve the listed policy instruments to the specified approval authorities. She discussed the reasons for the delegation of approval authority. There was a discussion regarding the types of policies that come forward to the Board for approval as compared to administrative policies that are approved at a lower level. She advised that by focusing Board approval on high level policies, it keeps the Board at a strategic level as opposed to operational. C. Foy will provide a summary of the definitions of Administrative Policy and Legal, Compliance, Governance Policy with current examples to the committee. The classification of policies is aimed to improve the efficiency of the Board by preventing the Board from becoming overwhelmed by operational policies. C. Foy confirmed that the Board receives an annual report of policies worked on to keep the Board members informed. She explained the current process of implementing updated policies, which is the responsibility of the policy owner. Changes to implementing policy updates would require additional resources.

(b) Intellectual Property Policy

J. Freeman delivered a presentation entitled “Intellectual Property Policy”. She provided an overview of the drivers for changing the policy and the revision process, including a summary of the relevant consultation. She presented a summary of the main proposed changes to the policy. She also highlighted topics of debate that occurred during the review process. J. Freeman responded to questions from the committee. She clarified the definition of “moral rights”. There were also discussions regarding student intellectual property and the commercialization of intellectual property.

8. Nominations

8.1 LGIC Appointments

B. Dinwoodie provided a status update on the current applications to the Public Appointments Secretariat.

9. Human Resources

9.1 Annual Pension Plan Report

C. Foy provided a brief overview of the Annual Pension Plan Report, which is an example of a robust compliance process.

10. Other Business

There was no other business.

11. For Information:

11.1 President’s Equity Taskforce Terms of Reference

11.2 President’s Indigenous Reconciliation Taskforce Terms of Reference

12. Termination

There being no other business, upon a motion duly made by R. Bailey, the public session of the meeting adjourned at 11:08 a.m.

Becky Dinwoodie, Secretary



COMMITTEE REPORT

SESSION:

Public
 Non-Public

ACTION REQUESTED:

Decision
 Discussion/Direction
 Information

TO: Governance, Nominations & Human Resources Committee

DATE: April 19, 2018

PRESENTED BY: Cheryl Foy, University Secretary & General Counsel

PREPARED BY: Becky Dinwoodie, Assistant University Secretary

SUBJECT: By-laws Implementation – Academic Council Governance Committee

COMMITTEE MANDATE:

- the Governance, Nominations & Human Resources Committee (GNHR) is responsible for advising the Board of Governors on its governance structure & processes in accordance with its Terms of Reference
- as set out in the By-laws Implementation Plan that was presented to GNHR on February 7, 2018, discussing the establishment of a governance committee/working group of Academic Council (AC) was identified as AC’s immediate priority
- since the establishment of a governance committee/working group of AC directly affects the university’s governance structure, we are seeking GNHR’s feedback on the draft Governance & Nominations Committee Terms of Reference

BACKGROUND:

- updated By-law Nos. 1 and 2 were approved by the Board on October 26, 2017 & come into effect on September 1, 2018
- in preparation for the updated By-laws, GNHR reviewed & endorsed the proposed By-laws Implementation Plan at the committee meeting in February 2018
- the By-laws Implementation Plan, which includes a Parking Lot of items related to the implementation of By-law No. 2 (the By-law that governs the affairs of the Academic Council), will require a considerable amount of work

- as a result of discussions of the By-law Review Project Working Group & as part of the evolution of Academic Council, it has been recommended that AC establish a Governance & Nominations Committee (GNC)
- the GNC would take over several of the responsibilities that are currently delegated to the Academic Council Executive Committee
- in drafting the proposed Terms of Reference, we benchmarked the senate committee structure of 14 other Ontario universities

Name & Role of Committee:

- there is inconsistency across institutions as to which body is responsible for governance – varies from a By-laws Committee to the Executive Committee
- establishing a Governance & Nominations Committee for Academic Council would be consistent with the structure of the university's Board of Governors

Membership:

- we recommend the GNC be composed of current members of Academic Council to ensure the committee members are familiar with the role & responsibilities of Academic Council & have knowledge of how meetings are functioning
- having the President & Provost as members of the committee is consistent across institutions
- we recommend having an elected tenured/tenure track or teaching faculty member from every Faculty, as well as a student and staff member on the GNC
- as proposed, the committee would have a total of 12 voting members, 7 of whom would be elected faculty representatives
- we also recommend that the Academic Council Executive Committee nominate committee members for the GNC based on expressions of interest from Academic Council members
- nominations through an expression of interest will assist with ensuring diverse representation on the committee, including a balance of tenured/tenure track & teaching faculty members – it will also provide an opportunity to assess the governance background of nominees

Format:

- the format of the Terms of Reference has been changed to be consistent with Board committees – this will allow for easier transition between governing bodies

Responsibilities:

- elements of the Terms of Reference for the Board's Governance, Nominations & Human Resources Committee have been incorporated, as well as responsibilities identified during the benchmarking process
- the policy/procedure authority elements have been reviewed to ensure they are consistent with the Policy Framework

CONSULTATION:

GNHR:

- April 19, 2018 – for comment
- May 31, 2018 – for recommendation

Academic Council Executive Committee:

- April 3, 2018 – for comment
- the highlighted portions of the draft GNC Terms of Reference indicate changes made as a result of the consultation with the Academic Council Executive Committee

Academic Council:

- April 17, 2018 – for comment
- May 15, 2018 – for recommendation

Board of Governors:

- May 9, 2018 – for comment
- June 27, 2018 – for approval

NEXT STEPS:

1. Subject to the feedback of Academic Council and the Governance, Nominations & Human Resources Committee, prepare a finalized draft of the GNC Terms of Reference for recommendation.

SUPPORTING REFERENCE MATERIALS:

- Draft Governance & Nominating Committee Terms of Reference

ACADEMIC COUNCIL Governance & Nominations Committee

1. TERMS OF REFERENCE

The Governance & Nominations Committee (“Committee”) is a standing committee of the UOIT Academic Council and is responsible for providing advice to Academic Council on its governance structure and processes, the nomination and election of new members, and Academic Council performance.

Specifically, the Committee will have the following responsibilities:

(a) Governance

- Advise Academic Council on operations, efficient and effective structures supporting good governance, and Academic Council’s relationship with other bodies at the university as established in the *UOIT Act* and By-Laws;
- Advise Academic Council on the establishment, terms of reference, composition, membership and retirement of its committees, **including its own**;
- Propose, oversee, and periodically review the governance policies of Academic Council and its committees and make recommendations to Academic Council for development and revision when appropriate;
- Establish, oversee, and periodically review the governance procedures, guidelines, and directives of Academic Council and revise when appropriate;
- Develop, implement and monitor procedures for assessing and/or improving the effectiveness of Academic Council and its committees; and
- Oversee the delivery of programs for the orientation and ongoing education of members of Academic Council and its committees on good governance practices.

(b) Nominations

- Review and monitor the membership needs of Academic Council and its committees;
- Oversee the process of recruitment, selection, and election of new members of Academic Council and its committees and recommend appointments for approval by Academic Council in accordance with the *UOIT Act* and By-laws. In doing so, the Committee shall strive to achieve a balance of skills, expertise, and knowledge among its membership, while reflecting the demographic and cultural diversity of the communities served by the university; and

- Oversee the nomination and selection of Academic Council's Vice-Chair from among the members of Academic Council.

2. MEETINGS

The Committee shall meet **between six (6) and eight (8)** times per year. In accordance with the *UOIT Act* and By-laws, the Committee shall conduct two types of meetings as part of its regular administration: Public and Non-Public.

3. MEMBERSHIP

The Committee shall be composed of:

- One (1) **elected** Academic Council **member either a Teaching Faculty or Tenure & Tenure track** from each Faculty
- One Dean
- One (1) student member from Academic Council

Ex-officio

- President & Vice-Chancellor (Chair)
- Provost & Vice-President, Academic
- Staff member of Academic Council (since there is only 1)
- Secretary of Academic Council (non-voting)

4. NOMINATION

The Academic Council Executive Committee will nominate members through expressions of interest from Academic Council members. When nominating candidates, the Academic Council Executive Committee should ensure the Committee members represent the diverse perspectives of the different constituencies within the UOIT community, including a balanced representation of tenured/tenure-track faculty and teaching faculty.

5. QUORUM

Quorum requires that **at least half/a simple majority** of the Committee members entitled to vote be present.



COMMITTEE REPORT

SESSION:

Public
 Non-Public

ACTION REQUESTED:

Decision
 Discussion/Direction
 Information

TO: Governance, Nominations & Human Resources Committee

DATE: April 19, 2018

PRESENTED BY: Cheryl Foy, University Secretary & General Counsel

PREPARED BY: Becky Dinwoodie, Assistant University Secretary

SUBJECT: Board Practices Assessment 2017-2018

COMMITTEE MANDATE:

- in accordance with the Governance, Nominations & Human Resources Committee’s (GNHR) Terms of Reference, the committee is responsible for developing, implementing & monitoring procedures for assessing the effectiveness of the Board and its committees
- we are seeking the committee’s direction with respect to the timing and means of completing the Board Practices Assessment for 2017-2018

BACKGROUND/CONTEXT & RATIONALE:

- as a result of comments made during the 2014-2015 assessment process, the Committee conducted a substantive review of the assessment form in March 2017
- the updated form was used to conduct the 2016-2017 assessment
- as directed by the committee in January 2017, the 2016-2017 assessment was conducted by distributing and collecting the assessment by e-mail
- the assessment was conducted in May 2017, which allowed the committee to review the results & make recommendations prior to the June AGM
- 20/24 Governors completed the assessment - 83% versus response rates of 90% for 2014-2015 (conducted by online poll immediately prior to a Board meeting) and 46% for 2013-2014
- the 2015-2016 online poll assessment was not conducted due to timing constraints at meetings

- in addition to evaluating the Board's effectiveness, the information collected from the assessment is used to guide the upcoming year's governance priorities

COMPLIANCE WITH POLICY/LEGISLATION:

- conducting the assessment supports the committee's fulfilment of its mandate under the Terms of Reference

NEXT STEPS:

- based on the committee's direction, the Office of the University Secretary & General Counsel will circulate the assessment for completion & summarize the results for the committee

SUPPORTING REFERENCE MATERIALS:

- copy of the 2016-2017 Board Practices Assessment Form

UOIT CONFIDENTIAL – CONTAINS SENSITIVE AND PERSONAL INFORMATION



BOARD OF GOVERNORS 2016-2017 Board Practices Assessment

This Board Practices Assessment Questionnaire is designed to assist the Board to evaluate its own effectiveness. The questions provide an opportunity for Governors to indicate whether the structure and conduct of meetings, and the information and support received enable them to participate effectively in the governance of the University. Understanding this information will provide key information for improving Board processes.

This year the Board Practices Assessment will be conducted via e-mail.

The questionnaire is a mix of multiple-choice and short-answer questions based on the following categories:

- Board Effectiveness
- Structure of the Board
- Board Meetings
- Individual Board Involvement

In each category, we ask you to indicate your agreement with a series of statements based on the following scale:

- 1 – Strongly Agree
- 2 – Agree
- 3 – Neither Agree nor Disagree
- 4 – Disagree
- 5 – Strongly Disagree
- 6 – NR (No response – if you cannot comment on a statement).

The responses you submit will be seen only by the Secretary and Chair of the Board and will be held in strict confidence. The Secretary will collate the responses to the assessment form and the Chair will present the results to the Board, without attribution, for information and discussion.

Please complete the assessment as soon as possible and by no later than May 23 in order to allow time for the results to be compiled and presented to the Governance, Nominations and Human Resources Committee at their meeting on June 7.

Board Effectiveness

In this section of the assessment, please indicate your level of agreement for how each of the following contributes to the effectiveness of the Board in its practices and performance.

1. The Board as a whole has a clear understanding of the University's mission.
2. The Board as a whole has a clear understanding of the University's strategic plan.
3. The University's strategic goals are clear.
4. The University's strategic goals serve as a useful guide to the Board in the deliberations and policy making decisions.
5. The Board is provided with adequate information at meetings for effective decision-making.
6. The Board is provided with adequate resources prior to meetings for effective decision-making.
7. The Board has sufficient engagement with Academic Council.
8. The Board has effective engagement with Academic Council.
9. The Board understands the distinction between the responsibilities of its role and the role of the administration.
10. The Board has the opportunity to discuss matters of critical importance before decisions are made.
11. The Board has the opportunity to ask questions of critical importance before decisions are made.
12. The Board ensures that members receive reports on how our organization has used its financial resources.
13. The Board knows the major challenges facing this university.
14. The Board knows the major opportunities facing this university.
15. The Board schedules sufficient time to discuss long term strategic issues.
16. Evaluation and reporting of Board performance is useful in improving the practices of the Board.

In this section, please provide a short-answer response to the following:

17. In my view, the Board's most significant achievement in the past year was:
18. In my view, the most important thing the Board could do to improve its effectiveness is:
19. Please provide any feedback regarding the statements above or any additional comments and suggestions you would like to provide.

Structure of the Board

In this section of the assessment, please indicate your level of agreement with each of the following statements regarding the structure of the Board and its Committees.

1. The Board has an effective committee structure for its needs.
2. The Board makes good use of its committees.
3. The level of delegation of authority to the Board Committees is appropriate.

4. Board committees act appropriately within the delegation of authority (i.e. routine matters are resolved and significant matters are properly recommended to the Board).
5. Work done at the committee level can be relied on when considering items brought forward to the Board for review and approval.
6. The Board has an effective orientation program for newly elected Board members.
7. The Board has a diversity of representation (gender, ethnicity, profession).
8. The Board has effective recruitment strategies to assess needs for, identify and attract new Board members.

Please provide a short-answer response to the following:

9. Please provide any feedback regarding the statements above or any additional comments and suggestions you would like to provide.

Board meetings

In this section of the assessment, please indicate your level of agreement with each of the following statements regarding the function of the Board meetings.

1. Board meetings are strategic.
2. Board meetings focus on priority issues.
3. Discussions are informative.
4. Discussions are productive.
5. Discussions occur in a respectful manner.
6. The meeting documentation provides adequate information for preparation prior to a meeting.
7. The agenda is well-planned so that the Board is able to get through all necessary business.
8. Board members are well apprised of issues prior to making a decision.

Please provide a short-answer response to the following:

9. Please provide any feedback regarding the statements above or any additional comments and suggestions you would like to provide.

Individual Board Involvement

In this section of the assessment, please indicate your level of agreement with each of the following statements regarding your individual involvement in the Board.

1. My abilities fit well with the strategic demands facing the University.
2. My abilities are being used effectively in my role(s) on the Board.
3. My abilities are being used effectively in my role(s) on the Board's committees.
4. My abilities are being used effectively to support the University's government relations strategy.

5. My abilities are being used effectively to support the University's advancement strategy.
6. My time is well-utilized at Board and committee meetings.
7. I read the minutes, reports and other materials in advance of Board and Committee meetings.
8. I am familiar with what is in University of Ontario Institute of Technology's Act, By-Laws and governing policies.
9. When I have a different opinion than the majority, I raise it.
10. I support Board decisions once they are made even if I do not agree with them.
11. I have taken advantage of opportunities made available to Governors to interact with faculty and students during my term.
12. I believe that I am able to contribute effectively to the Board's work.
13. I believe that I am able to contribute effectively to the University of Ontario Institute of Technology University.
14. Overall my experience as a Board member has been positive.

Please provide a short-answer response to the following:

15. Please provide any feedback regarding the statements above or any additional comments and suggestions you would like to provide.



COMMITTEE REPORT

SESSION:

Public
 Non-Public

ACTION REQUESTED:

Decision
 Discussion/Direction
 Information

TO: Governance, Nominations and Human Resources Committee

DATE: April 11, 2018

PRESENTED BY: Cheryl Foy

SLT LEAD: Cheryl Foy, University Secretary and General Counsel

SUBJECT: Policy Framework Review – Update on Consultation

COMMITTEE/BOARD MANDATE:

- Under the UOIT Act, section 9 (1), the Board has the power: “to establish academic, research, service and institutional policies and plans and to control the manner in which they are implemented”. The UOIT Policy Framework is a key institutional policy that delegates the Board’s power, establishing categories of policy instruments with distinct approval pathways.
- Under the Policy Framework, GNHR is the deliberative body for this policy. We submit this report and draft amendments for your comments or discussion about the draft amendments, consultation so far or views about the UOIT Policy Framework.

BACKGROUND/CONTEXT & RATIONALE:

- The UOIT Policy Framework was approved by the Board November 28, 2014. Under the Framework, all policy instruments must be reviewed at least every three years. A review of the Framework is nearing completion after extensive consultation.
- The UOIT Policy Framework establishes five categories of Policy Instruments as follows:
 - **Board:** Policy Instruments that relate to the governance and administration of the Board of Governors.
 - **Legal, Compliance and Governance:** Policy Instruments that relate to: broader institutional planning and governance issues, management of institutional risk, accountability and legislative requirements, and academic governance matters outside those authorities explicitly delegated by the Board to Academic Council.

- **Administrative:** Policy Instruments that relate to the ongoing management and operations of the University and that have application across more than one organizational unit.
- **Academic:** Policy Instruments that relate to academic governance and administration within the delegated authority to Academic Council from the Board.
- **Local:** Policy Instruments that relate to the ongoing management, work, and operation of the single organizational unit for which they were developed. Local policy instruments may be Academic or Administrative in nature.
- The approach of the UOIT Policy Framework is to ensure that governing bodies are engaged in the most effective manner by establishing differing approval authorities for each category. These approval paths are being reviewed and updated.

RESOURCES REQUIRED:

- N/A

IMPLICATIONS:

- N/A

ALIGNMENT WITH MISSION, VISION, VALUES & STRATEGIC PLAN:

- N/A

ALTERNATIVES CONSIDERED:

- N/A

CONSULTATION:

- Through Policy Advisory Committee (PAC) and University Administrative Council, the USGC has solicited comments from policy leads or policy owners who have engaged in policy projects under the Policy Framework. Additionally, we have developed an online questionnaire targeted at Policy Framework users to collect comments. We have conducted a special meeting with Academic Council to obtain their views on the existing Policy Framework. To address comments from Academic Council, we engaged outside counsel to provide a perspective on the duty to consult and ensure that the Policy Framework is consistent with the UOIT Act. Those comments have informed the proposed amendments to the Policy Framework and Procedures.

List of Consultation Dates:

- Policy Advisory Committee (December 13, March 2, March 22, April 19)
- Academic Council (January 16, February 13, April 17)
- Online Consultation (community comments) (January 30 - February 28)
- University Administrative Council (February 13, April 10)
- Senior Leadership Team ([AK] and April 9)
- Governance, Nominations and Human Resources Committee (February 7, April 19)
- Board of Governors (March 7)

Comments Received and Response:

- GNHR requested a document including category definitions and a list of policy instruments approved under the Policy Framework in each of the categories. **Response:** We have prepared a document, distributed with this report.
- Many in the university community are not aware of the process involved in developing and consulting on policies at UOIT. **Response:** We will develop a training presentation to deliver to those involved in policy projects and other interested parties.
- There is a desire to clarify and simplify the policy development, consultation and approval process. A key concern is that the process from policy idea to approval can be long. We wish to explore ways to clarify the process, making it easier to navigate without losing sight of the importance of consultation in the policy development process. **Response:** Under the Policy Framework, the Policy Owner assigns a Policy Lead to conduct the consultation process, draft policies, and integrate or respond to stakeholder comments. Many factors can delay policy development, including limited resourcing to do policy work within the Policy Owner's unit and within the Secretariat. Given the limited resources, the Secretariat's focus is on education and facilitation. To that end, we will continue to develop tools and training related to stakeholder consultation and support Policy Leads in developing consultation schedules. We plan to make Policy Advisory Committee (PAC) agendas available to faculty and staff for increased transparency. In our proposed amendments, we set out mandatory consultation steps meant to ensure that consultation remains a priority.
- Strengthen the role of PAC to provide its comments more weight, and to include a role in the approval of administrative procedures. Ensure PAC reviews all Administrative and Legal, Compliance and Governance (LCG) policies and procedures. **Response:** Proposed amendments to the Policy Framework and Procedures have included PAC as a mandatory step for all Administrative and LCG policy instruments. PAC's assessment will be reported during deliberation and approval. We are also recommending increasing faculty numbers on PAC from one to two.
- The current implementation process for policies does not always include follow-up to ensure their successful implementation and adoption. **Response:** There is no audit function for policy compliance at this time as the focus continues to be on implementation and clean up. The Policy Framework places the responsibility for an implementation plan on the Policy Owner, but also requires the Policy Owner to evaluate the implementation and report on the implementation to the Approval Authority within one year of implementation. This requirement must be emphasized in our training and communications around the Policy Framework.
- There has been discussion of the categorization and approval authority for the Administrative and LCG categories. Administrative policies do not come to the Board for approval. The intent is to ensure that the Board is focused on high-level strategic policies, and not overwhelmed by operational policies. The Board is kept informed through an annual report on policies. **Response:** We are looking at how we can bring more clarity to the categorization of policies and also increase accountability to the Board. We have developed a delegation of authority chart as an appendix to the Policy Framework, as well as a Local Policy Approval Form to delegate authority within an organizational unit to approve Local policy instruments.
- There has been a suggestion to increase the opportunities for faculty members to contribute to policy development. **Response:** We agree that faculty members have a valuable perspective in the development of policies. We propose to increase the Teaching Staff membership of PAC to two. Additionally, the amendments to the Policy Framework provide for a mandatory open comment period on new or revised policies and procedures. These measures provide an additional opportunity for faculty members to consider and comment on policies in development.

- There has been discussion about approval authority and deliberation for Academic policy instruments. It has been suggested that any delegation of approval authority for Academic policy instruments should be done as part of a broader governance review and the development of committee terms of reference in the context of By-law No. 2 implementation. **Response:** We support re-examining Academic approval authorities at a later date as part of By-law implementation. Any changes to committee terms of reference that may arise from the implementation of the new By-law will require amendments to the Policy Framework. The proposed amendments to the Policy Framework and Procedures make Academic Council the approval authority for all Academic Policy Instruments. Academic Council committees are the deliberative bodies.
- There has been discussion about the duty to consult Academic Council and ensuring that the Policy Framework is consistent with the UOIT Act. **Response:** Under the UOIT Act, section 10 (5) the Board has a “Duty to consult” with Academic Council before making a decision regarding the establishment of academic, research, service and institutional policies. The definition of Legal, Compliance and Governance (LCG) is intended to capture those policy instruments related to university governance and institutional planning, regulatory compliance and institutional risk. In the past, LCG policies have been brought to Academic Council as part of their role in the governance of the university and broader institutional planning. Some Administrative policies, which are operational in nature, have been brought on a case-by-case basis. After receiving comments from Academic Council and consulting outside counsel, we confirm that the intention is to consult Academic Council on both LCG and Administrative policy and procedure. Our proposed amendments to the Policy Framework and Procedures add clear mandatory consultation steps to give members of Academic Council an opportunity to review and provide comments on LCG and Administrative policies and procedures. Consultation at a scheduled meeting is required for LCG, and written consultation for Administrative.

COMPLIANCE WITH POLICY/LEGISLATION:

- The UOIT Policy Framework delegates the Board’s power “to establish academic, research, service and institutional policies and plans and to control the manner in which they are implemented”. The Board has a duty to consult Academic Council under the UOIT Act and By-law No. 2 before establishing such policies. We have taken steps to ensure that the Framework engages the governance bodies effectively, while ensuring that our approach is consistent with the requirements of the legislation.

NEXT STEPS:

- Return to Academic Council and request a recommendation for approval of the draft amendments (May 18)
- Return to GNHR for deliberation and Board for approval of the draft amendments (May 31/June 27)

MOTION FOR CONSIDERATION:

- N/A

SUPPORTING REFERENCE MATERIALS:

- Appendix A - Approval Authority Chart and Guide to Mandatory Consultation
- Appendix B – Delegation of Authority
- List of approved Policies and category descriptions

DRAFT FOR CONSULTATION – APRIL 5, 2018

APPENDIX A – GUIDE TO APPROVAL PATH AND MANDATORY CONSULTATION STEPS

Category/Type	Policy Advisory Committee	Vice-President (Policy Sponsor)	University Administrative Council	Online Consultation	Academic Council Committees	Academic Council	President	Board Committee	Board of Governors
BRD Policy				MC				D	A
BRD Procedure				MC				D / A	
BRD Guideline BRD Directive				MC				D / A	
LCG Policy	PA	*	MC	MC		MC	MC	D	A
LCG Procedure	PA	*	D	MC		MC	MC	A	
LCG Directive LCG Guideline	PA	*	D				A		
ADM Policy	PA	*	D	MC		MC	A		
ADM Procedure	D	*	A	MC		MC			
ADM Directive ADM Guideline	D	A							
ACD Policy		*	MC	MC	D	A			
ACD Procedure		*	MC	MC	D	A			
ACD Directive ACD Guideline		*	MC		D	A			
Local Approval Authority Form		A				A			

Policy Instrument Categories: BRD – Board; LCG – Legal, Compliance and Governance; ADM – Administrative; ACD – Academic

PA – Policy Assessment D – Deliberation A – Approval * – Approval of editorial amendments

MC – Mandatory Consultation: Orange – in person Blue – written¹

¹ Where written consultation is required, Policy Lead may optionally decide to consult in person

DRAFT FOR CONSULTATION – APRIL 5, 2018

UOIT POLICY FRAMEWORK APPENDIX B – DELEGATION OF AUTHORITY CHART

	Individuals									Administrative Bodies		Academic Council				Board of Governors		
	Policy Advisor	University Secretary	Policy Lead	Policy Owner	Policy Sponsor	Manager	Director	AVP/Dean	VP	President	PAC	UAC	Faculty Council	Research Board	Other AC Committees	Academic Council	Board Committee	Board
Policy Project Initiation, Administration and Drafting																		
Authorize a policy project					X													
Identify a policy gap	X								X									
Assign a Policy Lead				X														
Consultation planning			X															
Initial consultation (optional)											X							
Draft Policy instrument			X															
Act as Policy Sponsor									X	X								
Act as Policy Owner								X	X	X								
Act as Policy Owner for Local Administrative PI						X	X	X										
Act as Policy Owner for Local Academic PI								X										
General training and advice on UOIT Policy Framework processes	X																	
Administer online consultation site	X																	
Assign Policy Category and Type		X																
Determine the approval authority for a PI if it is not clear										X ¹								
Determine Related Policies, Procedures & Documents	X																	
Determine Policy Owner/Sponsor										X								
Annual Reporting on PI approved and reviewed ²		X																
Deliberation																		
Submit Policy Instrument to Policy Office to begin deliberation process			X															

¹ In collaboration with the Board Chair under the advice of the University Secretary

² includes reporting on Local PI submitted by Local Policy Owners

DRAFT FOR CONSULTATION – APRIL 5, 2018

	Individuals									Administrative Bodies		Academic Council				Board of Governors		
	Policy Advisor	University Secretary	Policy Lead	Policy Owner	Policy Sponsor	Manager	Director	AVP/Dean	VP	President	PAC	UAC	Faculty Council	Research Board	Other AC Committees	Academic Council	Board Committee	Board
Develop PAC agenda	X																	
Approve PAC Minutes											X							
Policy Assessment of LCG and ADM PI											X							
Policy Assessment of ACD PI ³																		
Policy Assessment of BRD PI		X																
Amend PAC terms of reference																		X
Approvals (New or Substantive Amendments)																		
Submit PI for approval	X																	
Training and communications to support implementation of PI			X	X	X													
Approve new BRD Policy or substantive amendment																		X
Approve new BRD Procedure or substantive amendment																	X	
Approve new BRD Guidelines/ Directives or substantive amendment																	X	
Approve new LCG Policy or substantive amendment																	X	
Approve new LCG Procedure or substantive amendment																	X	
Approve new LCG Guidelines/ Directives or substantive amendment									X									
Approve new ACD Policy or substantive amendment															X			
Approve new ACD Procedure or substantive amendment															X			
Approve new ACD Guidelines/ Directives or substantive amendment															X			
Approve new ADM Policy or substantive amendment									X									
Approve new ADM Procedure or substantive amendment											X							
Approve new ADM Guidelines/ Directives or substantive amendment								X										
Approvals (Administrative Local Policy)																		
Approve new Local Administrative Policy or amendment							X	X	X									
Approve new Local Administrative Procedure or amendment						X	X	X	X									

³ Recommend an Academic Policy Committee of AC to fill this role

DRAFT FOR CONSULTATION – APRIL 5, 2018

Individuals									Administrative Bodies		Academic Council				Board of Governors		
Policy Advisor	University Secretary	Policy Lead	Policy Owner	Policy Sponsor	Manager	Director	AVP/Dean	VP	President	PAC	UAC	Faculty Council	Research Board	Other AC Committees	Academic Council	Board Committee	Board

Policy Library																	
Notify Policy Advisor of new PI or amendment approvals			X	X													
Maintain official record of university-wide PI approvals	X																
Maintain official copy of university-wide PI	X																
Editorial/ formatting review of PI before posting	X																
Post PI to Policy Library	X																
Policy Review																	
Determine University-Wide BRD Policy Review priorities																	X
Determine University-Wide LCG Policy Review priorities									X								
Determine University-Wide ADM Policy Review priorities											X						
Determine University-Wide ACD Policy Review priorities															X		
Establish unit Policy Review priorities to fulfil University-Wide priorities									X								
Provide recommended outcome of Policy Review				X													
Determine outcome of Policy Review ⁴									X						X		X
Maintain Policy Review Schedule	X																
Initiate Policy Review ⁵				X	X												
Develop PI forms and templates	X								X						X		X
Approve PI forms and templates (appendix to procedures)																X	

⁴ Outcome is determined by the approval authority of the Policy under review

⁵ Initiated by the approval authority of the Policy under review

Policy Instrument Categories and Types - Definitions

The UOIT Policy Framework establishes the approval process for all university policy instruments. A **policy instrument** means the different tools and documents utilized to provide direction in the governance and administration of the University. Policy instruments may have application within a single organizational unit (Local) or across more than one organizational unit (University).

Policy instruments may be one of four types:

- **Policy:** means a statement of principle intended to govern the operation of the University and which aligns with the legislative, regulatory and organizational requirements of the University
- **Procedure:** means a process, information or step-by-step instructions to implement a policy
- **Guideline:** means a set of optional directions that provide guidance, advice or explanation to support the implementation of a policy or procedure
- **Directive:** means a set of mandatory instructions that specify actions to be taken to support the implementation of and compliance with a policy or procedure

Policy instruments, of all types are also classified into five categories that determine the deliberative body and approval authority for the instrument. Policy instruments are classified based on discussion with the policy lead, the Policy and Compliance Advisor and the University Secretary.

The five categories are:

- **Board:** Policy Instruments that relate to the governance and administration of the Board of Governors.
- **Legal, Compliance and Governance:** Policy Instruments that relate to: broader institutional planning and governance issues, management of institutional risk, accountability and legislative requirements, and academic governance matters outside those authorities explicitly delegated by the Board to Academic Council.
- **Administrative:** Policy Instruments that relate to the ongoing management and operations of the University and that have application across more than one organizational unit.
- **Academic:** Policy Instruments that relate to academic governance and administration within the delegated authority to Academic Council from the Board.
- **Local:** Policy Instruments that relate to the ongoing management, work, and operation of the single organizational unit for which they were developed. Local policy instruments may be Academic or Administrative in nature.

List of Current Policies

The following tables list all University Policies that have been approved under the UOIT Policy Framework in each of the policy instrument categories, with the exception of Local Policies. Local Policies are not tracked centrally at this time. The table header includes the Approval Authority and Deliberative body for each category.

<u>LEGAL, COMPLIANCE & GOVERNANCE</u>		
Deliberative Body: Senior Leadership Team/Board Committees		
Approval Authority: Board of Governors		
Title	Approval Date	Policy Owner
Policy Against Violence, Harassment and Discrimination in the Workplace	December 7, 2016	VP HR
Policy on Sexual Violence for Students and Procedures for Responding to Incidents of Sexual Violence	December 7, 2016	VP Academic
Policy on Naming of Physical University Assets	December 7, 2016	VP External Relations
Statement of Investment Policies	June 29, 2016	CFO
Safe Disclosure Policy	April 20, 2016	University Secretary
Contract Management Policy	April 20, 2016	General Counsel
Policy on Continuing Education Programs	March 9, 2016	Associate Provost
Endowment Management Policy	March 9, 2016	CFO
Fair Processes Policy	October 24, 2016	General Counsel
Use of the External Auditor for Non-Audit Services Policy	October 21, 2015	CFO
Records Management Policy	June 25, 2015	University Secretary
Expendable Funds Policy	March 11, 2015	CFO
Student Association Accountability Policy	March 11, 2015	VP Academic
Policy on the Recognition of Student Organizations	March 11, 2015	VP Academic
UOIT Policy Framework	November 28, 2014	University Secretary

<u>BOARD</u>		
Deliberative Body: Board Committees		
Approval Authority: Board of Governors		
Title	Approval Date	Policy Owner
Board of Governors Meeting Policy	June 25, 2015	University Secretary
Board Attendance Policy	June 25, 2015	University Secretary
Board of Governors Recruitment Appointment and Leadership Policy	April 2014	University Secretary

<u>ACADEMIC</u>		
Deliberative Body: Academic Council		
Approval Authority: As determined by Academic Council		
Title	Approval Date	Policy Owner
Cotutelle Policy	April 19, 2016	Registrar
Posthumous Degrees and Certificates of Achievement in Memoriam Policy	March 17, 2015	VP Academic

<u>ADMINISTRATIVE</u>		
Deliberative Body: PACIP		
Approval Authority: Senior Leadership Team		
Title	Approval Date	Policy Owner
Smoke Free Campus Policy	January 16, 2017	VP HR
Student International Travel Policy	October 11, 2016	VP Research
High Risk International Travel Policy	October 11, 2016	VP Research
Residual Funds Policy	Feb. 22, 2016	CFO
Senior Academic Administrators Appointment Policy	Feb. 10, 2016	President
Booking and Use of University Space Policy	December 23, 2015	VP Academic
Document Imaging Policy	June 22, 2015	University Secretary
Access Control Policy	March 9, 2015	VP HR
Policy on the Over-Expenditure of Research Funds	March 9, 2015	VP Research
Policy on the Use of Internal Research Funds	March 9, 2015	VP Research
Indirect Research Costs	Feb. 9, 2015	VP Research
Emergency Closure Policy	December 15, 2014	VP HR



COMMITTEE REPORT

SESSION:

Public
 Non-Public

ACTION REQUESTED:

Decision
 Discussion/Direction
 Information

Financial Impact Yes No

Included in Budget Yes No

TO: Governance, Nominations & Human Resources Committee

DATE: April 19, 2018

PRESENTED BY: Olivia Petrie, Assistant Vice-President, Student Life

SLT LEAD: Robert Bailey, Provost and Vice President Academic

SUBJECT: Update on Sexual Violence Prevention and Support

BOARD MANDATE:

This report provides data and measures that have been taken in 2017-18 related to sexual violence prevention and support at UOIT.

BACKGROUND/CONTEXT & RATIONALE:

Bill 132, Sections 17 (7) and (7.1) state that universities are to provide their Board of Governors with an annual report that contains the following information:

1. The number of times supports, services and accommodations relating to sexual violence were requested and obtained by students enrolled at the university, and information about the supports, services and accommodations.
2. Any initiatives and programs established by the university to promote awareness of the supports and services available to students.

3. The number of incidents and complaints of sexual violence reported by students, and information about such incidents and complaints.
4. The implementation and effectiveness of the policy.

ALIGNMENT WITH MISSION, VISION, VALUES & STRATEGIC PLAN:

The data and strategies outlined in the report are aimed at advancing UOIT's commitment to maintaining a healthy and safe environment for work and study.

CONSULTATION:

Data and information for this report was provided by Student Mental Health Services, Office of Campus Safety and Student Engagement and Equity as these offices oversee the provision of support and programming related to the implementation of this policy.

In addition, at its first meeting in March 2018 the Advisory Committee on Student Sexual Violence Prevention and Support was provided an overview of the supports, services and accommodations as well as the programming to date, and their insights will serve to improve future efforts that will be enumerated in subsequent reports.

COMPLIANCE WITH POLICY/LEGISLATION:

In accordance with Bill 132, Section 17 (7) and (7.1), the following information is being provided for the Board's information:

1. Supports, services and accommodations:

- Support Workers, offered through UOIT's Student Mental Health Services, provide assistance and accommodations to students who have experienced sexual violence. In Winter 2017, following the establishment of the Student Sexual Violence Policy, three counsellors provided support for students at both campus locations. In addition, UOIT entered into a contract with Oshawa Psychological Services to provide additional on-site sexual violence support services three days per week through the winter and summer terms. In Fall of 2017, based on feedback from students, UOIT brought the all services in-house. To ensure that students who experienced sexual violence could be supported on a priority basis, two new mental health counsellor positions were created and the positions were filled in May and December 2017. All five counsellors who serve as Support Workers under the policy are trained in trauma-informed therapy and have experience working with survivors of sexual assault.
- From May 1, 2017 to April 12 2018, 63 disclosures were received by the Support Workers from students who have experienced sexual violence, including recent incidents that may have occurred on or off campus, and those having occurred historically or during childhood.

- All students received additional support and accommodations, including the coordination of any or all of the following:
 - Academic accommodations (23 students)
 - Housing accommodations (2 students),
 - Other forms of support, such as referrals to community supports, other campus services, or advocacy groups (51 students)
- Within the institution, the following offices were consulted: Student Accessibility Services, Campus Safety, Legal Counsel, the Campus Living Centre, International Education, Human Resources and a number of academic advisors and Deans.

2. Awareness and programming

Efforts to raise awareness and educate students about the policy, supports and services have been dynamic and multi-faceted. In 2017-18, sexual violence awareness raising and prevention programming included the following:

- **First Year Me** – As part of the September Orientation events, students attend a theatrical production at the Regent Theatre that leads students through the fictional lives of seven students who are beginning their first year at UOIT. The play focusses on the social aspects of being a university student, including dating and relationships, partying, academics and studying and sexual violence. A de-brief after the play focuses in identifying the sexual violence supports that are available to UOIT students, recognizing by-stander intervention behaviours as they relate to sexual violence, identifying victim blaming and supportive responses to disclosures of sexual violence, observing how consent relates to everyday life and to sexual activity, and recognizing the many aspect that contribute to the existence of rape culture. The play is presented twice during Orientation and is attended by 1200-1500 first year students each year.
- **Pledge** – Each January, members of the university community are invited to participate in a pledge campaign where participants complete a card on which they pledged what part they will play in preventing and eliminating sexual violence from our community. These cards are then put on display to contribute to a campus culture that challenges sexual violence in our community. Since its inception in January 2016, 2300 pledges have been made by students, faculty and staff, including 500 in January 2018.
- **RISE: Sexual Violence Prevention** – In 2017-18, 237 Student Ambassadors participated in the main RISE session and 23 students participated in the supplementary RISE session on Sexual Violence. The RISE program is a series of workshops focusing on the development of by-stander intervention strategies facilitated by their peers. All student ambassadors are required to complete the general RISE session designed to provide them with tools to intervene, prevent and address individual discrimination and harassment in their roles as leaders. The supplementary workshop focuses specifically on gender-based violence and sexual violence, how to prevent and respond to sexual violence in our community.

- **Sexual Violence Climate Survey** – In February and March 2018, UOIT participated in a survey of sexual violence that was conducted at all post-secondary institutions across Ontario. This survey was mandated by MAESD and it is designed to gather information about student sexual violence and to help PSEs get a clearer and more comprehensive understanding of sexual violence and the experiences, needs and concerns of our students. The survey was subject to full review by UOIT’s Research Ethics Board and received approval on January 23, 2018. At the close of the survey, 2,758 UOIT students completed the survey, with a response rate of 30.5% compared to the system average of 26.1%. A link to the survey instrument is provided in the reference section.
- **Disclosure Training** – 112 peer leaders participated in Disclosure Training in 2017-18, a 90-minute workshop focusing on responding to disclosures of sexual violence. These trainings help students develop effective and supportive responses to those who disclose or report on having experienced sexual violence, and how to provide support and intervention from that point forward.
- **Website, Handbills, Pens and Other Information Resources** – A new website was created to provide information and resources for students who have experienced sexual violence, and individuals who may be supporting someone who has experienced sexual violence. The site provides information on resources on and off campus, how to provide a supportive response, links to the policy and other resources. In addition, 3000 scroll pens were distributed with a pull-out that provides suggestions of supportive responses and to identify victim-blaming responses. Further, 300 handbills were also distributed across campus to provide suggestions and directions how to receive a disclosure of sexual violence and where to refer students who need help.
- **Student Sexual Violence Prevention Summit** – On October 26, 2017, 50 students participated in a day-long summit, with speakers and workshops on issues related to sexual violence. The agenda included a keynote presentation by Yamikani Msosa from the Sexual Violence Support and Education Office at Ryerson University, a discussion on healthy relationships led by Lynn Cohen, Counsellor and Public Education Coordinator at the Durham Rape Crisis Centre, consultation on future sexual violence prevention initiatives at the university, as well as disclosure training and a RISE training session on sexual violence. Through the event, participants learned the importance of empathy when working on sexual violence prevention initiatives, identified characteristics of health and unhealthy intimate relationships, and provided feedback on current prevention initiatives on campus.
- **Self Defense Classes** – 68 students participated in self defense classes that were offered throughout the year on a drop in basis.

3. Reported incidents and complaints

- Of the 63 disclosures that were reported to the Support Workers, three were filed as complaints through the formal university procedure, and one was reported to the Durham Regional Police. (Not included in these numbers are any complaints that may have been brought forward at Durham College against a UOIT student as a

result of our shared campus environment - these are reported by Durham College. These numbers also do not include any incidents that may have occurred but were not formally reported.).

- 16 of the incidents were classified as current or recent (having occurred in the last 12 months); the remaining 47 were classified as historical, with 30 having occurred during childhood.
- 41 of the incidents involved sexual assault (ranging from unwanted sexual contact to rape); 28 of the incidents involved verbal sexual harassment or threatening behaviour; some involved both sexual assault and verbal assault or threatening behaviour.
- 24 of the incidents were perpetrated by romantic partners; 22 were perpetrated by friends or neighbours; 18 were perpetrated by family members; and 2 were perpetrated by persons unknown to the complainant, with some students disclosing more than one incident.
- 56 of the incidents occurred off campus; 7 incidents occurred both on and off campus (i.e., there were multiple incidents) – 4 of these were incidents of sexual assault and 3 were incidents of harassment.

4. The implementation and effectiveness of the policy

To provide oversight in this area, UOIT established an Advisory Committee on Student Sexual Violence Prevention and Support in March 2018. The Committee, comprised of students, faculty and staff from across the university, is mandated to ensure that the University's policies on sexual violence, and the support services, programming and training that sustain these policies, are reviewed on a regular basis and continuously improved upon. Going forward the Committee will also draft an annual report highlighting data related to the implementation of the policy and make recommendations to the Provost or delegate, where appropriate.

The Committee undertook an initial review of the policy during the months of March and April following the close of the MAESD survey. The initial consultations were to provide an important opportunity to hear from students about their expectations of such a policy and the ways in which it is and is not working.

To this end, the Committee elicited feedback from students and other members of the community through:

- Suggestions and comments submitted to the Committee's email account: ssvadvisory@uoit.ca.
- Two open forums hosted by the student members of the Advisory Committee on April 3 and 5, 2018

- Roundtable meetings with students in late April to review and discuss the policy in detail

Based on this feedback, the Committee will determine next steps in the policy review, which may include ongoing consultations with students, in person meetings with individuals and groups, and broad review of resulting policy revisions.

NEXT STEPS:

The Advisory Committee on Student Sexual Violence Prevention and Support will continue its work in reviewing the policy and providing guidance to the university on its efforts to oppose and eliminate sexual violence and harassment at UOIT.

The resulting revisions to the policy and any further recommendations arising out of the Advisory Committee's review will be brought forward in due course.

SUPPORTING REFERENCE MATERIALS:

- Advisory Committee on Student Sexual Violence Prevention and Support – Terms of Reference
- Policy on Sexual Violence for Students and Procedures for Responding to Incidents of Sexual Violence (December 2016) <https://usgc.uoit.ca/policy/policy-library/policies/legal,-compliance-and-governance/policy-on-sexual-violence-for-students-and-procedures-for-responding-to-incidents-of-sexual-violence.php>
- Student Voices on Sexual Violence – Climate Survey Demo <https://www.info-sv-vs.ca/en/Demo>



UOIT ADVISORY COMMITTEE ON STUDENT SEXUAL VIOLENCE PREVENTION AND SUPPORT

1. PURPOSE

The University of Ontario Institute of Technology (UOIT) is committed to maintaining a healthy and safe environment for teaching, learning, research and work. To this end, the Advisory Committee on Student Sexual Violence Prevention and Support provides guidance to the University on its efforts to oppose and eliminate all forms of violence on the UOIT campus, with particular emphasis on eliminating sexual violence and harassment.

In accordance with Bill 132, the Sexual Violence and Harassment Action Plan Act set out by the Ministry of Advanced Education and Skills Development, the University through this Advisory Committee undertakes to ensure that its policies on sexual violence, and the support services, programming and training that sustain these policies, are reviewed on a regular basis and continuously improved upon. Consistent with the terms of the MAESD Action Plan, the Advisory Committee includes students from across the campus to ensure that student input is considered each time the policy is reviewed or amended.

2. TERMS OF REFERENCE

The UOIT Advisory Committee on Student Sexual Violence Prevention and Support provides advice and guidance to the Provost on the University's efforts to oppose sexual violence among students on campus. The mandate of the committee includes:

- (a) Reviewing and recommending revisions to university policies on student sexual violence as needed;
- (b) Advising on training programs for development and delivery to staff, faculty, students, senior administrators, and the UOIT Board of Governors. This training will include UOIT's process for responding to and addressing disclosures and complaints;
- (c) Identifying updates to supports, services and online content;
- (d) Evaluating the efficacy of programming, activities, and processes related to help-seeking behaviours and advising on changes, where necessary;
- (e) Overseeing the implementation of a survey of students or other UOIT members, as required, relating to the effectiveness of university policies on sexual violence;
- (f) Drafting an annual report highlighting data related to measures listed above in this section and making recommendations to the Provost or delegate; and
- (g) Preparing a written annual review to the Office of the Provost and Vice-President Academic detailing recommended changes to the Student Sexual Violence Policy and related procedures.

3. MEMBERSHIP

The members of the Advisory Committee on Student Sexual Violence Education, Prevention and Support will include:

- Two UOIT Faculty Members appointed by the Provost (one to serve as the Chair)
- President, UOIT Student Union or delegate
- Four UOIT students appointed by the AVP Student Life
- An academic advisor
- Two representatives from Student Life
- UOIT Assistant Vice-President, Student Life or delegate

Every effort will be made to ensure that the membership draws on the university's expertise in the area of sexual violence, and that it also reflects a broad diversity of experience across the academic programs.

Members serve on a voluntary basis for a two-year term for staff and a one-year term for students with the possibility of renewal for an additional term.

The Committee will be supported by the Manager, Student Engagement and Equity and the Executive Assistant, Student Life.

4. MEETINGS

The Committee will meet at least three times per academic year; however, additional meetings may be required.



COMMITTEE REPORT

SESSION:

Public
 Non-Public

ACTION REQUESTED:

Decision
 Discussion/Direction
 Information

TO: Governance, Nominations & Human Resources Committee

DATE: April 19, 2018

PRESENTED BY: Cheryl Foy, University Secretary & General Counsel

PREPARED BY: Becky Dinwoodie, Assistant University Secretary

SUBJECT: 2018-2019 Board Elections

COMMITTEE MANDATE:

- one of the committee’s responsibilities under its Terms of Reference is to oversee the process of electing new governors & recommending their appointment to the Board, in accordance with the *UOIT Act* & By-laws
- we are reporting on the election process & results of the 2018-2019 Board of Governors Election

BACKGROUND/CONTEXT & RATIONALE:

- the 2018-2019 Board of Governors Election took place from February 26 - April 6, 2018 in accordance with the Election Timeline that was approved by the committee in November 2017
- there were 4 vacant positions:
 - Student Governor (1 position – reduced from 2 positions to comply with the updated By-law No. 1 coming into effect on September 1, 2018)
 - Administrative Staff Governor (1 position)
 - Teaching Staff Governor (2 positions)
- the nomination period was originally scheduled for February 26 until March 12, which was a week longer than usual in an effort to encourage greater participation
- due to a lack of nominations for the student governor role, the nomination period was extended for all positions until March 16

Teaching Staff Governor Position

- we received 5 nominations for the 2 Teaching Staff Governor positions on the Board
- in order to confirm eligibility to serve on the Board, each nominee was asked to advise whether she/he has research leave scheduled or she/he would be requesting research leave during the next 2 years
- this fundamental eligibility requirement is based on the understanding and expectation that a faculty member on research leave will be spending all of his/her time on research and participating in no other service at the university during that time (as set out in section 28.03 of the Collective Agreement)
- this eligibility criteria is used for both the Board of Governors and Academic Council faculty representative positions
- 3 nominees responded that they plan to request research leave during the next 2 years
- based on this requirement, one of the nominees withdrew as a candidate
- we notified the other 2 nominees that they were ineligible as candidates in the current election due to their planned research leave requests
- both ineligible nominees expressed concern about this eligibility requirement
- a summary of the concerns are:
 - their research leave requests had not yet been approved
 - research leave does not necessarily mean all of their time is devoted to research & they can still participate in Board/Committee meetings as the time commitment is not extensive
 - this eligibility requirement would exclude many tenured/tenure track faculty from serving on the Board as they are eligible for a 6 month research leave every 3 years
 - once appointed to the Board of Governors, a faculty member is not part of the Faculty Association during the length of their term & section 28.03 of the Collective Agreement would not apply
 - there have been instances of Academic Council members who go on research leave & do not lose their seat on Academic Council
- the rationale for the eligibility requirement is:
 - governors owe a fiduciary duty to the university, which is the highest of legal obligations
 - a fiduciary duty cannot be temporarily delegated to another member
 - while a faculty member is on research leave, the expectation is that she/he is dedicated to research full-time & is not engaging in service at the university
 - if a faculty member's request for service is denied, it may be postponed for a period of no more than 1 year in accordance with the Collective Agreement – accordingly, if a faculty member's request for leave in 2019 is denied, it would generally be granted for 2020
 - to support fulfilment of their fiduciary obligations and effective governance, Board members are expected to attend all meetings when possible –

attendance expectations are set out in the Board of Governors Attendance Policy

- accordingly, a faculty member's inability to attend meetings would be inconsistent with the Board's expectations
 - inability to attend meetings would also negatively impact the member's ability to meet his/her fiduciary obligations
 - since the length of term on the Board is only 3 years, spending a portion of the term on research leave would also negatively impact the member's development as a governor & ability to contribute effectively to the Board
 - serving a portion of his/her term as governor while on research leave would also leave faculty members unrepresented on the Board, which would be a disservice to the faculty and Board
- of the 17 faculty candidates who submitted nominations during the 2018-2019 Board and Academic Council elections, only 3 of the candidates (17.6%) were going to be requesting a research leave during the next 2 years
 - Academic Council members are able to request a temporary replacement if serving a 6 month research leave, as they do not hold a fiduciary duty to the university (section 4 of Section II of the Academic Council Handbook provides that if a member of Academic Council is unable to attend meetings due to a teaching or other scheduling conflict for a period **of not more than one term**, she/he may request that a temporary replacement be appointed by the appropriate constituency to serve during the period of the absence)

Administrative Staff Governor Position

- we received 4 nominations for the staff governor position
- one of the nominations was found to be incomplete due to an insufficient number of nominators; when contacted, about the deficiency, the nominee decided to withdraw his nomination
- the election continued with the remaining 3 candidates without any irregularities

Student Governor Position

- we received 10 nominations for the student governor position
- due to a nominee's acclamation in the Academic Council Election, she withdrew from the Board of Governors Election
- another nominee was declared ineligible as a candidate due to failing to attend the mandatory candidate information session
- when contacted about the deficiency, the candidate advised that due to personal reasons, he would be withdrawing from the election
- the election continued with the 8 remaining candidates
- during the campaign period, a question was raised about a facebook event being created from an existing facebook page, which would have been inconsistent with the Election Procedures; upon investigation, it was found to have been created from a new facebook page & to be compliant with the Election Procedures

ALTERNATIVES CONSIDERED: n/a

COMPLIANCE WITH POLICY/LEGISLATION:

- this is compliant with the committee's Terms of Reference & the Board of Governors Procedures for the Election of Faculty, Non-Academic Staff & Student Governors

NEXT STEPS:

- upon recommendation of GNHR, the nominations will be presented to the Board of Governors for approval on May 9, 2018

MOTION FOR CONSIDERATION:

Pursuant to the 2018-2019 Board of Governors Election results, the Governance, Nominations & Human Resources Committee hereby recommends the appointment of the following individuals to the Board of Governors for approval:

- *Liqun Cao and Ferdinand Jones as the Teaching Staff Governors for the term of September 1, 2018 until August 31, 2021;*
- *Mark Neville as the Administrative Staff Governor for the term of September 1, 2018 until August 31, 2021; and*
- *Jessica Nguyen as the Student Governor for the term of September 1, 2018 until August 31, 2019.*

SUPPORTING REFERENCE MATERIALS:

- CEO Certificate

April 12, 2018

Board of Governors
University of Ontario Institute of Technology

Certificate of the Chief Electoral Officer – Board of Governors Election 2018-2019

As the Chief Electoral Officer for the Board of Governors elections for the University of Ontario Institute of Technology (UOIT), it is my responsibility to oversee the conduct of elections within the established policies and procedures, in order to ensure the integrity and fairness of the election process.

My review of the election for the Board of Governors Representatives takes into account the conduct of the election process as well as any complaints received regarding conduct of candidates during the elections.

During this election, there were no complaints received regarding the conduct of candidates.

It is my opinion that the elections were contested fairly and in accordance with the *Board of Governors Procedures for the Election of Teaching, Non-Academic Staff and Student Representatives*.

Based on the voting results, I hereby certify to the Board of Governors that:

- Teaching Staff members **Liquan Cao** and **Ferdinand Jones** were eligible to run as candidates and were properly acclaimed as Teaching Staff Governors on the UOIT Board of Governors for the term of September 1, 2018 to August 31, 2021.
- Administrative Staff member **Mark Neville** was eligible to run as a candidate and was properly elected as the Administrative Staff Governor on the UOIT Board of Governors for the term of September 1, 2018 to August 31, 2021.
- Student member **Jessica Nguyen** was eligible to run as a candidate and was properly elected as the Student Governor on the UOIT Board of Governors for the term of September 1, 2018 to August 31, 2019.

Becky Dinwoodie
Chief Electoral Officer
Assistant University Secretary