

## BOARD OF GOVERNORS' 119<sup>th</sup> REGULAR MEETING

### AGENDA

Thursday, April 22, 2021

1:00 p.m. to 4:00 p.m.

[Videoconference](#)

No.		Topic	Lead	Allocated Time	Suggested Start Time
		<b>PUBLIC SESSION</b>			
1		<b>Call to Order</b>	Chair		
2		<b>Agenda (M)</b>	Chair		
3		<b>Conflict of Interest Declaration</b>	Chair		
4		<b>Chair's Remarks</b>	Chair	5	1:05 p.m.
5		<b>President's Report</b>	Steven Murphy	10	1:10 p.m.
	5.1	Strategic Discussion: Strategic Role of Research on Campus		30	1:20 p.m.
6		<b>Co-Populous Report</b>	Jim Wilson	5	1:50 p.m.
7		<b>Academic Council</b>	Ferdinand Jones	5	1:55 p.m.
		<b>Committee Reports</b>			
8		<b>Audit &amp; Finance Committee (A&amp;F) Report</b>	Laura Elliott	30	2:00 p.m.
		<b>Finance</b>			
	8.1	2021-2022 Budget* (M)	Lori Livingston & Brad MacIsaac		
	8.2	2021-2022 Tuition & Ancillary Fees* (M)	Laura Elliott		
	8.3	ACE Enhancement Project* (M)	Laura Elliott		
9		<b>Governance Nominations &amp; Human Resources Committee (GNHR) Report</b>	Maria Saros	5	2:30 p.m.
10		<b>Strategy &amp; Planning Committee (S&amp;P) Report</b>	Thorsten Koseck	5	2:35 p.m.
11		<b>Consent Agenda: (M)</b>	Chair	5	2:40 p.m.
	11.1	Controlled Goods Program Policy*			
	11.2	Radiation Safety Policy*			
	11.3	Minutes of Public Session of A&F Meeting of February 17, 2021*			
	11.4	Accommodation Policy*			

No.		Topic	Lead	Allocated Time	Suggested Start Time
	11.5	Respectful Campus Policy*			
	11.6	Committee Assignments*			
	11.7	Minutes of Public Session of GNHR Meeting of January 28, 2021*			
	11.8	Minutes of Public Session of S&P Meeting of January 14, 2021*			
	11.9	Minutes of Public Session of Board Meeting of February 25, 2021			
12		<b>Information Items (also available on the Board portal):</b>	Chair	5	2:45 p.m.
		<b>A&amp;F</b>			
	12.1	Risk, Compliance & Policy Updates*			
	12.2	New Building Project Update*			
	12.3	AVIN Project Update*			
	12.4	Strategic Risk Update*			
	12.5	Research Strategy Update*			
		<b>GNHR</b>			
	12.6	Annual Pension Plan Report*			
13		<b>Other Business</b>	Chair		
14		<b>Adjournment (M)</b>	Chair		2:50 p.m.
		<b>BREAK</b>		15	
		<b>NON-PUBLIC SESSION (material not publicly available)</b>			3:05 p.m.
15		<b>Call to Order</b>	Chair		
16		<b>Conflict of Interest Declaration</b>	Chair		
17		<b>Chair's Remarks</b>	Chair	10	
		Durham College Board Engagement (U)			
18		<b>President's Report</b>	Steven Murphy	10	3:15 p.m.
	18.1	Appointment, Tenure & Promotion* (M)			
		<b>Committee Reports (confidential items only)</b>			
19		<b>A&amp;F Report</b>	Laura Elliott	5	3:25 p.m.
20		<b>GNHR Report</b>	Maria Saros	10	3:30 p.m.
	20.1	Election Results* (M)			
21		<b>Consent Agenda (M):</b>	Chair	5	3:40 p.m.
	21.1	Minutes of the Non-Public Session of the GNHR Meeting of January 28, 2021*			
	21.2	Minutes of Non-Public Session of S&P Meeting of January 14, 2021*			
	21.3	Minutes of Non-Public Session of A&F Meeting of February 17, 2021*			

No.		Topic	Lead	Allocated Time	Suggested Start Time
	21.4	Minutes of Non-Public Session of Board Meeting of February 25, 2021*			
<b>22</b>		<b>For Information:</b>			
	22.1	Advancement Update*			
<b>23</b>		<b>Other Business</b>	Chair		
<b>24</b>		<b>In Camera Session</b>	Chair	10	3:45 p.m.
<b>25</b>		<b>Termination (M)</b>	Chair		4:00 p.m.

Becky Dinwoodie, Secretary

**Consent Agenda:** *To allow the Board to complete a number of matters quickly and devote more of its attention to major items of business, the Agenda has been divided between items that are to be presented individually for discussion and/or information and those that are approved and/or received by consent. A Consent Agenda is not intended to prevent discussion of any matter by the Board, but items listed under the consent sections will not be discussed at the meeting unless a Governor so requests. Governors are supplied with the appropriate documentation for each item, and all items on the Consent Agenda will be approved by means of one omnibus motion.*



## COMMITTEE REPORT

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### SESSION:

Public  
Non-Public

☒  
☐

### ACTION REQUESTED:

Decision  
Discussion/Direction  
Information

☒  
☐  
☐

**TO:** Board of Governors

**DATE:** April 22, 2021

**PRESENTED BY:** Brad MacIsaac, VP Administration

**SUBJECT:** Budget 2021-22 Approval

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### COMMITTEE MANDATE:

The board is responsible for governing and managing the affairs of the university, which includes the responsibility of approving the annual budget of the university and to monitor its implementation.

We are seeking the Board's approval of a balanced budget, which is forecasted to be \$191,903 million.

### BACKGROUND/CONTEXT & RATIONALE:

At the February Board meeting we reviewed the in-year budget forecast, assumptions, competing demands and proposed strategic directions. Based on this conversation, internal planning meetings and community town halls the university has prioritized activities to fund for 2021-2022 with an eye on the longer term. These budget priorities are guided by to 2021-2023 Integrated Academic-Research Plan.

The current budget planning environment remains difficult to predict given the ever-changing pandemic situation. The 2020-2021 Ontario Tech budget news is more positive than initially anticipated. While we had a plan in place for revenue declines of \$20M, we are currently projecting a \$10M loss. The difference is primarily due to a 2% overall increase in enrolment thanks to increased registrations by continuing students.

Looking into 2021-2022 we cannot plan on this increase continuing as the 2020-2021 new undergraduate intake was down 5.1%, which will impact revenue in the out years, and the current OUAC applications are down 8.2%. Additionally, we cannot assume the continuing return rate will hold constant (i.e. retention into year two has averaged 81% over the last five years and this year was 87%) as we believe the increase seen this year was largely due to the winter 2020 "pass/fail" option.

Revenues are forecasted to hit \$191M in 2021-2022. In comparison to 2019-2020 this is a \$4M increase in funds coming from tuition/ancillary fees offset by a decrease of \$3M in “other revenues” (i.e., mainly bookstore that was run through purchased services) and almost \$1M of commercial services. In other words, our revenue is essentially flat compared to two years ago.

Expenses are essentially just internal reallocations based on the flat revenues. The \$191.9M includes the spending of revenues as outlined above plus 900K of previous year’s reserves. Our key priority is looking after our employees. To this end we have invested an additional \$6.7M in full-time labour since 2019-2020. This includes the addition of 11 net new employees and increasing labour costs associated with annual salary increases. The other key reallocation includes investments in:

- Learning Re-imagined: An investment of over \$750K in technology to enhance our assets and provide skilled supports for our students, staff and faculty.
- Sticky Campus: An investment of over \$750K to boost our student recruitment and student success programs (e.g. advising transformation, graduate scholarship program) initiatives.

The majority of this \$8M of additions is offset by a \$2.5M reduction to capital reserves, over \$2.5M of bookstore/commercial expenses to offset the revenue loss noted above, \$700K of branding delays and \$700K of facility project suspensions.

### **Discussions:**

While this budget continues to move us forward on our mission and priorities there are number of areas that were not funded to the levels we would like. Through the university information sharing sessions and Audit & Finance Committee, the following risk areas were identified:

Enrolment - The preparation of the operating budget involves the use of projections and estimates that increase the level of overall risk of not achieving the desired results. For example, a 1% deviation in enrolment will lead to ~\$1M variance (positive or negative) from tuition fee revenues. In non COVID times, we have a goal of being within 3% of targets. To mitigate this we are planning to reserve at least \$2M from fiscal year 2021.

Decreasing Reserves – While it is important to save for a rainy day, we are definitely facing one right now. In 2021-2022 we are looking to reserve at least \$1M, if possible, at end of the year and to implement an upward sliding scale model as we plan for more maintenance and capital purchases.

### **ALIGNMENT WITH MISSION, VISION, VALUES:**

The suggested directions are made with an eye on the mission of the university and an investment in the priorities laid out in the Integrated Academic Research Plan. They will allow Ontario Tech to continue to provide high quality undergraduate and graduate services and experiences to its students.

The first draw on the \$191M budget is a reallocation to invest \$6.7M more in personnel costs compared to 2019-2020. With \$3.3M investment in capital, there is less than \$2M left for discretionary spending which will be prioritized on Learning Re-imagined, Recruitment and Student Success.

### **COMPLIANCE WITH POLICY/LEGISLATION:**

The assumptions are to be compliant with provincial tuition fee policy and Ontario Tech’s ancillary fee protocol.

**MOTION:**

*WHEREAS the budget has been prepared based on a forecast using the best information available at this time;*

*WHEREAS the COVID-19 pandemic necessitated the effective closure of most of the university's physical operations in 2020-2021 and we are working on numerous scenarios for 2021-2022; and*

*WHEREAS there is additional risk to the budget this year because of the economic uncertainty precipitated by the COVID-19 pandemic (i.e. international travel) and the expenses required to offer safe partial return to campus in compliance with safety protocols;*

*NOW THEREFORE, pursuant to the recommendation of the Audit and Finance Committee, the Board of Governors hereby approves the 2021-2022 balanced budget of \$191,903 million, as presented.*

**SUPPORTING REFERENCE MATERIALS:**

2021-22 Draft Operating Budget PowerPoint presentation  
Fiscal Blueprint 2021-2022 (from February 2021)



# 2021-22 Draft Operating Budget:

Board of Governors

April 22, 2021

Brad MacIsaac, Vice-President Administration

Lori Livingston, Provost and Vice-President, Academic



# Presentation Overview

- Budget Approach
- Strategic Planning: Integrated Academic-Research Plan
- Setting the Stage: Revenue Scenarios
- Budget 2021-2022
- What's not in the Budget (aka Risk/ Risk Mitigation)
  
- Appendix

**"It's clearly a budget. It's got lots of numbers in it."  
- George W. Bush**



## Budget Approach

- We are approaching all of our recommendations in a principled manner, consistent with the following values:
  - **Students:** We are committed to providing an excellent learning environment and student experience
  - **Faculty and staff:** We are committed to minimizing the impact on people by finding efficiencies
  - **Access:** We are committed to maintaining and enhancing a diverse and inclusive campus community
  - **Communication:** We are committed to communicating regularly with our campus community about the budget process as it progresses
- Through our strategic priorities we have started on a path that will help solidify our university as a remarkable and recognized place of scholarly endeavor, phenomenal student experiences and tight-knit community

# 2021-2024 Strategic Response: Positioning for the Future

## ➤ Tech with a Conscience and Learning Re-imagined

- Leverage our “tech” advantage and nimbleness while also growing our virtual assets
- Be leaders in re-imagining the pedagogy-technology interface
- Create a dynamic learning environment by combining face-to-face and online instruction
- Reimagine how we deliver learning (e.g., stackable, flexible micro-credentials)

## ➤ Sticky Campus

- Imagine our campus locations as community hubs
- Assess our existing spaces, redefine how we use space
- Reduce building lease commitments (e.g., 11 Simcoe, St. Gregory’s)

## ➤ Partnerships

- Combine our expertise with public need in developing new programs, research priorities
- Use skills training, our expertise, and knowledge mobilization to support economic recovery
- Continue to increase research and industry partnerships, experiential learning opportunities

# 2021-2022 Strategic Response: Positioning for the Future

## ➤ Learning Re-imagined

### ➤ Investing in:

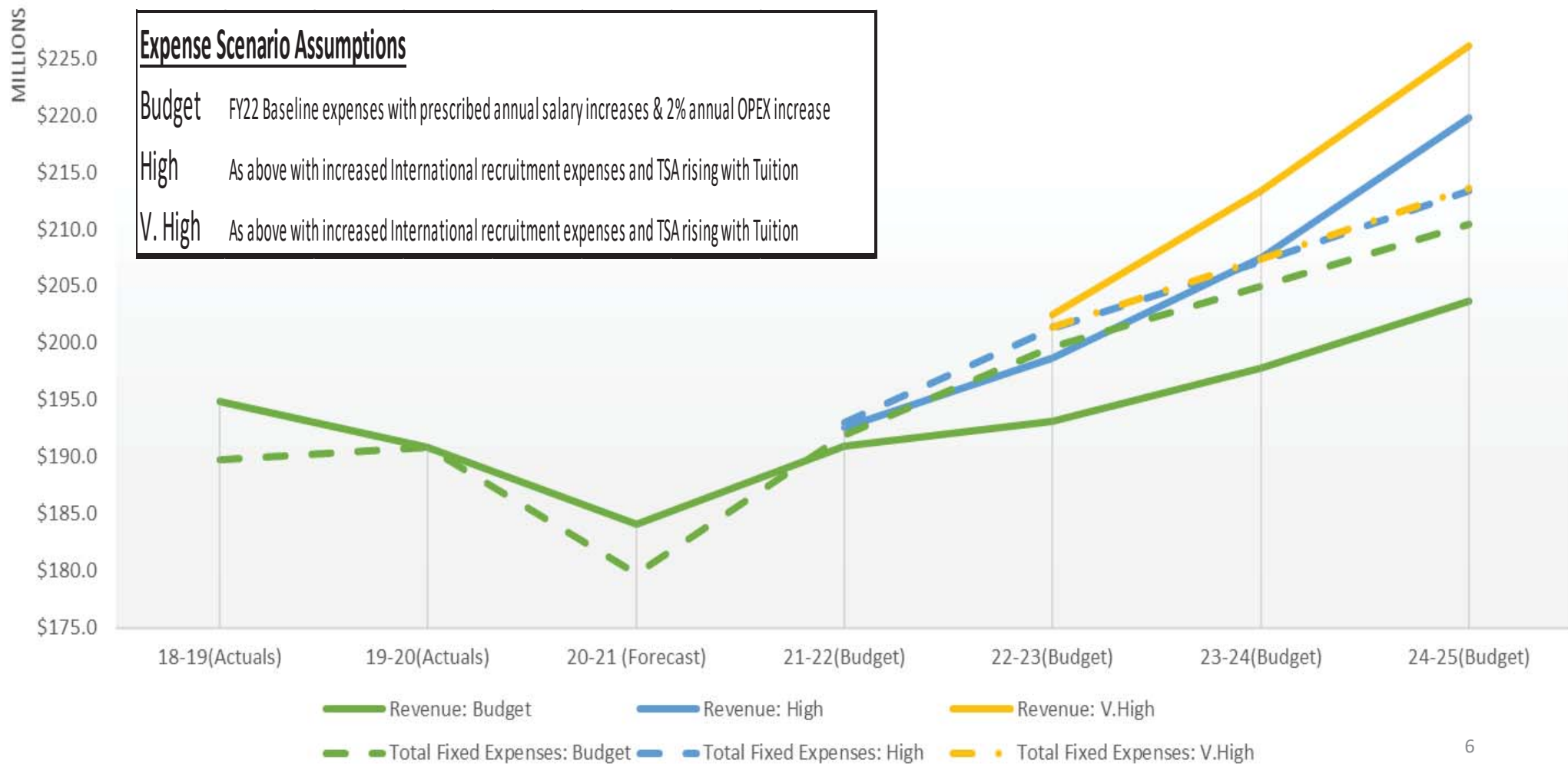
- Technology to add to, enhance, and re-imagine our technological assets
- Enhance the “pedagogy-technology” interface by providing skilled supports for our students, staff, and faculty

## ➤ Sticky Campus

### ➤ Investing in enhanced:

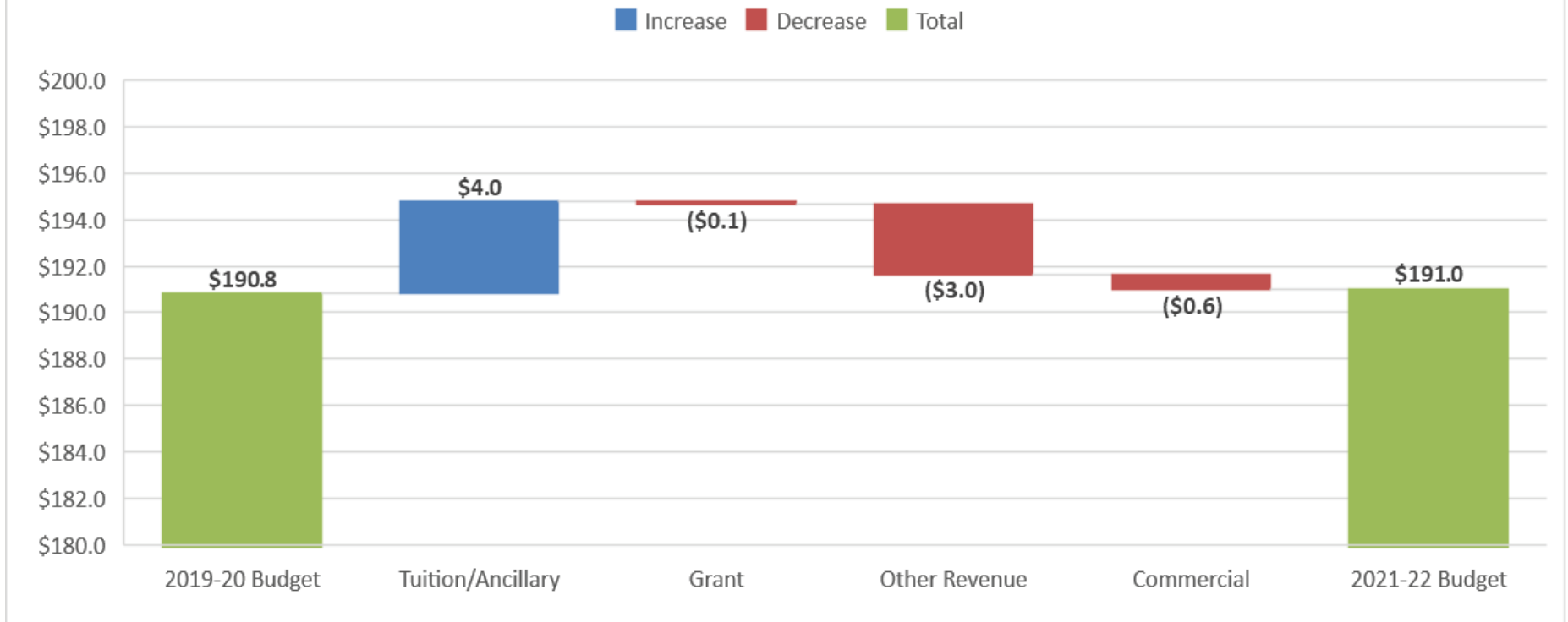
- Student recruitment (e.g. recruitment staff, new digital media platforms) initiatives
- Student success and retention (e.g. advising transformation, graduate scholarship program) initiatives

# Revenue Scenarios (Linear Expense increase)



## 2021 – 2022 Budget Summary - Revenue

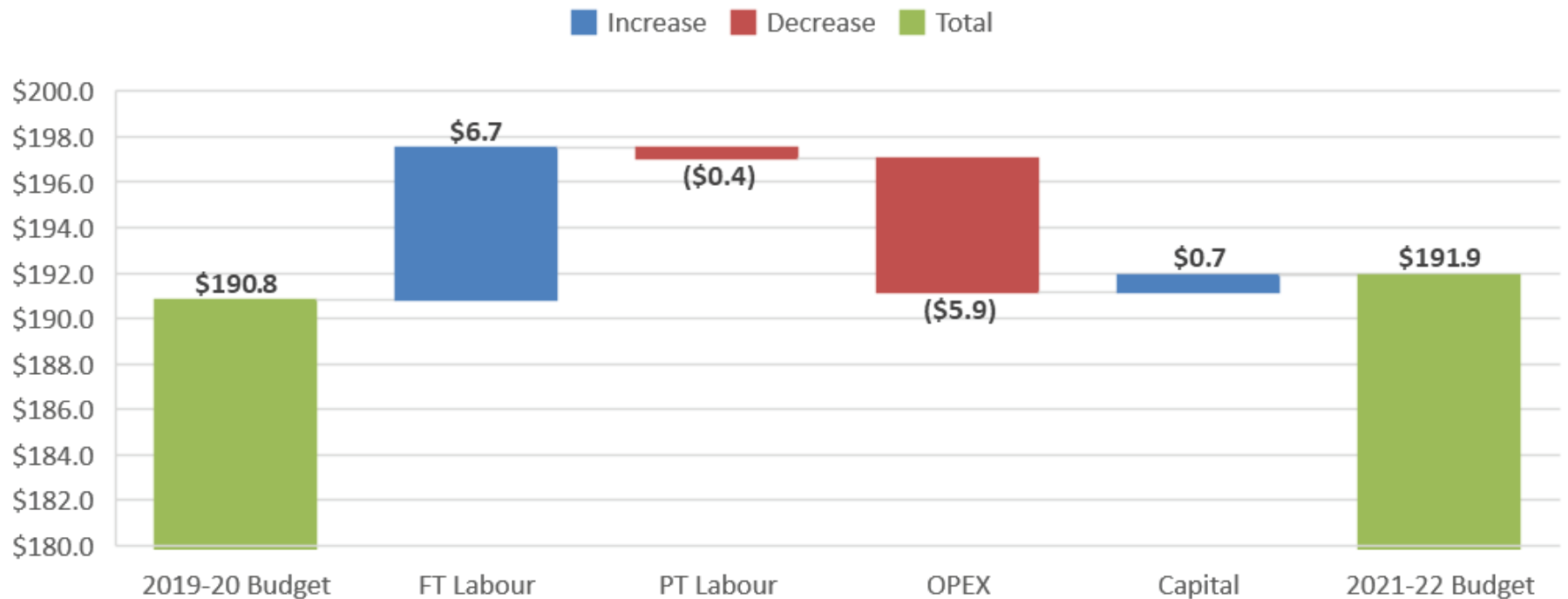
### Total Revenue Trending: FY19-20 v FY21-22





## 2021 – 2022 Budget Summary - Expense

### Total Expense Trending: FY19-20 v FY21-22



## Total Expenses by Functional Area

Expense Summary	2019-20 Budget	2020-21 Budget	2021-22 Budget	Budget Variance 2021-22 v 2019-20	Budget Variance 2021-22 v 2020-21
	\$'000's	\$'000's	\$'000's	\$'000's	\$'000's
Academic	75,803	74,575	79,398	3,595	4,823
Academic Support	37,894	34,597	38,808	914	4,210
Administration	50,802	43,368	46,825	(3,977)	3,456
Ancillary/Commercial	9,810	9,008	10,371	561	1,363
Debenture	16,501	16,501	16,501	0	0
<b>Total Expenses</b>	<b>\$190,810</b>	<b>\$178,051</b>	<b>\$191,903</b>	<b>\$1,093</b>	<b>\$13,853</b>

## Strategic Risk / Risk Mitigation

Stakeholder Relations/ Campus Experience/ Culture	<p>Strong participation of students in the design and delivery of programming aimed at promoting skills development</p> <p>Increased funds for PD focused on internal offerings</p> <p>Learning reimagined discussions – building on \$2.4M eCampus grant</p>
Campus Wellbeing	Priority funding for EDI & Indigenous plan implementations, step care approach for students, focus funding for return to campus & work from home ~500k
Research/ Innovation	Focus on seed funding: early research award support, phasing in ~\$750K for research based graduate student support, virtual learning internal grant
Brand	Focus on earned “main stream” media strategies and funded digital media ~400K
Physical/ Virtual Infrastructure	Created a long term deferred maintenance and 2030 space management plan. Delay normal maintenance but contingency in place
Virtual Infrastructure	Piloting projects for streaming capability for Fall 2021. Hire new director for Cyber-security

## MOTION for CONSIDERATION

WHEREAS the budget has been prepared based on a forecast using the best information available at this time;

WHEREAS the COVID-19 pandemic necessitated the effective closure of most of the university's physical operations in 2020-2021 and we are working on numerous scenarios for 2021-2022; and

WHEREAS there is additional risk to the budget this year because of the economic uncertainty precipitated by the COVID-19 pandemic (i.e. international travel) and the expenses required to offer safe partial return to campus in compliance with safety protocols;

NOW THEREFORE, pursuant to the recommendation of the Audit and Finance Committee, the Board of Governors hereby approves the 2021-2022 balanced budget of \$191,903 million, as presented.

Questions??



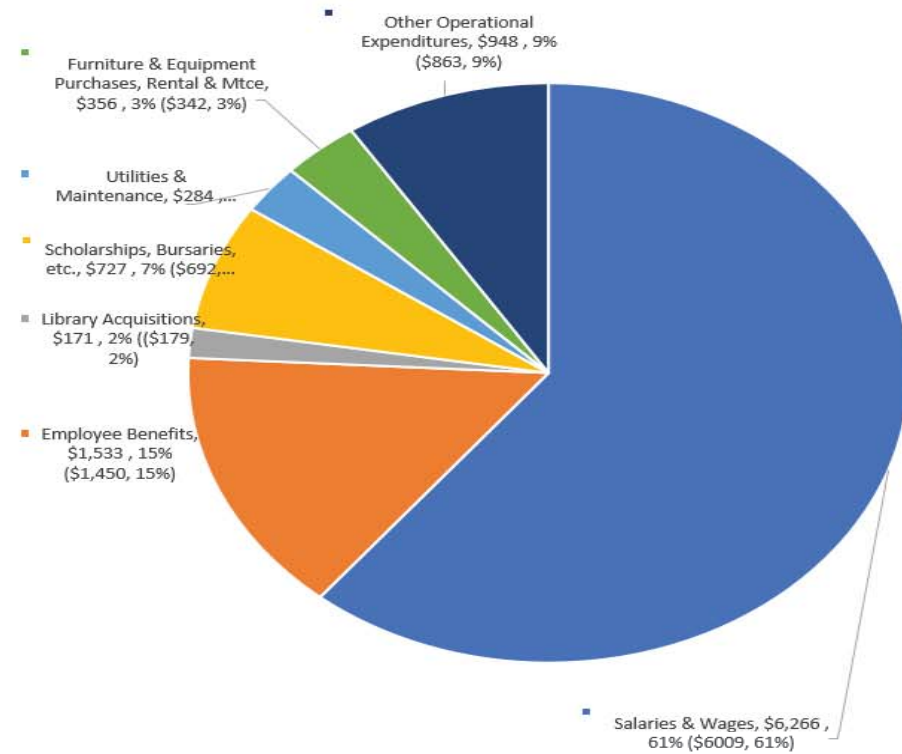


# Appendix

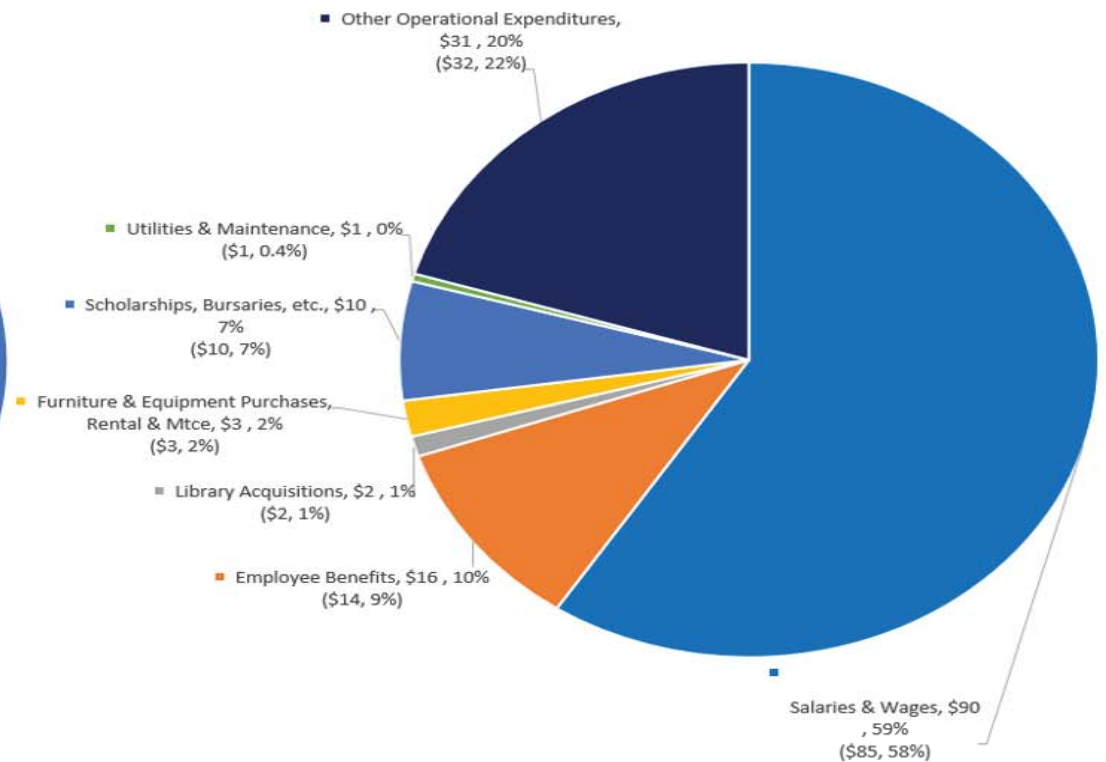
- Total Expenses by Object of Expense
- Total Expenses by Functional Area
- % of Total Budgeted Expenses by Functional Area
- Capital Budget
- Budget Process – Enrolment Targets
- Budget Process – Staffing Estimates
- Foundational Risks – Reserve History

# Total Expenses by Object of Expense

**Ontario Universities Operating Fund Expenses  
- by Object of Expense (in \$millions)**  
Total FY19-20 \$10,285m (FY18-19 \$9,829m)

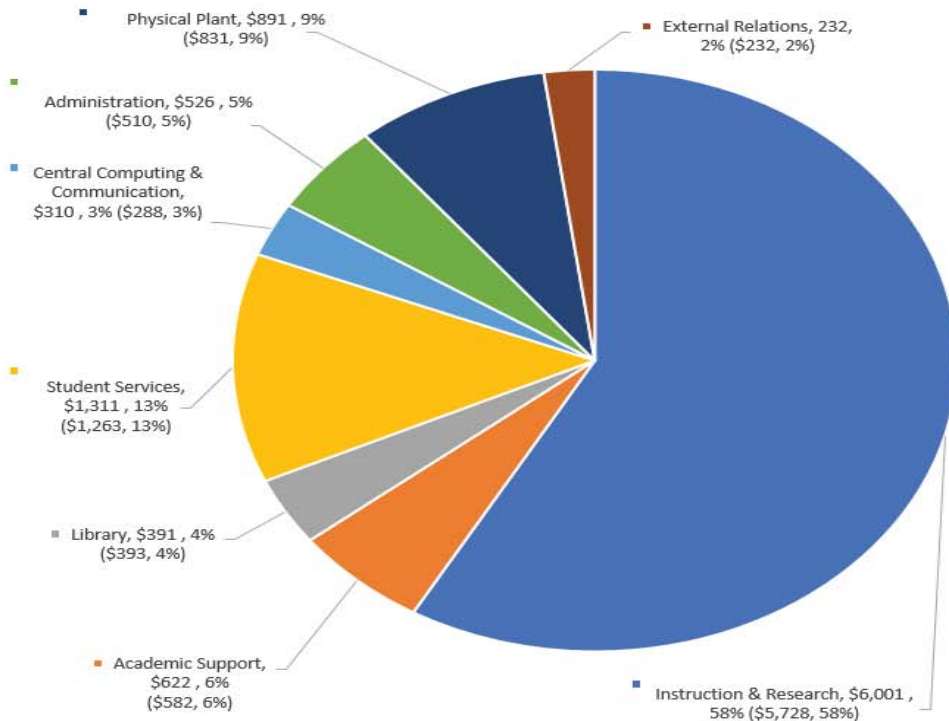


**Ontario Tech University Operating Fund Expenses  
- by Object of Expense (in \$millions)**  
Total FY19-20 \$151m (FY18-19 \$146m)

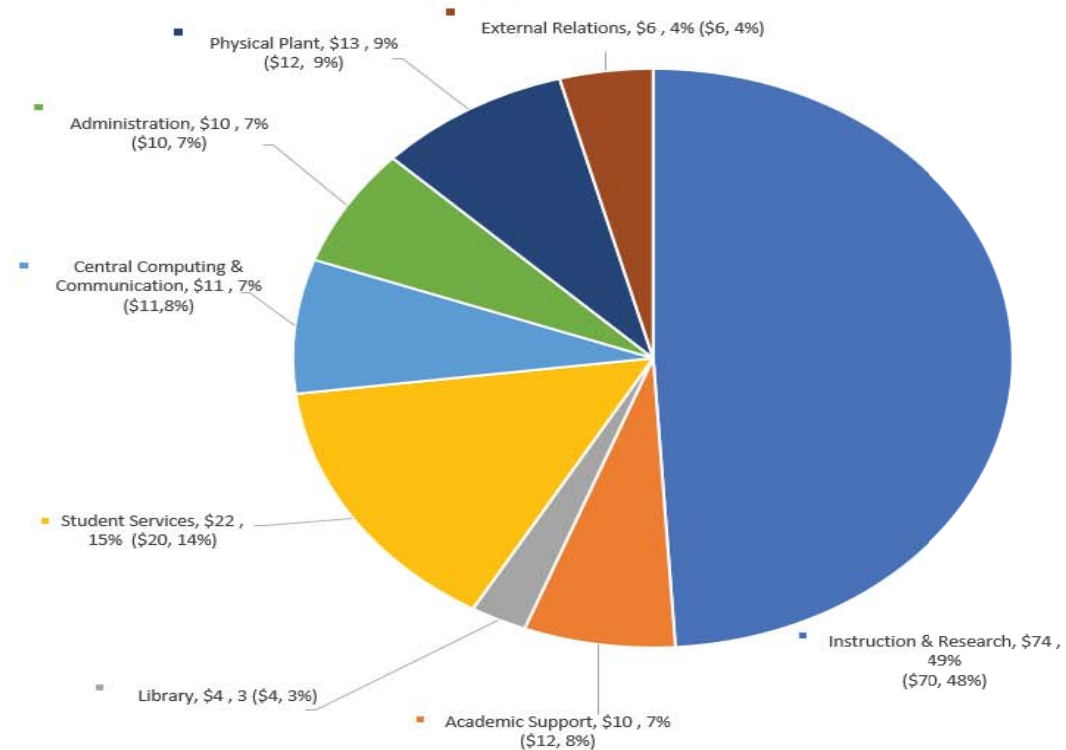


# Total Expenses by Functional Area

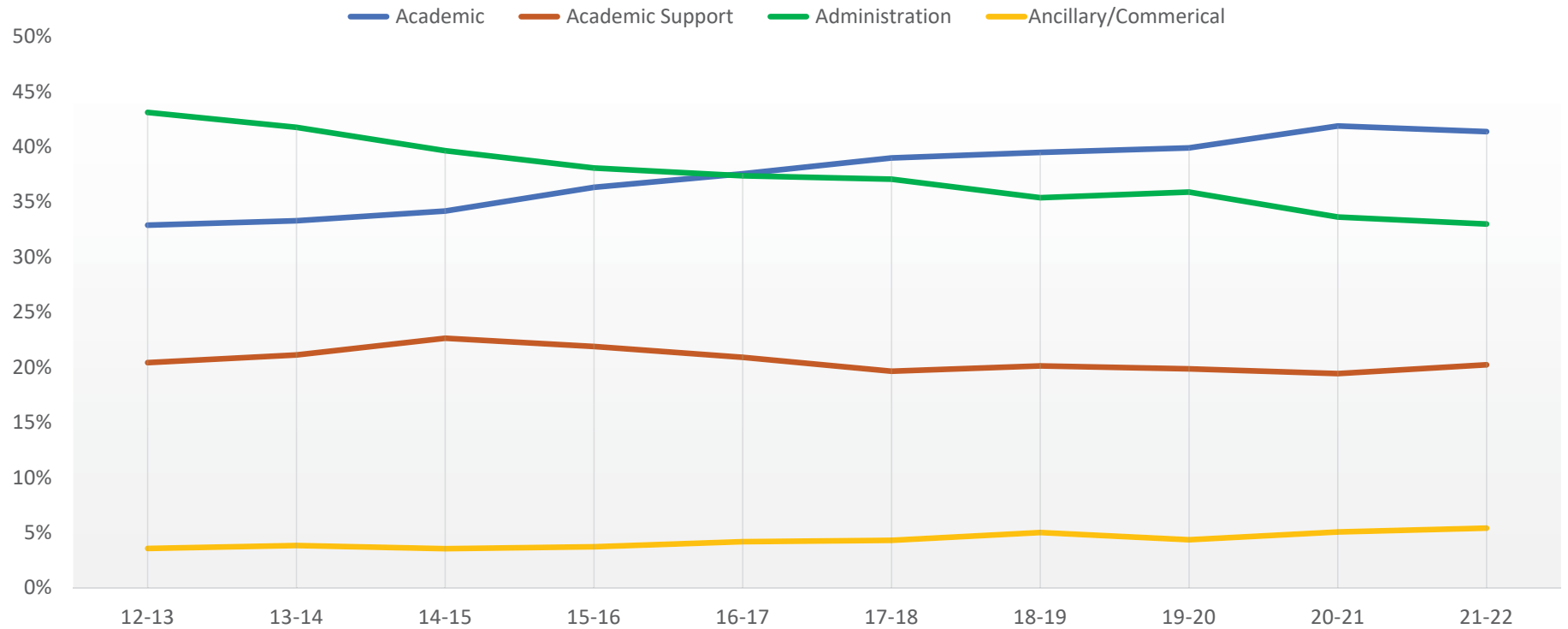
**Ontario Universities Operating Fund Expenses  
- by Functional Area (in \$millions)**  
Total FY19-20 \$10,285m (FY18-19 \$9,829m)



**Ontario Tech University Operating Fund Expenses  
- by Functional Area (in \$millions)**  
Total FY19-20 \$151m (FY18-19 \$146m)



## % of Total Budgeted Expenses by Functional Area

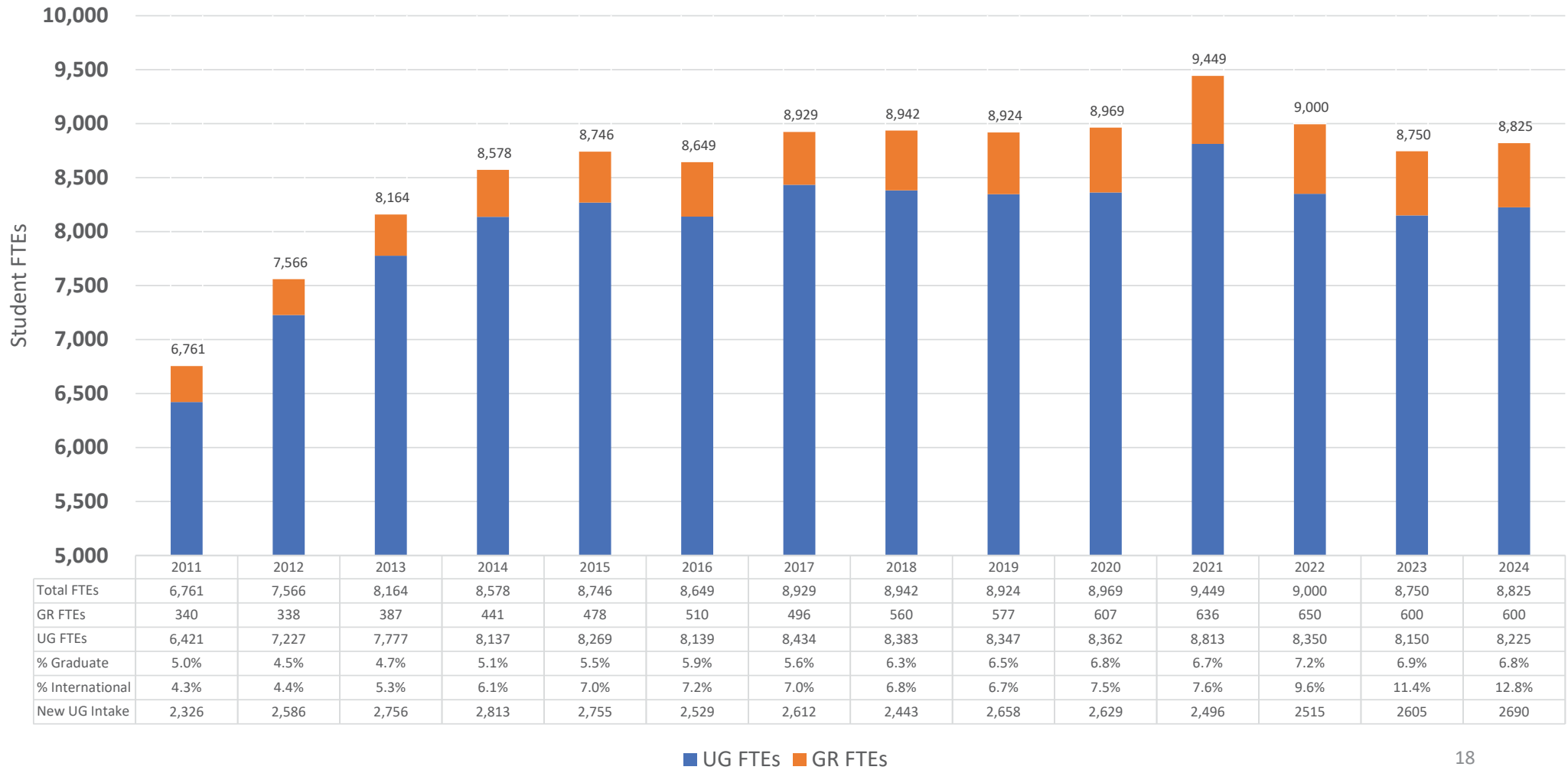


## Capital Budget

	2021/22	2020/21	2019/20
Capital Expenditures	\$M's	\$M's	\$M's
Athletic Capital Investment	0.8	-	-
IT Services	0.8	1.0	1.4
Office of Campus Infrastructure and Safety (OCIS)	2.8	1.2	1.3
Other Equipment	0.2	0.3	0.4
Technology Enriched Learning Environment (TELE)	0.0	0.1	0.8
<b>Total</b>	<b>\$ 4.6</b>	<b>\$ 2.6</b>	<b>\$ 3.9</b>



# Budget Process – Enrolment Targets



## Future Years ... Labour Summary (Filled Positions)

FTE's	2018-19 Actual	2019-20 Actual	2020-21 Budget	2020-21 Forecast	2021-22 Budget	2022-23 Budget	2023-24 Budget	2024-25 Budget
Filled	1-Oct	1-Oct		1-Oct	*			
Tenured/ Tenure-Track	207	221	217	220	226	227	227	227
Teaching Faculty	77	84	82	83	84	86	86	86
Staff	417	427	421	423	433	438	438	438
Total	701	732	720	725	743	751	751	751

\*includes ~3% vacancy rate

# Foundational Risks – Financial Sustainability & Compliance

One of a number of data points is Reserves  
Last 3 years to March 31, 2020

			2019/20		
	2017/18 Reserves	2018/19 Reserves	Contractual/ Committed Reserves	Other Discretionary Reserves	Total Reserves
	\$'000s	\$'000s	\$'000s	\$'000s	\$'000s
Research Start-up and PD	(4,987)	(5,206)	(4,700)		(4,700)
Capital Reserve	(12,339)	(14,501)		(2,409)	(2,409)
Student Awards	(1,000)	(1,000)		(222)	(222)
Working Capital	(6,000)	(6,000)	(6,000)		(6,000)
Faculty c/fwd	(1,708)	(1,155)		(1,155)	(1,155)
Other Reserves	(3,778)	(3,925)	(2,602)	(501)	(3,103)
<b>Total Restricted Reserves</b>	<b>(\$29,812)</b>	<b>(\$31,786)</b>	<b>(\$13,302)</b>	<b>(\$4,287)</b>	<b>(\$17,589)</b>



# FISCAL BLUEPRINT 2021-2022

**Budget Working Group**  
February 2021

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## Executive Summary

This paper outlines the initial phase of a new budget-setting process to enhance the clarity of Ontario Tech's approach to financial planning. This document provides a budget overview (i.e. revenues and expenses) while recognizing the tensions we face due to multiple competing demands.

Normally, our process begins with stating our estimated assumptions, yet we are not moving forward into a normal year. The uncertainties of COVID-19 overshadow our budget-related discussions. In setting the 2020-2021 budget, we reviewed many COVID-related scenarios and delayed budget setting from April to June. Choosing a scenario that still seemed risky at the time, we established an overall budget total that was almost \$20 million less than 2019-2020.

Looking forward into 2021-2022, our revenues are trending towards 2019-2020 levels (i.e. approximately \$190 million) resulting from flat government funding and anticipating domestic tuition freeze continuation. We expect international student growth to boost our revenues, but we remain uncertain about the impact of ongoing travel restrictions and the extent to which virtual learning will be offered.

The first draw on the \$190 million budget is an investment in our employees, including limited hiring of new members and the provision of mandated salary increases. The budget includes \$6 million more in salaries and benefits compared to 2019-2020. After removing the debenture grant from the calculation, about 69 per cent of the university's total expenses cover employee compensation.

When we add salaries and other items such as facilities, financial aid, and commercial services (e.g. parking, food sales, facility rentals), about 97 per cent (i.e. \$185 million) of our budget is allocated. With \$3.3 million of investments in capital expenditures, there is less than \$2million (or about one per cent of the total budget) left for discretionary spending.

Spending what limited funds we have available requires a strategic and focused approach. We must prioritize our spending in areas to support the long-term sustainability of Ontario Tech. To this end, the following investments are seen as our top priorities for 2021-2022:

1. **Learning Re-imagined:** Investing approximately \$600,000 in **technology to refurbish and add to our technological assets.**
2. **Sticky Campus:** Investing approximately \$600,000 into **enhanced student recruitment** (e.g. recruitment staff, new digital media platforms) and **student success retention** (e.g. advising transformation, graduate scholarship program) initiatives.

## Preamble: Budgeting in Pandemic Times

The pandemic had an immediate impact on teaching, learning, and work at universities across Canada. In March 2020, universities emptied their classrooms, residences, most research spaces and offices to ensure safety on their campuses. Some 1.4 million learners and their professors pivoted to online learning. From that date onward, many started to question what the next few years would look like.

This unprecedented public-health crisis threw Canadian universities into a state of financial uncertainty. The schools' two main revenue sources, tuition fees and public grants, were threatened as students contemplated gap years and governments reigned in spending. Supplemental income from commercial services (e.g. parking, food sales, facility rentals) and corporate partnerships could no longer be counted on. The recruitment of international students that many institutions relied on to boost revenue was also clearly compromised due to the inability to get study permits, let alone travel. Additionally, schools poured money into emergency measures (e.g. student supports, enhanced cleaning measures, and technology investments) with no sense of when, or how, the post-secondary sector would return to normal business. To help manage through the crisis, the sector implemented a number of cost-saving strategies including cuts to discretionary expenditures, travel and professional development initiatives. Hiring freezes, layoffs and deferred investments in capital maintenance projects were also common. However, many of these cost-reduction strategies need to be viewed as temporary.

For Ontario Tech, we looked at a number of different scenarios in planning for 2020-2021. While there were early indications that many students would opt out of enrolling for the year, we took a risk in setting our budget based on anticipated minimal decreases in domestic student enrolments, combined with an anticipated 50 per cent reduction in new international student enrolments (Scenario A, Figure 1). This resulted in an estimated **COVID-related revenue decrease of \$20 million** as tabled in June (2020) in comparison to April (or pre-COVID 2020-2021). Both presentations included a proposed budget with a projected \$2.2 million deficit.

*Figure 1: Ontario Tech COVID Enrolment Scenario Planning*

Scenarios		2018-2019	2019-2020	A	B	C
	FTEs	8924	8969	8160	7700	7260
Intake	Domestic UG			-10%	-15%	-20%
	International UG			-50%	-75%	-100%
Continuing	Domestic UG & Grad			-5%	-10%	-15%
	International UG & Grad			-15%	-25%	-35%

While 2020 national enrolment numbers are not yet finalized, indications from across the country are that new domestic student enrolments are steady, retention has grown and the ability of international students to learn virtually have led to less significant drops than originally anticipated. For Ontario Tech, unexpected total enrolment increases—fuelled by larger than anticipated continuing student numbers —brought in almost \$14 million more in revenues than originally forecasted in the COVID-related budget (June 2020). However, commercial services incurred a \$4-million loss. In summary, our 2020-2021 revenues were about \$10 million higher than anticipated in our COVID-related (June) budget but \$10 million (or about six per cent) below the pre-COVID (April) budget revenue estimates.

As we pass the 2020-2021 fiscal third quarter (Q3), the plan includes using the approximate \$9.8 million in additional revenue to:

- Offset the pre-COVID (April) budget deficit of \$2.2 million.
- Invest approximately \$1.2 million into academic units.
- Cover about \$4.3 million in capital project expenditures (including \$2.7 million for the cost of the ACE Moving Ground Plane project not offset by external funding and \$1 million for Athletic facility enhancements, which is covered by the ancillary fee reserve).

It is proposed that any remaining funds available at the end of the 2020-2021 fiscal year be carried forward into 2021-2022 fiscal for specified purposes (e.g. to cover the labour costs associated with a required increase in the number of nursing clinical placement sections and graduate student scholarships) or to be used as a contingency to offset the uncertainty of enrolment (**Note:** These reserves are described in Appendix F).

Looking forward, much uncertainty remains about the overall operating funding of universities, as well as funding for university research and infrastructure, at a time when federal and provincial governments face substantial increases in debt and ongoing fiscal challenges. While Ontario Tech recognized unexpected total enrolment gains in 2020-2021, it is important to note our **new** undergraduate intake was 5.1 per cent below last year. This shortfall in new student numbers will impact revenue in the out years and makes our efforts related to improving student success and retention more important than ever. Moreover, many questions remain as to what the medium- and long-term impacts of the pandemic will be on Canadian universities.

## Planning and Budgetary Context

This paper provides an overview of Ontario Tech's main revenue streams and expenses while also highlighting the opportunities we are pursuing as well as the challenges we currently face. This paper outlines the initial phase of a new budget-setting process to enhance the clarity of our financial-planning efforts as well as our budget recommendations in an environment fraught with competing demands. The focus will be on the revenues and expenses associated with our operating budget (including commercial services and capital). Ontario Tech's operating budget accounts for 94 per cent of our total budget, with the other six per cent being largely related to sponsored research.

As we strive to reach our [vision and mission](#) through working on our strategic priorities (as outlined in the [Integrated Academic & Research Plan](#) and the [Strategic Research Plan](#)) we have started on a path that will help solidify our university as a remarkable and recognized place of work and study. With numerous competing demands the Senior Leadership Team has developed short-term priorities. This does not eliminate the need for growth and investment in many areas, but rather a focused approach to spending in our current environment.

In this current period of fiscal constraint, the university remains committed to finding efficiencies, while still being able to deliver quality education to our students and supporting our employees. The Senior Leadership Team has reviewed a number of approaches to revenue allocation with an eye on one-time only investments for the next year to provide maximum flexibility going forward. We are prioritizing actions that will help us move towards the following strategic priorities:

1. **Learning Re-imagined:** investing in the next generation of innovative and high-quality tech-based programs and the **technology** needed to support them.

2. **Sticky Campus:** bringing more students to campus via investments in **enhanced recruitment** and **digital media platforms** and boosting student success once they are here (i.e. advising transformation).

Remaining focused on strategic priorities in a time of budgetary constraints requires all constituents of our university to work together. This includes following the guiding principles (established in 2019) to develop the annual Operating Budget and working to ensure the end product is balanced and decisions are financially sustainable in the long term. The principles to guide the annual Operating Budget:

**Students:** We are committed to providing an excellent learning environment and student experience.

**Faculty and Staff:** We are committed to minimizing the impact on people by finding efficiencies.

**Access:** We are committed to maintaining and enhancing a diverse and inclusive campus community.

**Communication:** We are committed to communicating regularly with our campus community about the budget process as it progresses.

### Looking Ahead – Building Assumptions

Ensuring that students have access to high-quality post-secondary education has never been more critical than it is right now. For many, the learning gained through the pandemic presents opportunities in addition to challenges. The Ontario Tech community will come together to think of new ideas to rebuild and reinvigorate the academy.

Although the university has long-term plans to grow to 20,000 students, the short-term growth in student numbers will be relatively flat. Ontario Tech's enrolment challenges and opportunities have not substantially changed since the 2014 release of our Strategic Enrolment Management Plan 2014-2020: Vision Critical. The university still recruits the majority of its students from the Greater Toronto Area (GTA) and the international student population remains steady representing about 6 per cent of our students across all programs. Space limitations continue to hinder significant growth in some popular programs and retention rates remain lower than the system average. With the Ontario population on the cusp of a demographic upturn, the university should be moving into another growth phase. But the era of Ontario universities receiving funding based primarily on enrolments has changed and institution support has decreased. We now find ourselves needing more funds to cover inflationary expenses, with relatively little left over to put into the strategic investments. We have no choice but to continue investing in our efforts to recruit more students and to retain those who have already enrolled in our programs.

The vast majority of our revenue is driven by the number of students registered in our programs. Enrolments drive our revenue from grants, tuition and ancillary fees—all of which are governed by the Province of Ontario. As we look to the next three years, our assumptions include:

- **Enrollment (Figure 2):** Overall enrolments will decrease as our new intake numbers remain flat and we experience lower progression into upper years due to decreases in our new student intake in 2020. The cancellation of the Ontario Universities Fair and school recruiting visits will reduce our ability to recruit students.

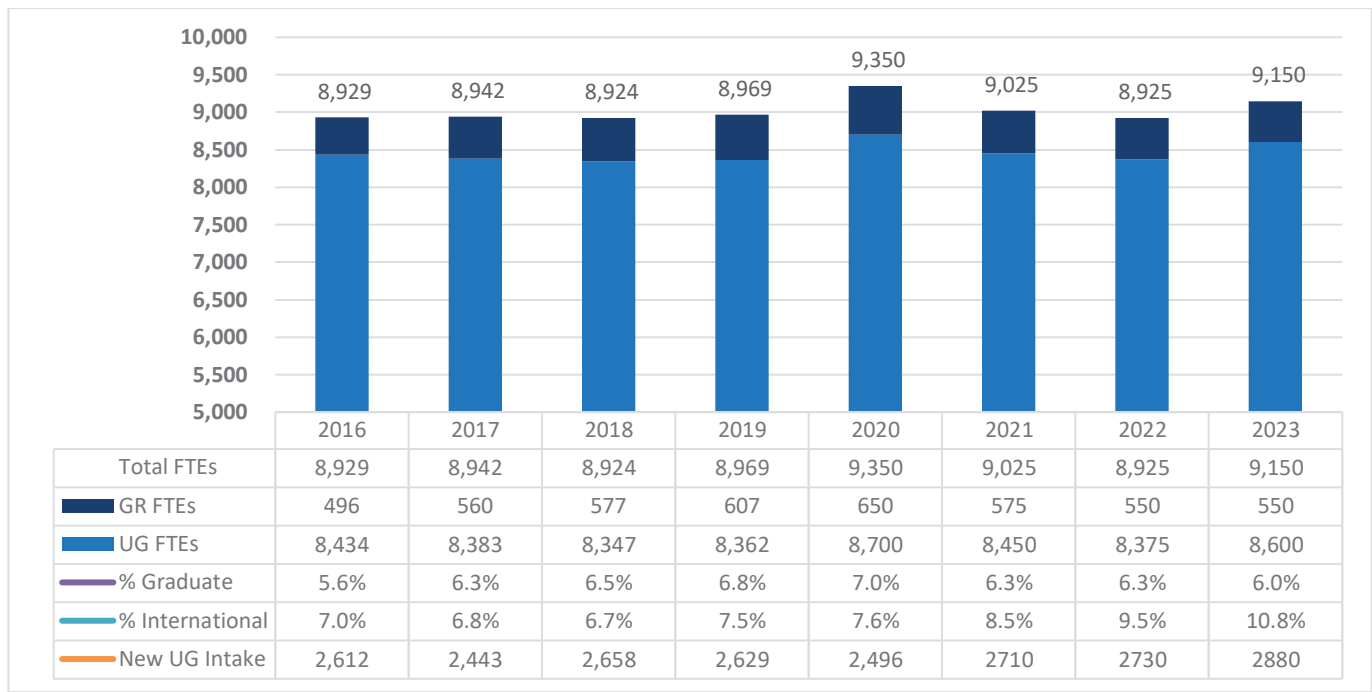
With the normal university-aged population demographic holding steady and an anticipated upsurge in competition for students amongst Ontario PSE institutions, caused by the creation of new university and college programs, we need to diversify our recruitment efforts to include new and enhanced pathways and non-traditional learner populations.

In 2019, we proposed a plan to grow to an annual intake of 240 new international students to begin to move our international student numbers to be closer to that of the Ontario university average (i.e. about 15 per cent of the total student body). Due to continued travel restrictions, it will be difficult to reach this target. Therefore, we have revised our international student intake targets to 180 for 2021 and 225 for 2022.

These assumptions are set with the information we have at this time and will be revised as deemed necessary. Any one positive or negative event can drastically change our budget projections. For example, these events might include if we enroll more international students than anticipated, if we get access to provincial or federal monies to fund building construction, if government allows a permutation in grant and/or tuition increases to at least equal the rate of inflation or if we are able to renegotiate the \$3-million debenture. At this time our budget is established on the basis of:

- **Grants:** These are expected to remain flat as the province has implemented a model that provides institutions with the same level of support as that received in 2016-2017. The implementation of performance-based funding has been delayed until at least 2023.
- **Tuition:** Domestic tuition fee rates were rolled back 10 per cent in 2019-2020 and frozen for 2020-2021. At present, we do not have any information on the domestic tuition framework for future years. The logical assumption is that the tuition freeze will continue.
- **Ancillary Fees:** These fees are governed by a fee protocol that allows for an annual inflationary increase. The 2021 rate is 1.9 per cent.
- **Commercial Revenues** (e.g. parking, food sales, facility rentals): will continue to be reduced as the pandemic impacts run into 2022.
- **Expenses:** Operating expenses have increased at a rate greater than inflation. For example, the Ontario University system has seen increases of about four per cent annually over the past 3 years. With known increases in cleaning supply costs, required lab kits (e.g., personal protective equipment) and food costs, we anticipate limiting operational expense increases at a rate of four per cent will be difficult.

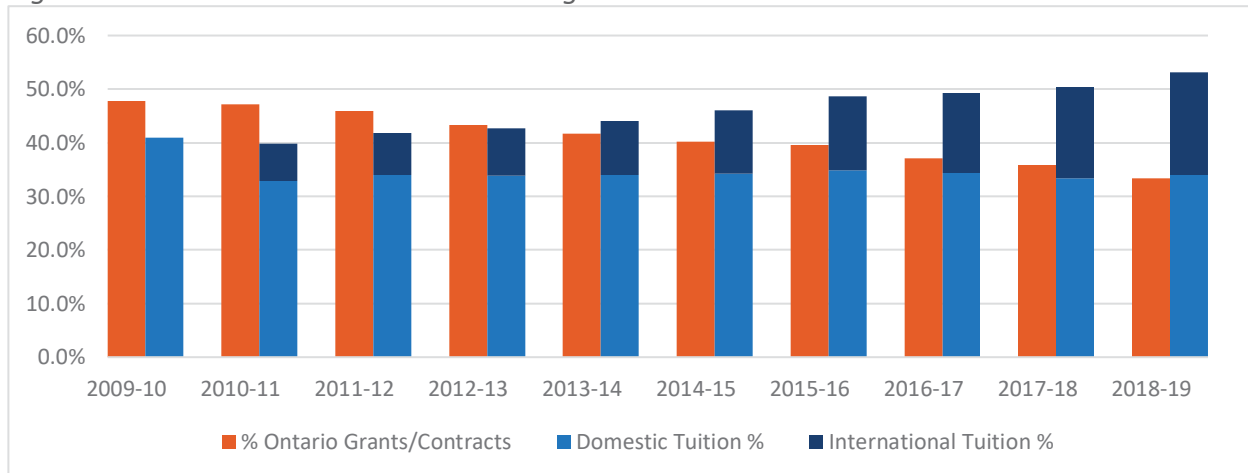
*Figure 2: Total Student Enrolment (FTEs)*



## Revenue Sources

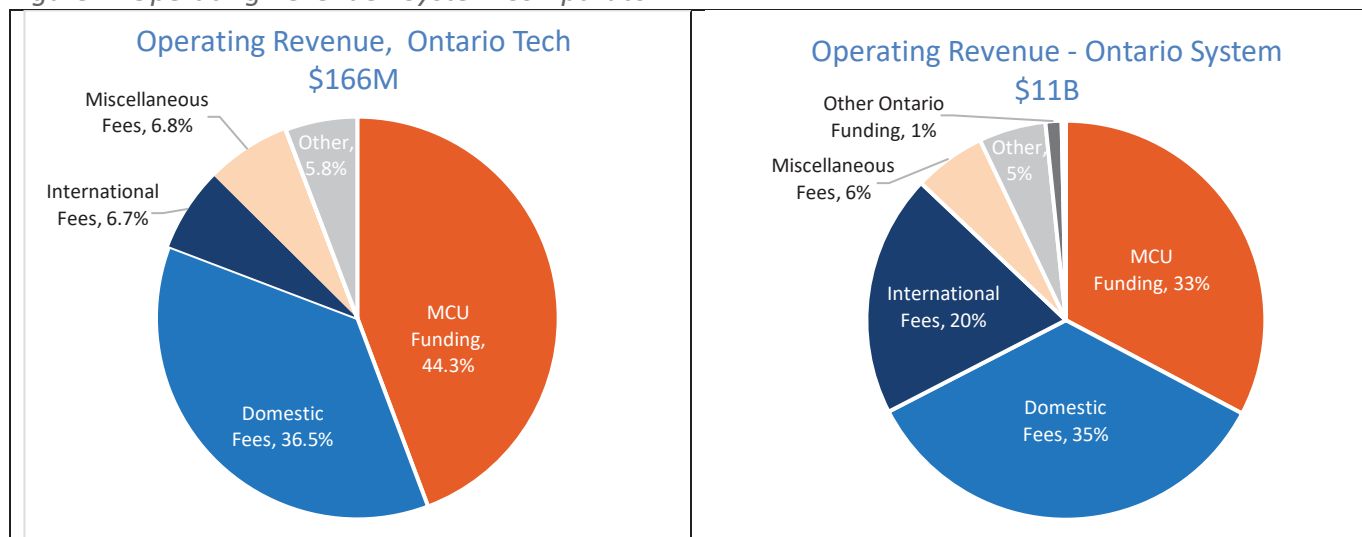
A university's revenue is primarily a function of the number of students who register and the policies put in place by the provincial government that enhance or constrain revenue growth. In Ontario, government grant funding of universities has been essentially flat, while income from students has grown. In summarizing the current revenue conditions, it is important to note that the university's two main revenue streams, domestic tuition and government grants (Figure 3), are currently frozen. This means the university system will see no new revenue in 2021-2022 from these sources and will need to rely going forward on a substantial increase in enrolment, particularly by international students.

Figure 3: Ontario Revenue Source Percentages



When adding in other fees such as student ancillary fees, in 2018-2019 Ontario Tech's operating revenues from tuition and student fees represented 43 per cent of our total revenues versus the provincial system average of 55 per cent (Figure 4). Depending upon the university in question, the proportion of revenues funded by students, ranges from a low of about 40 per cent to a high of 70 per cent of total revenues.

Figure 4: Operating Revenue - System Comparator



## Tuition Fees

Tuition comprises both domestic and international amounts and represents what undergraduate and graduate students pay for educational instruction. Currently, tuition for undergraduate domestic students at Ontario Tech is around the median for Ontario universities (Appendix A). In February 2019, the government announced a 10 per cent cut to domestic student tuition fees for the 2019-2020 academic year and a subsequent tuition freeze for domestic students for the 2020-2021 academic year. For Ontario Tech, this meant a revenue reduction of \$9.4 million (2019-2020) and \$12 million (2020-2021) relative to what we had expected. As a result of the cuts to domestic tuition fees, all institutions across Ontario have shifted toward international recruitment strategies to help enhance their revenue streams. Competition for international students is on the rise in Canada, as well as globally. For 2021-22, Ontario Tech proposes increased international undergraduate tuition fees by 10 per cent for new and five per cent for continuing. These increases will still keep our international tuition fees among the lowest in the system and below the system median (Appendix B).

## Ancillary Fees

The remaining student fees are classified as ancillary fees. Ancillary fees are restricted for the activities for which they were approved (e.g., recreation services, health services, student success centre, disability services and a variety of other student-centred services). These represent about 12 per cent of total student fees. Over the past five years Ontario Tech has focused on keeping these fees relatively flat as we have the highest ancillary fees in Ontario (Appendix C). This number is due to a number of factors including, but not limited to:

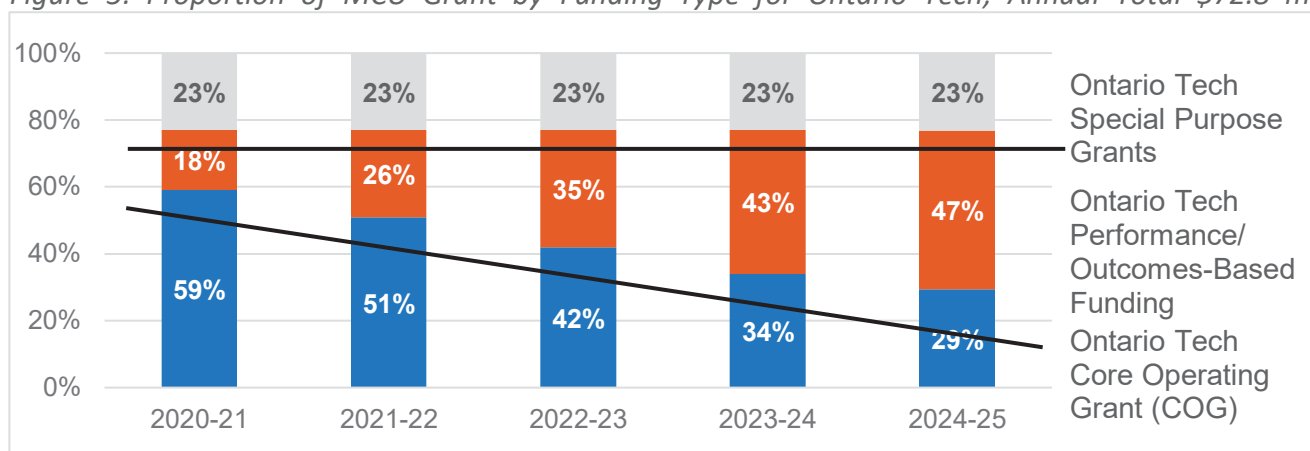
- The small size of the institution.
- Two capital projects supported by students (i.e., Campus Recreation and Wellness Centre and new A5 Building).
- The cost of the UPASS program (i.e., unlimited use of the Durham Transit system at a greatly reduced price).
- Direct access to degree program-related software packages.



## Government Grants

In 2016, the government announced an enrolment-based funding formula where institutions receive a set operating grant as long as their five-year moving enrolment average stays within three per cent of an established target (or corridor mid-point). The new funding model was designed to provide equitable, predictable and stable funding for all institutions and greater certainty for planning. The total grant amount was set based on 2016-2017 enrolment numbers and has not changed since then. Changes to the funding formula were introduced in 2019-2020 as part of the third round of Strategic Mandate Agreements (SMA3). Under this new formula, funding is more heavily tied to performance and outcomes measures. Importantly, due to the COVID-19 pandemic, the provincial government has paused linking our funding to these new performance and outcome measures for two years. However, the SMA3 will be applied for a five-year term and over time, funding will be increasingly tied to the aforementioned metrics with a corresponding decrease in the portion of grants tied to enrolment (Figure 5).

Figure 5: Proportion of MCU Grant by Funding Type for Ontario Tech; Annual Total \$72.8 million



## Expenses

Operating expenditures increase annually and are influenced by a number of factors including, but not limited to:

- Inflation.
- The cost to recruit and retain high-quality faculty, staff, and students.
- The escalating costs of key services (e.g. software licenses, library subscriptions).
- The cost of maintaining and servicing aging facilities.

After two years of strategic budget cuts prompted by mandated tuition decrease in 2019 and enrolment uncertainty in 2020, as well as escalating costs as described above, the goal for 2021 was to work with all academic and administrative units to reallocate monies within their budgets to support key functions rather than to introduce further cuts.

There are a number of predefined services or programs that are mandated by government or existing university policies and agreements leading to some monies being set aside and designated as restricted. Restricted funds represent monies that are collected from students, donated, or provided to us via designated granting programs. The university monitors the collection of these funds and automatically provides the money to the associated service departments. For instance, the Campus Health Services fee collected from students applies directly to the expenses of running this service and cannot be used for any



other purpose. Some monies received through government grants are also restricted. One example of a restricted grant at Ontario Tech is the debenture, which is valued at \$13.5 million annually and covers a portion of the \$16.5-million expense.

The operating budget includes both base and one-time discretionary funding. As we enter 2021-2022 budget planning, the university has a limited amount to invest in discretionary spending initiatives, given that 97 per cent (or \$185 million) of the \$190-million operating budget is required to cover our base and debenture costs. A further 1.4 per cent (\$2.5 million) of our revenues are restricted. This leaves only about one per cent (\$2 million) for new discretionary investments.

The following subsections provide a general breakout of the budgetary expenses (i.e. \$176.5 million) to be considered without the cost of the debenture grant included.

## Personnel Costs

Sixty-nine per cent of Ontario Tech's annual budget supports personnel costs, including salaries and benefits. Year-over-year increases are a factor of new faculty and staff hires, and annual salary raises for existing employees. The first draw on the \$176.5 million is an investment in our employees, including hiring new members and providing the mandated salary increases. The budget includes \$6 million more in salaries and benefits compared to 2019-2020. Ontario Tech salary increases have annually increased by \$2.5 million to \$3 million over the past few years. Given that grant and tuition revenues remain flat for the foreseeable future, the university will need to bring in about 300 to 350 more students per year to cover these increasing salary costs.

**HIGHLIGHT 1:** Within the staffing full-time equivalents (FTEs) (Figure 6), the university will see five new faculty (including two CRCs) to advance our teaching and research mission, four new advising staff to focus on student success and retention, and the hiring of an Indigenous Outreach Co-ordinator to support our response to the Truth and Reconciliation Commission Calls to Action.

Figure 6: Staff Complements (FTEs)

FTE's	2018-19 Actual	2019-20 Actual	2020-21 Budget	2020-21 Forecast	2021-22 Budget	2022-23 <sup>1</sup> Budget	2023-24 Budget
Filled	1-Oct	1-Oct		1-Oct			
TTT	207	221	217	220	225		
TF	77	84	82	83	83		
LTFM	24	18	16	16	16		
Staff	417	427	421	423	434 <sup>2</sup>		
Total	725	750	736	741	766		

## Facilities Costs

Ten per cent of our budgetary expenses include the costs associated with the annual upkeep of our physical infrastructure. There are 31 buildings (24 owned, portables and storage facilities and 7 leased)

<sup>1</sup> Out years will be added for April budget presentation

<sup>2</sup> This includes a ~three per cent holdback on approved FTEs based on normal annual vacancy rates.

totaling 116,724 gross square metres of space. Embedded in this number is more than \$5 million a year in building leases and \$3 million for the unfunded portion of the debenture. More than 60 per cent of our buildings are in great condition. As we plan for the future, funds need to be set aside for renovations and to move from leases to university-owned buildings.

**HIGHLIGHT 2:** As our buildings age, we need to set aside funds for deferred maintenance. The repair estimate is \$12 million (Appendix D) over the next decade. There is also a need for \$35 million<sup>3</sup> to complete the top floor the new A5 Building and move to university owned buildings by 2030. Previously, we set aside \$3.5 million a year for these items but that was paused in 2020-2021 due to financial constraints.

### Financial Aid Costs (including scholarships & bursaries)

Five and a half per cent of the budget is allocated for scholarships, bursaries and fellowships to help students attend the university and to support our institutional access agenda. With increasing entrance scholarships, graduate assistance and a new international program, we anticipate that we will distribute more than \$9 million to support students.

**HIGHLIGHT 3:** In 2021, we will introduce a new annual investment of \$200,000 to support students entering research based graduate programs.

### Information Technology Costs

Three and a half percent is dedicated to IT operating costs and capital purchases. Funds have been reallocated to support learning re-imagined. This includes the purchasing of a limited number of hardware/software platforms to enhance in-class opportunities (i.e. piloting new classroom technology setups to achieve a flexible hybrid learning environment). The aim is to provide equitable access for students who cannot commit to coming to campus as the pandemic lingers on. We will also launch a customer-relationship management initiative in support of recruitment, advancement, research, continuous learning and other functions.

**HIGHLIGHT 4:** A \$600,000 investment in pilot projects leading to a high-level three- to five-year implementation plan by October 2021, which will outline transformative investments at the intersection of technology and pedagogy. We expect the need to set aside \$4 million in the near term for further investments aimed at enhancing our technology assets.

### Commercial Costs

Four percent of our expenses are linked to a huge range of essential services and facilities to support staff, student, and visitor experiences on our campuses. These include parking, food services, and the use of the Regent Theatre, ACE, the Campus Bookstore, and the Campus Ice Centre/Fieldhouse. The general concept is to build a community (i.e. a sticky campus) by continuing to develop an exceptional experience through opportunities for engagement and support. As we work towards a sustainable future, the goal is to invest strategically to maintain and improve our facilities and services.

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<sup>3</sup> 66 per cent of \$53 million assuming other sources for the remainder

**HIGHLIGHT 5:** In 2020, we launched Dana's Hospitality as our new Food Services provider. As we begin to bring members of our university community back to campus, we will gradually open refreshed food outlets.

## Registrar's Office Costs

Half a per cent is allocated to operate the recruitment, records and registration arm of our institution. The Registrar's Office operates a student-centred client service hub that deals with financial aid, registration and admissions inquiries. The Registrar's Office plays a key role in the university's strategic enrolment management efforts by co-ordinating student recruitment, as well as contributing to student success and retention through the various administrative services they provide.

**HIGHLIGHT 6:** A new \$625,000 investment into student recruitment aimed at increasing both the use of technology and contract staffing to engage one-on-one with prospective students via personal outreach, live chat, integrated text, and a robust lead scoring and nurturing system. Additionally, we have made investments in our international recruitment efforts by employing off-shore representatives in China, India and Africa.

## Key Budget Risks

The following outlines key risks for the university as it relates to the budget-setting process.

### Operational Risks

- **Uncertainty in achieving enrolment targets**, is a medium risk, especially as we look at steady new domestic and growing new international student enrolment numbers. In a normal year, a three-per cent variance for total FTEs is reasonable. With increasing competition for students and the lingering effects of the pandemic, we must stay focused on this area.
- Given that we have assumed an **ongoing freeze for tuition** in the coming year, this is a low risk area. However, continued freezes in future years will have a major impact on our revenues.

The province's **shift to a performance-based funding model** with SMA3 is not a concern right now as government funding for universities will be decoupled from the agreement for two years. However, as we look to the third year of the agreement, we anticipate that a number of our performance/outcome indicators will be negatively impacted.

- **Escalating COVID-19-related operating costs** is a low to medium risk as we have set aside within the budget what we believe to be adequate funds to accommodate smaller classes on campus. However, personal protective equipment costs are increasing at rates greater than 10 per cent and work-from-home costs may impact our spending. We will need to continue to track these trends.

### Strategic Risks

- **Stakeholder Relations/Campus Experience/Culture:** For all of our stakeholders (e.g. students, staff, faculty, alumni and the community at large) these areas may all be impacted based on the

“learn/work from anywhere” atmosphere that emerges as a result of the pandemic. Finding the balance between working virtually and being on campus requires our full attention.

- **Campus Well-being:** Our staff and faculty share one thing in common: a dedication to student success. Our student and administrative services are backed by an impressive array of knowledgeable and caring professionals. By increasing virtual supports for all members and creating a new step-care model for student mental health, we are working to deliver this vital service. For our employees we have also increased access to services through our Employee Assistance Programs. Moving forward, enhancing our professional development offerings for staff and faculty will need to be a priority.
- **Physical/Virtual Infrastructure:** One of the first budget areas to be reduced was the repair and replacement of equipment. A central contingency fund has been set up should emergencies arise. However, the chances of equipment failure only increase as the need for these reductions continue. As we look to the virtual landscape there are also increasing cybersecurity threats. In collaboration with Durham College, a new Director of Cybersecurity has been hired in an effort to mitigate these risks.

## Summary

Ontario Tech strives to advance its strategic priorities while ensuring that we engage in financially responsible budgeting practices. This paper provides a better understanding of Ontario Tech’s main revenue streams and expenses as we focus on the upcoming 2021-2022 budget. Resource allocation is important to everyone who is part of the institution and Ontario Tech strives to provide an improved understanding of the issues and factors that must be considered when we make necessary, but also difficult, decisions in our current fiscally constrained environment.

It is important to note that the university’s two main revenue streams (i.e. domestic tuition fees and provincial government grants) are currently frozen, while expenses continue to rise due to yearly salary increases and the costs of inflation. Ontario Tech has no choice but to focus on enrolment growth (especially international) and generating alternative revenue streams, as well as finding cost efficiencies, during this time of financial constraint.

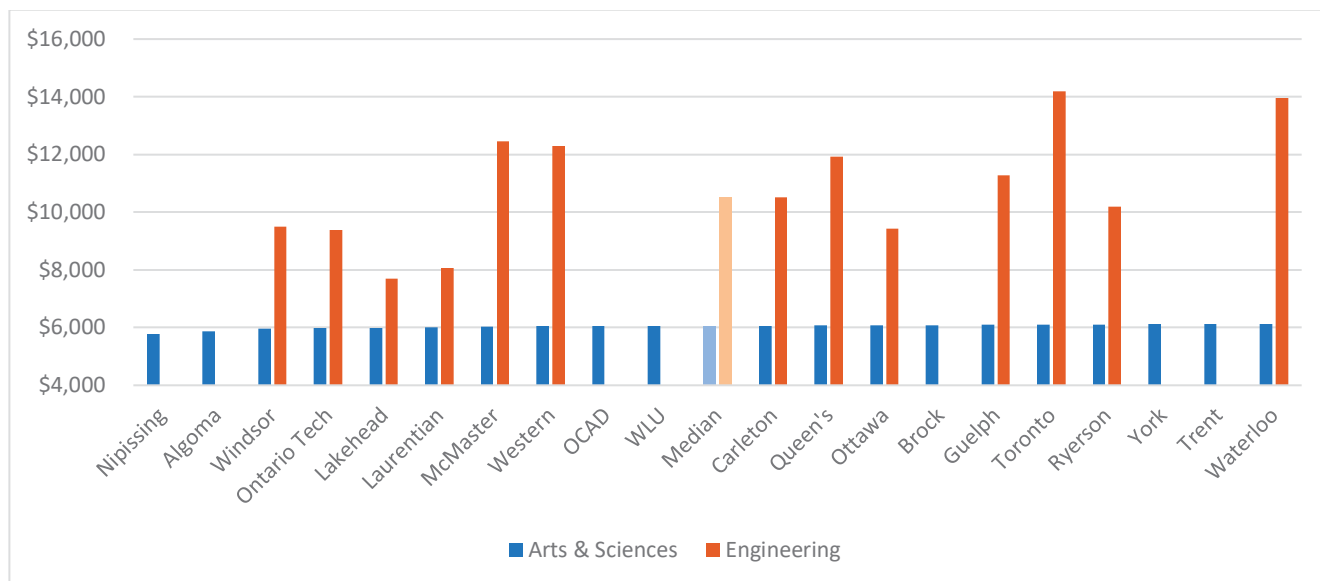
## Key Highlights

- Undergraduate domestic enrolment is expected to remain stagnant over the next few years.
- Domestic tuition rates were reduced by 10 per cent in 2019-2020 and remains frozen at this time.
- Universities across Ontario, including Ontario Tech, have shifted their focus to recruiting international students to generate additional revenue causing greater competition.
- Ministry of Colleges and Universities grant funding amount is frozen at the 2016-2017 enrolment level. The funding formula has changed, but the total funding package remains the same.
- Expenses will continue to grow each year with annual salary increases and inflationary costs.

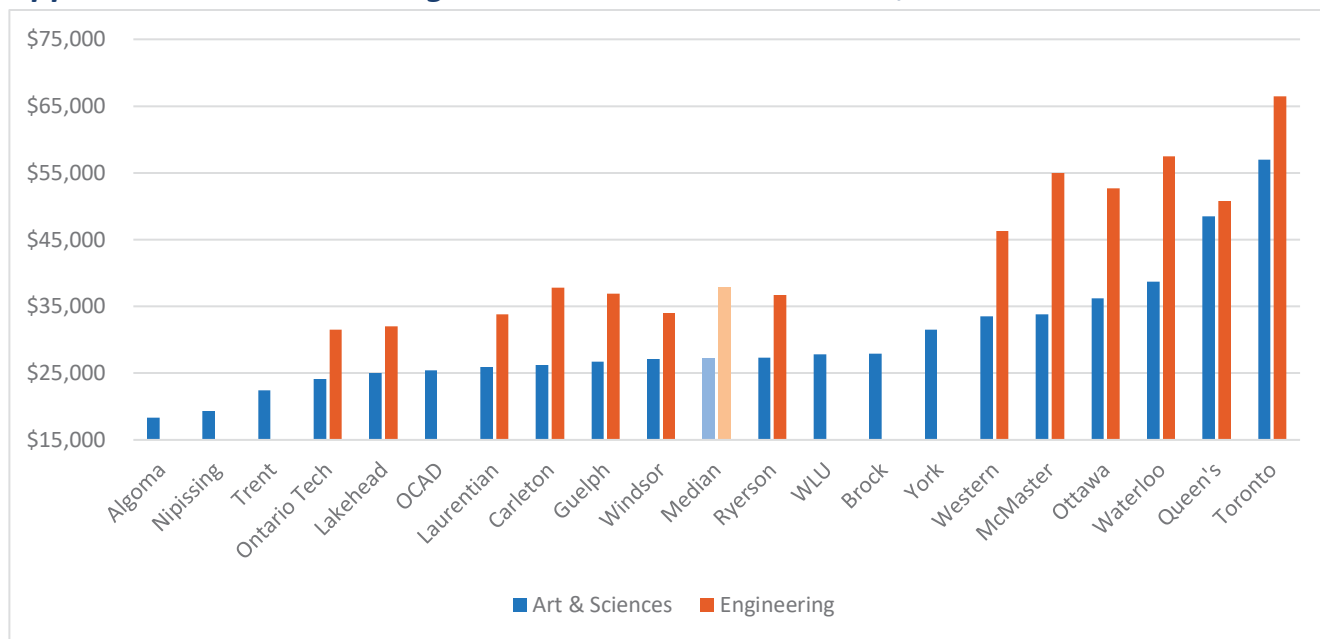
- The university has invested \$6 million more in salaries than 2019 - 2020 even though the total revenues are expected to be similar.
- The majority of the \$2 million discretionary funds are being prioritized for technology to support learning, enhanced student recruitment (e.g. recruitment staff, new digital media platforms) and student success retention (e.g. advising transformation, graduate scholarship program).

## Appendices

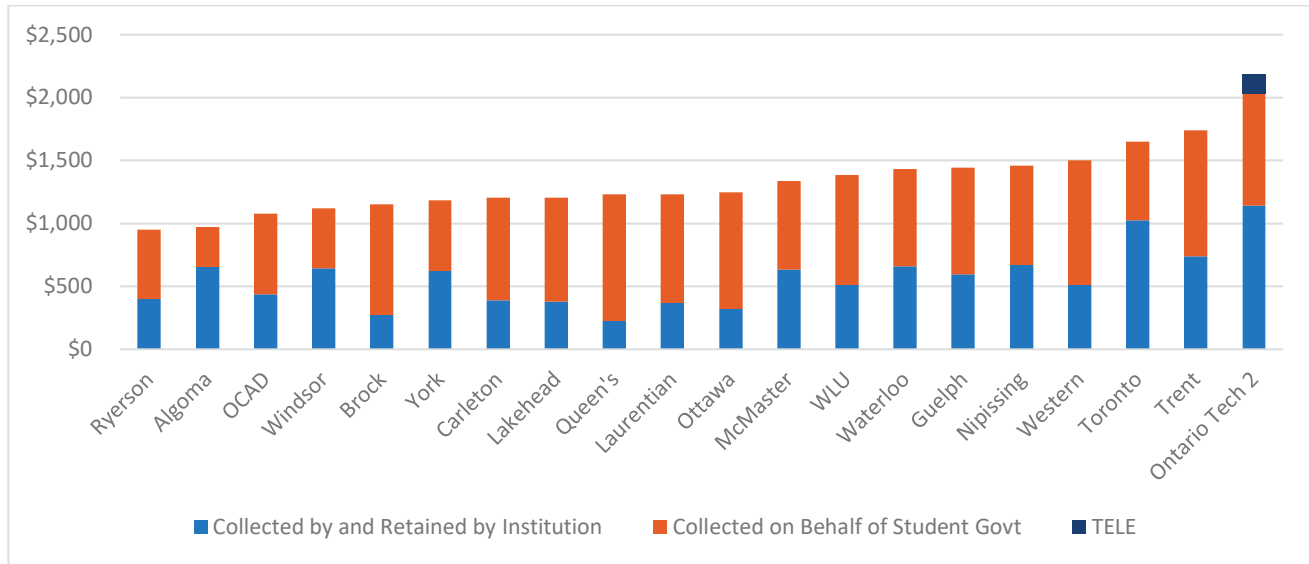
### Appendix A: Ontario Undergraduate Domestic Tuition, 2020-2021



### Appendix B: Ontario Undergraduate International Tuition, 2020-2021



### Appendix C: Ontario Undergraduate Ancillary Fees by University, 2020-2021



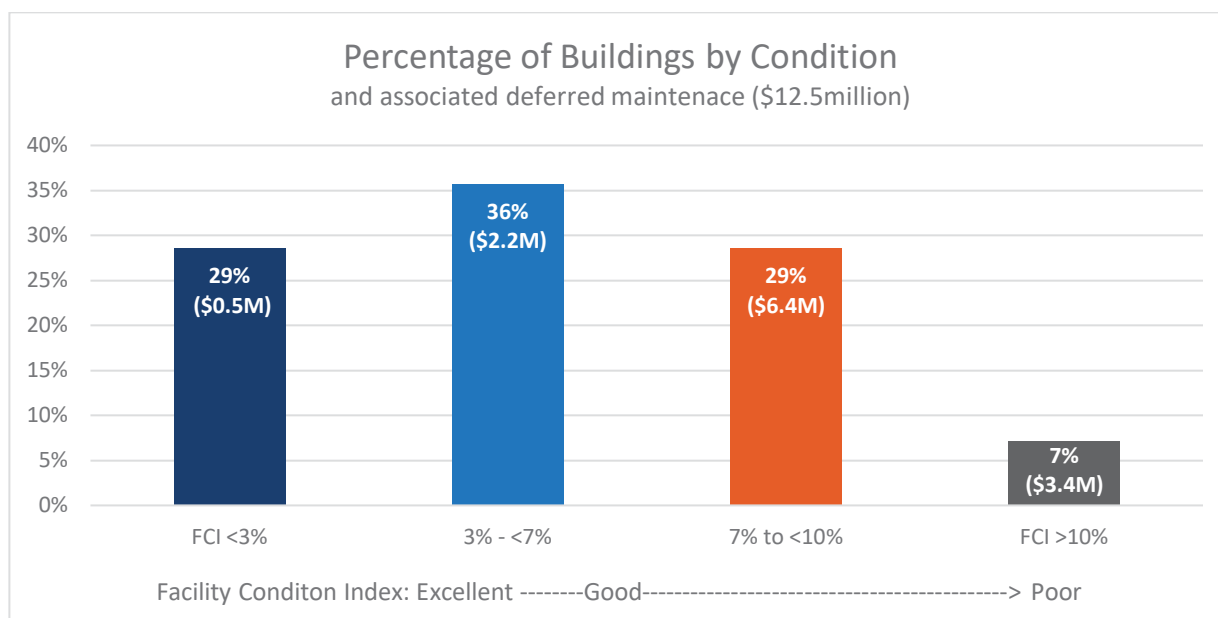
The Ontario Tech fees include:

- \$283.50 for UPASS so all students have free access to transit in Durham Region. Upon last review, only six other schools had a UPASS-like program (i.e., Carleton, Ottawa, McMaster, WLU, Waterloo, Western).
- \$277.10 for capital projects (i.e., the new A5 building and Campus Recreation Centre) that were student referendum approved.

## Appendix D: Facilities Condition and Renewal Background

Ontario Tech has 31 buildings (24 owned buildings, portables and storage facilities and 7 leased buildings) totaling 116,724 gross square metres of buildings space. Fourteen buildings have been audited and assessed, having a current replacement value of \$305 million (2020-2021) and an estimated repair value of \$12 million over the next decade. The majority of buildings not assessed include our leased buildings, storage barns and temporary portables. Ontario Tech aims to audit 20 per cent of its campus facilities annually while also reassessing major facility systems every five years.

The Facility Condition Index (FCI) is the ratio of the cost of deferred maintenance (DM) to the cost of the current replacement value (CRV) of the physical infrastructure. The FCI is used to illustrate the condition of the current building. The chart below displays the condition of Ontario Tech's buildings and the amount of deferred maintenance associated with each FCI category. An FCI of less than seven per cent states the building is in great condition; seven per cent to 10 per cent are in good condition; and greater than 10 per cent is considered poor to very poor. As the value approaches 100 per cent, replacement for the building should be considered.



A capital improvements budget of about \$1.8 million (\$1.1 million grant and \$700,000 operating) in 2021-2022 is allowing the university to address some of the \$12M deferred maintenance backlog, as well as to undertake critical repairs, electrical upgrades, modernize classrooms, and to make other capital improvements. In 2019 the operating budget was \$1.4 million.

The vast majority of these funds are currently directed towards the moves into our new building, A5, and the backfill plans (e.g. moving the Offices of the President and Provost into the Science Building, expanding the Faculty of Science spaces in the Science Building, converting Energy Systems and Nuclear Science Research Centre classrooms into Kinesiology and Energy labs, and creating a machine shop to meet the needs of our researchers).

Ontario Tech could allocate fewer dollars to these capital projects but this would just defer critical maintenance activities into the future when finances may still be as tight.



## Appendix E – DRAFT Operating Budget

The assumptions and priorities have been used to set a 2021-2022 Draft Operating Budget and a simple inflationary rate is applied to future years. *For reference only, not finalized.*

### Appendix E.1 – Operating Statement Forecast

Operating Statement	2018-2019 Actual	2019-2020 Actual	2020-2021 Budget	2020-2021 Forecast	2021-2022 Budget	2022-2023 Budget	2023-2024 Budget
FTE	8,905	8,975	8,162	9,350	9,000	8,950	9,150
Grants	\$82,375	\$81,065	\$81,023	\$81,770	\$80,900	\$81,200	\$81,200
Tuition	\$82,247	\$79,102	\$68,629	\$78,791	\$82,100	\$84,600	\$90,400
Ancillary	\$12,541	\$14,453	\$10,732	\$11,211	\$11,900	\$12,000	\$12,200
Commercial	\$9,670	\$9,693	\$9,693	\$6,306	\$10,900	\$10,900	\$10,900
Other	\$8,043	\$8,255	\$4,128	\$3,762	\$3,500	\$3,500	\$3,500
Total Revenue	\$194,876	\$192,568	\$174,205	\$181,840	\$189,300	\$192,200	\$198,200

### Appendix E.2 – Budget Forecast by Department (future years will be updated in April budget submission)

Department	2018-2019 Actual	2019-2020 Actual	2020-2021 Budget
Energy Systems and Nuclear Science	\$5,084	\$4,308	\$4,329
Business and Information Technology	\$11,837	\$11,883	\$12,225
Social Sciences and Humanities	\$9,979	\$10,294	\$10,378
Education	\$5,189	\$4,705	\$4,272
Health Sciences	\$11,069	\$11,812	\$12,867
Engineering	\$13,730	\$13,993	\$13,856
Science	\$12,511	\$13,066	\$12,441
Graduate Studies	\$2,845	\$2,917	\$2,952
Outsourced Electives	\$389	\$67	\$0
Life-Long Learning	\$0	\$1,678	\$1,150
Total Academic	\$72,632	\$74,723	\$74,470
Office of the Provost	\$1,654	\$948	\$1,015
Planning	\$1,395	\$1,069	\$748
Research & Innovation	\$2,423	\$2,612	\$2,461
Teaching & Learning	\$2,954	\$2,995	\$3,264
Registrar	\$7,350	\$7,490	\$6,859
Tuition Set Aside	\$7,173	\$7,707	\$6,656
Student Life	\$8,349	\$7,996	\$6,984
Library	\$3,973	\$3,835	\$3,891
IT - TELE	\$4,376	\$3,280	\$2,720
Total Academic Support	\$39,647	\$37,933	\$34,597
Secretariat and General Counsel	\$2,417	\$2,493	\$1,627
President	\$990	\$790	\$761
Finance	\$2,903	\$4,151	\$3,008
Central Operations	\$3,539	\$4,219	\$1,682
OCIS/Leased Space	\$12,670	\$11,831	\$12,127
IT (excluding TELE)	\$3,290	\$3,915	\$3,416
External Relations	\$6,099	\$6,575	\$4,944

Human Resources	\$2,708	\$2,500	\$2,302
Purchased Services	\$15,721	\$14,910	\$13,110
<b>Total Administration</b>	<b>\$50,338</b>	<b>\$51,384</b>	<b>\$42,978</b>
ACE	\$4,070	\$4,281	\$3,862
Campus Ice /Campus Tennis Centre	\$1,482	\$1,638	\$1,573
Food/Bookstore	\$0	\$301	\$1,105
Daycare	\$991	\$958	\$944
Regent	\$699	\$639	\$374
<b>Total Ancillary / Commercial Expenses</b>	<b>7,242</b>	<b>7,818</b>	<b>7,858</b>
Debenture	\$16,501	\$16,501	\$16,501
<b>Total Operating Expenses</b>	<b>\$186,360</b>	<b>\$188,359</b>	<b>\$176,403</b>

## ***Appendix F – Reserves and Surpluses***

Ontario Tech will routinely carry reserves that are reflected in the budgets and annual financial statements. These reserves are often mistaken for unrestricted funds—or money that can be leveraged towards absorbing the costs of funding cuts, reducing tuition fees or investing in particular programs and services. This misunderstanding highlights the need for a clear explanation of the purposes of reserves, and why these funds are often restricted in terms of what kinds of expenses they can cover. Reserves should always be reviewed with a university's financial statements, with such statements often providing a breakdown or explanation of their categories.

### **1. Providing short-term flexibility for unpredictable revenues and/or expenditures.**

Where possible, universities keep prudent reserves to ensure that there is a level of stability to their revenues and expenditures, and to absorb or mitigate the costs resulting from external factors. Changes to government grants, tuition fee frameworks, other legislated obligations, the domestic and global economy, and foreign policy are all factors that have significant impacts on the financial health of Ontario's universities. For example, the 2018 deterioration in Canada-Saudi Arabia relations led to the Kingdom recalling its scholarship-funded students from Canadian universities. This led to a \$3-million loss in expected tuition fee revenue for Ontario Tech.

With the majority of the university budget being based on how many courses students take, there can be fluctuations in any one-year budget. Hence, the university will use carry forwards and contingencies to forecast a balanced scenario over three years. Assuming grants are relatively stable in a corridor model a good practice is to assume an annual three per cent enrolment fluctuation (or about \$3 million of tuition and ancillary fees in 2021). The university works hard to be balanced but will always err on the side of surplus over deficit.

### **2. Responding to one-time, evolving, or unexpected operational costs.**

Universities frequently face unanticipated operational expenses at the institutional, faculty or departmental level. Reserves are intended to ensure that these costs can be met as they arise, whether as singular or ongoing expenses. Whereas more established institutions may have reserves set at the unit level, Ontario Tech maintains a central contingency. One of the key risks identified by many faculties in the risk register is the aging of equipment. As we approach our 20<sup>th</sup> year, equipment maintenance costs are increasing and the need for replacement is approaching.

Other examples of being prepared for unexpected costs include research grants from external funders that require matching financial commitments from the university. These are anomalous expenses. Changes to institutional operations incur ongoing costs that reserves are intended to cover. For example, the Student Choice Initiative (SCI) required universities to develop new ancillary fee protocols that allowed students to opt-in and/or opt-out of non-mandatory fees. Operationalizing this policy required significant financial and human resources at each institution to consult affected fee-collecting groups, revising ancillary fee schedules and developing a software opt-in/opt-out platform before the 2019-2020 academic year.

### **3. Funding long-term future and ongoing capital commitments.**

Ontario's universities also use reserves for the purpose of investing in campus infrastructure to meet the changing needs of their students and keep current with advances in technology. Reserves are often earmarked for long-term capital commitments, such as the construction of new buildings

on campus, or for the upgrading and maintenance of existing infrastructure, such as outfitting existing studios and labs with the newest tools, equipment and technologies. The deferred maintenance of current university infrastructure is a significant and ongoing cost to institutions.

Since 2012 the university has had a planned set aside of \$3.5 million for capital improvements. With the building of Software and Informatics Research Centre and A5, these funds are depleted. The repair estimates total \$11 million over the next decade, the completion of the fifth floor A5 is estimated at \$4 million and there is a need for \$48 million to replace a downtown lease (i.e. Bordessa Hall) in 2030. To address these costs, we should be setting aside about \$5 million a year.

#### 4. Unexpected Windfalls

While the university has made great strides in reviewing in-year expenses by implementing quarterly reporting, the fact is with 35 units estimating 176 submissions there is bound to be in-year fluctuations. This has been compounded in some years by last-minute grants/awards. For example the 2017-2018 financial statement is often brought up as it had a \$15.4-million surplus. To start this includes the investments, if we only look at operating, the number is \$13 million. Of this there was the \$3.5 million planned capital reserve and unexpected gains from a final quarter one-time enrolment grant of \$1.8 million and a \$4.9-million legal settlement. While above the normal three per cent variance, it should not be referred to as an example of poor fiscal planning or management.

#### 5. Where we are today

As we complete 2020-2021 Q3, the university forecasts a \$4.2-million surplus. A portion of this is already required to be carried into the next fiscal as follows:

- \$300,000 student ancillary fees.
- \$400,000 as part of the collaborative Nursing program agreement to fund required smaller clinical sizes in 2021-2022.
- \$700,000 for student supports (i.e. \$200,000 for graduate scholarships and \$400,000 matching fund and other miscellaneous, emergency funds).
- The remaining surplus, if any, will be reviewed at year end but the idea is to use it as the enrolment contingency as we set a balanced budget. Should we hit our enrolment targets, it will support technology advances in support of learning re-imagined.

Internally Restricted Assets (\$'000)	2019 - 2020 Actual	2018 - 2019 Actual	2017 - 2018 Actual
Research Related	\$4,700	\$5,206	\$4,987
Capital Related	\$2,409	\$14,501	\$12,593
Student Awards	\$222	\$1,000	\$1,000
Working Capital	\$6,000	\$6,000	\$6,000
Budget Carry Forward	\$1,154	\$1,154	\$1,708
Other	\$3,104	\$3,925	\$3,524
<b>Total Restricted</b>	<b>\$17,589</b>	<b>\$31,786</b>	<b>\$29,812</b>

## BOARD REPORT

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### SESSION:

Public

☒

Non-Public

☐

### ACTION REQUESTED:

Decision

☒

Discussion/Direction

☐

Information

☐

**TO:** Board of Governors

**DATE:** April 22, 2021

**FROM:** Audit & Finance Committee

**SUBJECT:** 2021-22 Tuition Fees

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### COMMITTEE/BOARD MANDATE:

The committee is responsible for overseeing the financial affairs of the university including reviewing and recommending approval of the tuition fees and ancillary fees. We are seeking the Board's approval of the proposed 2021-22 tuition fees.

### BACKGROUND/CONTEXT & RATIONALE:

The tuition fee framework, released by the provincial government in December 2018, regulates all publically funded programs and allows for domestic tuition fee differentiation based on program and program year. The 2018 framework outlined a 10% decrease in 2019-20 domestic tuition rates and a freeze for 2020-21.

A revised framework has not been released. This document assumes that rates will remain frozen. Should a revision be required due to a change in government framework we will report back to Audit & Finance.

International and cost recovery programs are not included in the limits imposed by the provincial framework. The university guiding principle has been to be close to the Ontario System mean or median for our rates. This document proposes increases that will keep the university below the mean/ median 2020-21 rates. After careful consideration, the decision has been made not to adjust international research based graduate tuition fees for next year.

**RESOURCES REQUIRED:**

N/A

**IMPLICATIONS:**

The rates proposed in this document have been made to remain compliant with the provincial government's tuition framework. These are the figures used in the drafting of the 2021-22 Budget. If there are reductions to the rates we would need to explore further reductions to expenses to offset the change.

**ALIGNMENT WITH MISSION, VISION, VALUES & STRATEGIC PLAN:**

The fees recommended will allow Ontario Tech to continue to provide quality undergraduate and graduate programs.

**ALTERNATIVES CONSIDERED:**

Various options were considered for international students. The fees presented below allow Ontario Tech to remain at or below system mean/ median fees for all programs and levels.

**CONSULTATION:**

These rates were presented to deans and Academic Council. Both groups noted concerns with increasing international rates. Members of Academic Council asked for decrease to graduate fees. In lieu of an across the board decrease there was a reduction for certain programs and an increase for the scholarship budget. After a comparative review of fees charged by competing programs offered by universities in Ontario, we recommend increases as permitted by the latest framework in all programs as outlined in the accompanying appendix table.

**COMPLIANCE WITH POLICY/LEGISLATION:**

The current fees are in compliance with the existing tuition fee framework.

**NEXT STEPS:**

Update tuition within Ontario Tech's student information system and website.

**MOTION FOR CONSIDERATION:**

*That pursuant to the recommendation of the Audit & Finance Committee, the Board of Governors hereby approves the 2021-2022 tuition fees, as presented.*

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**SUPPORTING REFERENCE MATERIALS:**

- Appendix 1: Ontario Tech 2021-22 tuition fees

**Appendix 1: Recommendations for Ontario Tech 2021-2022 tuition fees****Undergraduate Domestic**

			Rate of Increase
	2020-2021	2021-2022	20/21 to 21/22
<b>BA, BASc, BEd, BHSc, BSc &amp; Mgt, UG Diploma</b>			
First Year	\$5,982.80	\$5,982.80	0.0%
Second Year	\$5,956.38	\$5,956.38	0.0%
Third Year	\$5,926.62	\$5,926.62	0.0%
Fourth Year	\$5,920.76	\$5,920.76	0.0%
Fifth Year	\$5,914.98	\$5,914.98	0.0%
<b>BCom</b>			
First Year	\$8,088.28	\$8,088.28	0.0%
Second Year	\$8,049.76	\$8,049.76	0.0%
Third Year	\$8,011.44	\$8,011.44	0.0%
Fourth Year	\$8,003.52	\$8,003.52	0.0%
<b>BIT</b>			
First Year	\$9,031.18	\$9,031.18	0.0%
Second Year	\$9,022.42	\$9,022.42	0.0%
Third Year	\$9,013.68	\$9,013.68	0.0%
Fourth Year	\$8,991.78	\$8,991.78	0.0%
<b>BEng, BEng &amp; Mgmt, BTech</b>			
First Year	\$9,390.18	\$9,390.18	0.0%
Second Year	\$9,381.24	\$9,381.24	0.0%
Third Year	\$9,372.30	\$9,372.30	0.0%
Fourth Year	\$9,283.04	\$9,283.04	0.0%
Fifth Year	\$9,159.26	\$9,159.26	0.0%
<b>BSc, BSc &amp; Mgt (Computer Science)</b>			
First Year	\$6,339.90	\$6,339.90	0.0%
Second Year	\$6,333.84	\$6,333.84	0.0%
Third Year	\$6,327.84	\$6,327.84	0.0%
Fourth Year	\$6,321.78	\$6,321.78	0.0%
Fifth Year	\$6,321.64	\$6,321.64	0.0%
<b>BScN</b>			
First Year	\$6,100.68	\$6,100.68	0.0%
Second Year	\$6,094.76	\$6,094.76	0.0%
Third Year	\$6,088.84	\$6,088.84	0.0%
Fourth Year	\$6,082.92	\$6,082.92	0.0%

## Undergraduate International

			Rate of Increase
	2020-2021	2021-2022	20/21 to 21/22
<b>BA, BASc, BEd, BHSc, BSc &amp; Mgt, UG Diploma</b>			
First Year	\$24,128.54	\$26,541.38	10.00%
Second Year	\$21,984.90	\$23,084.14	5.00%
Third Year	\$21,887.92	\$22,982.30	5.00%
Fourth Year	\$21,778.46	\$22,867.38	5.00%
Fifth Year	\$21,757.00	\$22,844.84	5.00%
<b>BCom</b>			
First Year	\$26,763.52	\$29,439.86	10.00%
Second Year	\$24,385.76	\$25,605.04	5.00%
Third Year	\$24,269.64	\$25,483.12	5.00%
Fourth Year	\$24,177.18	\$25,386.02	5.00%
<b>BIT</b>			
First Year	\$27,940.34	\$30,734.36	10.00%
Second Year	\$25,458.04	\$26,730.94	5.00%
Third Year	\$25,433.34	\$26,705.00	5.00%
Fourth Year	\$25,408.64	\$26,679.06	5.00%
<b>BEng, BEng &amp; Mgmt, BTech</b>			
First Year	\$31,468.96	\$34,615.84	10.00%
Second Year	\$28,673.16	\$30,106.80	5.00%
Third Year	\$28,645.86	\$30,078.14	5.00%
Fourth Year	\$28,618.58	\$30,049.50	5.00%
Fifth Year	\$28,346.00	\$29,763.30	5.00%
<b>BSc, Computer Science</b>			
First Year	\$25,568.76	\$28,125.62	10.00%
Second Year	\$23,297.16	\$24,462.00	5.00%
Third Year	\$23,274.96	\$24,438.70	5.00%
Fourth Year	\$23,252.80	\$24,415.44	5.00%
Fifth Year	\$23,230.64	\$24,392.16	5.00%
<b>BScN</b>			
First Year	\$24,603.98	\$27,064.36	10.00%
Second Year	\$22,418.08	\$23,538.98	5.00%
Third Year	\$22,396.32	\$23,516.12	5.00%
Fourth Year	\$22,374.58	\$23,492.84	5.00%



**Graduate Domestic****Program Based**

			Rate of Increase
	2020-2021	2021-2022	20/21 to 21/22
<b>MA (SSH), MHSc, MSc, PhD</b>			
First Year	\$7,579.30	\$7,579.30	0.0%
Upper Year	\$7,579.30	\$7,579.30	0.0%
<b>MASc, MEng, MEngM</b>			
First Year	\$8,859.94	\$7,859.94	-11.3%
Upper Year	\$8,859.94	\$7,859.94	-11.3%
<b>MSc in Nursing</b>			
First Year	\$8,761.50	\$8,761.50	0.0%
Upper Year	\$8,761.50	\$8,761.50	0.0%
<b>Graduate Diploma</b>			
Diploma in Accounting	\$7,717.50	\$8,103.06	5.0%
Diploma in Nuclear Technology	\$5,906.62	\$5,906.62	0.0%
Diploma in Nuclear Design Engineering	\$5,906.62	\$5,906.62	0.0%

**Credit Based (per 3-credit course)**

			Rate of Increase
	2020-2021	2021-2022	20/21 to 21/22
<b>MEd, MA in Education</b>			
All Years	\$1,576.47	\$1,576.47	0.0%
<b>Graduate Diploma</b>			
Education & Digital Technology	\$1,576.47	\$1,576.47	0.0%
Work Disability Prevention	\$1,576.47	\$1,576.47	0.0%
<b>MITS</b>			
First Year	\$1,257.52	\$1,257.52	0.0%
Upper Year	\$1,257.52	\$1,257.52	0.0%

**Graduate International****Program Based**

			Rate of Increase
	2020-2021	2021-2022	20/21 to 21/22
<b>MA (SSH), MHSc, MSc, PhD</b>			
First Year	\$19,166.00	\$19,166.00	0.00%
Upper Year	\$19,166.00	\$19,166.00	0.00%
<b>MASc</b>			
First Year	\$23,250.60	\$21,250.60	0.00%
Upper Year	\$23,250.60	\$21,250.60	0.00%
<b>MEng, MEngM</b>			
First Year	\$25,074.18	\$27,581.58	10.00%
Upper Year	\$25,074.18	\$26,327.88	5.00%
<b>MSc in Nursing*</b>			
First Year	\$21,076.50	\$22,130.32	5.00%
Upper Year	\$21,076.50	\$22,130.32	5.00%
<b>Graduate Diploma</b>			
Diploma in Accounting		\$12,154.59	
Diploma in Nuclear Technology	\$16,716.10	\$18,387.70	10.00%
Diploma in Nuclear Design Engineering	\$16,716.10	\$18,387.70	10.00%

\*This is a collaborative program with Trent University, we work with Trent to ensure alignment of rates.

**Credit Based (per 3-credit course)**

			Rate of Increase
	2020-2021	2021-2022	20/21 to 21/22
<b>MEd, MA in Education</b>			
All Years	\$2,057.31	\$2,263.04	10.00%
<b>Graduate Diploma</b>			
Education & Digital Technology	\$2,057.31	\$2,263.04	10.00%
Work Disability Prevention	\$2,057.31	\$2,263.04	10.00%
<b>MITS</b>			
First Year	\$3,287.12	\$3,451.46	5.00%
Upper Year	\$3,287.12	\$3,451.46	5.00%

**English for Academic Purposes (EAP) Program**

			Rate of Increase
	2020-2021	2021-2022	20/21 to 21/22
All Levels	\$3,005.54	\$3,041.29	1.19%

## BOARD REPORT

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**SESSION:**

Public

☒

Non-Public

☐
**ACTION REQUESTED:**

Decision

☒Discussion/Direction  
Information☐☐
**TO: Board of Governors**
**DATE: April 22, 2021**
**FROM: Audit & Finance Committee**
**SUBJECT: 2021-2022 Ancillary Fees**


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**COMMITTEE/BOARD MANDATE:**

The committee is responsible for overseeing the financial affairs of the university including reviewing and recommending approval of the tuition fees and ancillary fees. We are seeking the Board of Governors' approval of the proposed 2021-22 ancillary fees.

**BACKGROUND/CONTEXT & RATIONALE:**

Provincial policy requires that a negotiated Compulsory Ancillary Fees protocol exists between the board of governors of each university and their student association. The committee consists of three student and three administrative representatives. Under the terms of the current Ontario Tech University protocol, signed in 2010, the Board of Governors is required to approve the ancillary fees in the spring of each year. Fees under the Bank of Canada, Consumer Price Index average of 12 months do not require committee approval. This year's CPI is 1.9%.

As we have the highest ancillary fees in the province, we have been watching this rate carefully and make any adjustments with this in mind. Our rates are higher than others due to our smaller size, the fact that we have two capital projects (~\$350) funded through student referendum and our dedication to providing Technology Enhanced Learning Environment to our students rather than having them go out and buy the materials independently.

Some of the categories that increased were those mandated by outside vendors (i.e. health plans, UPASS) or offered in conjunction with Durham College (i.e. Campus Recreation and Wellness).

**RESOURCES REQUIRED:**

N/A

**IMPLICATIONS:**

Altering the fees will alter our ability to provide specific services.

**ALIGNMENT WITH MISSION, VISION, VALUES & STRATEGIC PLAN:**

The fees recommended will allow Ontario Tech to continue to provide quality undergraduate and graduate services and experiences to its students.

**ALTERNATIVES CONSIDERED:**

Each fee change was reviewed by the Ancillary fee Committee.

**CONSULTATION:**

A request for fees was sent out to all unit leads and Ontario Tech Student Union in December. The committee met to evaluate and decide on changes. Instead of applying the CPI to all fees the Student Union and management discussed, and agreed to, reallocating the increase to a new student success fee that would enhance academic advising services.

**COMPLIANCE WITH POLICY/LEGISLATION:**

The increases are compliant with provincial policy and Ontario Tech's ancillary fee protocol.

**NEXT STEPS:**

Update ancillary fees within Ontario Tech's student information system and website.

**MOTION FOR CONSIDERATION:**

*That pursuant to the recommendation of the Audit and Finance Committee, the Board of Governors hereby approves the 2021-22 ancillary fees as presented.*

**Compulsory Ancillary Fees**

<b>Flat Fees. FT and PT students.</b>	<b>2020-21</b>	<b>2021-22</b>	<b>% Inc</b>
Career Readiness	70.14	70.14	0.0%
Health Services (general)	26.80	27.31	1.9%
Mental Health Services	66.86	66.86	0.0%
Health and Wellness	15.28	15.28	0.0%
Sport and Recreation	91.68	91.68	0.0%
Campus Open Access	33.80	33.80	0.0%
Student Safety and Accessibility	86.18	86.18	0.0%
Student Success Support		31.70	NEW
Physical and Virtual Infrastructure Enhancements	154.06	154.06	0.0%
Student ID	19.14	19.14	0.0%
<b>Charged to FT each term</b>	<b>2020-21</b>	<b>2021-22</b>	<b>% Inc</b>
U-Pass	283.50	288.90	1.9%
<b>Flat Fees Paid half Fall and half Winter. FT and PT students.</b>	<b>2020-21</b>	<b>2021-22</b>	<b>% Inc</b>
Community and Social Programming	10.86	10.86	0.0%
Wellness and Support Services	11.44	11.44	0.0%
Student Representation and Leadership	9.10	9.10	0.0%
World University Services of Canada	2.76	2.76	0.0%
Campus Clubs	4.90	4.90	0.0%
Student Societies	3.34	3.34	0.0%

Student Society Fee FBIT	13.56	13.56	0.0%
Student Society Fee FEAS/FESNS	18.68	18.68	0.0%
<b>Flat Fees Paid half Fall and half Winter. FT and PT students.</b>	<b>2020-21</b>	<b>2021-22</b>	<b>% Inc</b>
Student Society Fee FSCI	15.00	15.00	0.0%
Student Society Fee FHSc	10.00	10.00	0.0%
Campus Life and Events	11.42	11.42	0.0%
Student Engagement	68.82	68.82	0.0%
Student Learning	118.46	118.46	0.0%
Convocation	6.77	6.77	0.0%
Instructional Resource	144.52	144.52	0.0%
Georgian Engagement Services	204.74	204.74	0.0%
Technology-enriched Learning FEAS	236.08	236.08	0.0%
Technology-enriched Learning FESNS	225.86	225.86	0.0%
Technology-enriched Learning FSCI	184.08	184.08	0.0%
Technology-enriched Learning FHSc	161.32	161.32	0.0%
Technology-enriched Learning FBIT Non-Gaming	154.38	154.38	0.0%
Technology-enriched Learning FBIT -Gaming	488.52	488.52	0.0%
Technology-enriched Learning FSSH	133.56	133.56	0.0%
Technology-enriched Learning FEDU	224.10	224.10	0.0%
Technology-enriched Learning FEDU	112.00	112.00	0.0%
Technology-enriched Learning Undeclared	157.38	157.38	0.0%
<b>Flat Fees Paid half Fall and half Winter. FT only</b>	<b>2020-21</b>	<b>2021-22</b>	<b>% Inc</b>
Benefit Plan Coordination	24.38	24.38	0.0%
USU Building	101.06	101.06	0.0%
Campus Recreation and Wellness Centre	176.04	176.04	0.0%
Varsity Sports	78.90	78.90	0.0%
<b>Flat Fees Paid once per yr. (Fall or as admitted). FT only.</b>	<b>2020-21</b>	<b>2021-22</b>	<b>% Inc</b>
Health & Dental - Fall	275.64	275.64	0.0%
Health & Dental - Winter	222.60	222.60	0.0%
Health & Dental -Summer	169.56	169.56	0.0%
Legal Protection Program	28.00	31.64	13.0%
International Health Insurance - Fall	720.00	720.00	0.0%
International Health Insurance - Winter	480.00	480.00	0.0%
International Health Ins.UHIP - Summer	240.00	240.00	0.0%
<b>Flat Fees Paid once per yr. (Fall or as admitted). FT and PT students.</b>	<b>2020-21</b>	<b>2021-22</b>	<b>% Inc</b>
Nursing Mask fee	10.00	45.00	350.0%
Nursing Levey for CNSA	10.00	10.00	0.0%
Nursing Association Membership with RNAO and NSO	16.00		-100.0%
Graduate Diploma in Accounting	250.00	250.00	0.0%

Flat Fees Paid at time of Course Registration	2020-21	2021-22	% Inc
Internship/Coop	624.24	624.24	0.0%
Business - INFR 2421U	10.00	10.00	0.0%
Business - BUSI 4701U		5.00	NEW
Medical Laboratory Fee - MLSC 1010U	60.00	61.14	1.9%
Medical Laboratory Mask Fee - MLSC 4400U	20.00	45.00	125.0%
Nursing Lab Supply Fee - NURS 1003U	50.00	50.94	1.9%
Nursing Lab Supply Fee - NURS 2810U	30.00	30.56	1.9%
Nursing Lab Supply Fee - NURS 2820U	50.00	50.94	1.9%
Kinesiology Lab Supply Fee - HLSC 3476U	20.00	20.38	1.9%
Kinesiology Lab Supply Fee - HLSC 3475U	10.00	10.18	1.8%
Flat Fee Paid Per Term (4 Terms)	2020-21	2021-22	% Inc
Education Placement Fee	76.66	78.12	1.9%

## SUPPORTING REFERENCE MATERIALS:

### Appendix A: 2020-21 Comparison (sorted by total tuition & ancillary)

UG Arts and Sciences Tuition and Ancillary rates.

	Tuition Fees	Total Ancillary	Tuition plus Ancillary Fees	Ancillary Without TELE
OntarioTech	\$5,983	\$2,032	\$8,015	\$1,874
Toronto	\$6,100	\$1,651	\$7,751	\$1,651
Waterloo	\$6,128	\$1,432	\$7,560	\$1,432
Trent	\$6,118	\$1,437	\$7,555	\$1,437
Western	\$6,050	\$1,504	\$7,554	\$1,504
Guelph	\$6,091	\$1,446	\$7,537	\$1,446
WLU	\$6,059	\$1,387	\$7,446	\$1,387
McMaster	\$6,043	\$1,335	\$7,378	\$1,335
Ottawa	\$6,088	\$1,249	\$7,337	\$1,249
Queen's	\$6,083	\$1,231	\$7,315	\$1,231
York	\$6,118	\$1,182	\$7,300	\$1,182
Carleton	\$6,067	\$1,206	\$7,273	\$1,206
Brock	\$6,089	\$1,152	\$7,241	\$1,152
Nipissing	\$5,781	\$1,458	\$7,239	\$1,458
Laurentian	\$6,000	\$1,233	\$7,233	\$1,233
Lakehead	\$5,985	\$1,208	\$7,192	\$1,208
OCAD	\$6,052	\$1,079	\$7,131	\$1,079
Ryerson	\$6,110	\$951	\$7,062	\$951
Windsor	\$5,800	\$1,119	\$6,918	\$1,119
Algoma	\$5,865	\$974	\$6,839	\$974
<b>Mean</b>			<b>\$7,344</b>	<b>\$1,305</b>
<b>Median</b>			<b>\$7,307</b>	<b>\$1,241</b>

## UG Engineering Tuition and Ancillary rates.

UG Engineering	Tuition Fees	Total Ancillary	Tuition plus Ancillary Fees	Without Tele
Toronto	\$14,180	\$1,779	\$15,959	\$1,779
Guelph	\$11,286	\$1,578	\$12,864	\$1,578
Western	\$12,294	\$1,504	\$13,798	\$1,504
McMaster	\$12,446	\$1,466	\$13,912	\$1,466
Waterloo	\$13,970	\$1,448	\$15,418	\$1,448
Ontario Tech	\$9,390	\$2,125	\$11,515	\$1,395
Queen's	\$11,915	\$1,343	\$13,257	\$1,343
Lakehead	\$7,702	\$1,308	\$9,010	\$1,308
Carleton	\$10,522	\$1,285	\$11,807	\$1,285
Ottawa	\$9,421	\$1,274	\$10,696	\$1,274
Laurentian	\$8,069	\$1,233	\$9,301	\$1,233
Windsor	\$9,509	\$1,158	\$11,678	\$1,158
Ryerson	\$10,189	\$960	\$11,149	\$960
<b>Mean</b>			<b>\$12,336</b>	<b>\$1,312</b>
<b>Median</b>			<b>\$11,807</b>	<b>\$1,302</b>



## COMMITTEE/BOARD REPORT

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### SESSION:

Public ☒  
Non-Public ☐

### ACTION REQUESTED:

Decision ☒  
Discussion/Direction ☐  
Information ☐

**TO:** Board of Governors

**DATE:** April 22, 2021

**PRESENTED BY:** Brad MacIsaac, VP Administration

**SUBJECT:** ACE Enhancement Project – Project Budget Increase

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### COMMITTEE/BOARD MANDATE:

The board is responsible for governing and managing the financial affairs of the university, which includes the responsibility of approving projects with expenses over three million dollars (\$3MCDN) and to monitor its implementation.

Ongoing monitoring includes regular reviews for compliance related to all financial reporting/ internal control functions, budget approvals, risk management and other internal/ external audit functions at the university.

We are seeking the Board's approval to increase the total ACE Enhancement project budget by \$1.45M mainly due to COVID delays.

### BACKGROUND/CONTEXT & RATIONALE:

At the April meeting of Audit & Finance the committee requested a holistic executive summary be prepared for the Board to help understand the ACE Enhancement project. More specifically as it applies to Board approved budget and timelines. The following bullets outline a synopsis of the major events. **A summary table is include in the attached revised ACE MGP Update March 2021.**

- The Ontario Tech Automotive Centre of Excellence (ACE) is a research and testing facility offering chambers and technology for climatic, structural durability and life-cycle testing. Facilities include one of the largest and most sophisticated climatic wind tunnels (CWT) on the planet. In the CWT, wind speeds can reach 300 kilometers per hour with temperatures that range from -40 to +60°C. With solar arrays and storm generators ACE can create any weather conditions imaginable, from sweltering jungle downpours to the paralyzing cold of an arctic storm. ACE



uses these chambers for research and testing in automotive engineering, mechatronics engineering, advanced manufacturing, aerospace, software and high performance computing, clean energy, and human performance.

- A moving ground plane, or rolling road, was envisaged as part of the original operational parameters of the wind tunnel, but never acquired. The moving ground plane allows for extremely precise (peer reviewed publication level) aeroacoustics measurements significant to the high value auto sector and of importance to researchers from a number of universities across Ontario and other provinces.
- In 2014, while working with an auto industry client, the operating team at ACE learned about a moving ground plane acquired by Old Dominion University (Old Dominion) in Virginia, which was never used because of shifting research priorities.
- June 2016, the **BoG approved** the purchase of the MGP. Management worked swiftly to work with the Provincial Government to secure \$2.5M of the \$2.6M cost as the university was notified the MGP was going to go to auction.
- July 2017, the University spearheaded an industry-university proposal to the Federal Economic Development Agency for Southern Ontario (FedDev) with the installation budget estimated at \$12.465M. This included a request to obtain \$9.465M in funding to install the rolling road noting secured commitments of \$3M (a further \$1.5M from the province, \$1M from Magna, \$500K from the university and Multimatic in-kind to obtain the equipment and support installation).
- August 2018, the FedDev agreement was signed
- November 2018, in advance of RFPs being issued the **BoG approved** a total budget of \$14.5M (estimated multiple contracts up to \$4.1M for the Building Modification and \$10.4M for Integration) with a goal of completing the entire project by March 31, 2020. The increase from the original 2017 estimates are due to inflation and updating obsolete control systems.
- February 2019, management provided an update to A&F on RFP process noting that certain items were coming in over estimates. Even with value engineering (i.e. eliminating storage building) the costs are trending towards \$14.86M.
- June 2019, management provided an update to A&F noting further engineering design would be required due to complex turntable/MGP Nest integration. Additionally, the final contract signing for integration took longer than anticipated. The estimated completion moved to September 2020.
- November 2019, with \$5.5M already spent on the project and the majority of contracts signed the **BoG approved** an increase to \$15.075M. This additional \$575K was comprised of \$360K for updated equipment and \$215K for a two percent contingency. The goal end date remained at September 2020.

- March 2020, the provincial government ordered non-essential business to close. Due to COVID restrictions technical expertise required for integration was not able to cross the border for the planned September 2020 Phase I integration. This date was delayed until December 2020 and then further delayed to March 2021 as the university chose not to assume the risk of bring in American workers during the second wave of COVID. At the October 2020 meeting of A&F, management noted the delays would impact the budget and requested time to understand when integration could occur before submitting a revised budget. To mitigate any further delays, the ACE team worked with MTS to review and initiate the preparations that could be done virtually.
- April 2021, management is **requesting BoG** approve an increased budget to \$16.525M. With offsetting “other revenue” this is an increase operating ask of \$1.045M from original November 2018 and 470K from November 2019. This includes a 10% contingency on the remaining MTS work. The university has successfully completed the assembly of the machine thanks to a virtual walk through with technical leaders, the hiring of a local mechanical company and the staff at ACE facility. June/ July will focus on the controls, wiring and integration. Commissioning is planned for September 2021, assuming that the MTS technical team can travel from the US.

### IMPLICATIONS:

While management explored a number of options in October 2020, including project suspension, the decision was made to look at virtual alternatives instead to mitigate future costs. Additionally, to date we have received over \$11.5M from external sources in support of the program and over \$750K of “in-kind support from Multimatic. The final \$400K will be released to the university upon commissioning. Assuming \$500,000 annual net revues from the MGP the project break-even would take two additional years.

The COVID shutdown and delays have added a year of labour costs to the project. As automotive may be exempt the quarantine restrictions under essential activities the university has held off on permitting onsite work in an abundance of care. As we enter the final integration phase that requires on-site visit a detailed health & safety plan has been put in place that exceeds the required protocols.

### NEXT STEPS:

Phase II prep: MTS Systems Test & Validation - May 3 to May 21<sup>st</sup>

Phase II: MTS Controls/integration & Debug - June 21 to July 31, 2021

Phase III: MTS Commissioning and Acceptance – by September 2021

*Note: March 6 to June 20, 2021 includes wiring, piping, programming, testing*

### MOTION for CONSIDERATION:

*WHEREAS on November 29, 2018, the Board of Governors approved the award of the ACE Enhancement Project (AEP) contracts in an amount not to exceed \$14.5M (including building modifications, \$4.1M and integration, \$10.4M) and is targeted for completion by March 31, 2020;*

*WHEREAS the AEP is being funded through FedDev Ontario (up to \$9.465M), provincial grant (\$1.5M), Magna contribution (\$1M) and the remainder from Ontario Tech unless other gifts are received;*

*WHEREAS on November 28, 2019 the Board of Governors approved increasing the budget by \$575,000 to \$15.075M. The increase was based on initial quotes received where inflation, tariffs, and obsolete controls have increased costs;*

*WHEREAS on April 14, 2021 administration presented to A&F a request for additional budget of \$1.45M (compared to Nov 2019) to \$16.525M and a revised commissioning date of September 2021 due to COVID restrictions. The additional project expenses include twelve months of further labour (including internal project management and US company), a new contract for a local mechanical company and enhancements to existing infrastructure (i.e. leveling floor, maintenance of turntable equipment);*

*WHEREAS these additional expenses will be offset by \$390K of earned revenues for a total net ask of \$1.06M;*

*NOW THEREFORE, pursuant to the recommendation of the Audit and Finance Committee, the Board of Governors hereby:*

- *approves increasing the total project budget from \$15.075M to \$16.525M; and*
- *authorizes and directs the President and/or the Vice-President, Administration, for and in the name of the university, to execute and deliver (under the corporate seal or otherwise) all such other documents and do all such other acts as may be necessary or desirable to give effect to this resolution.*

## **SUPPORTING REFERENCE MATERIALS:**

ACE MGP update – March 2021

# ACE Enhancement Project



**Monthly Project Update**  
MARCH 2021



## Progress Update (31 March 2021) :

### Moving Ground Plane Integration into CWT

- Turntable modification and MGP installation 90% completed
- Ride height control and drag links fabrication completed



# BoG – Schedule Approval Tracking

Milestones	Nov-18	Nov-19	Apr-21	Actual	Variance Explanation
Building Modification	Jul-19	Jul-19	Jul-19	Aug-19	
Integration Phase I	Dec-19	Mar-20	Mar-21	Mar-21	delayed contract signing & increased turntable upgrades
Integration Phase II	Mar-20	Sep-20	Sep-21		increased engineering requirements

## Upcoming Activities

	Description	Begin Date	End Date	Act Begin	Act End	Comments
Phase I	assembly & functional operation	3-Feb-21	14-Mar-21	15-Feb-21	18-Mar-21	moved to virtual installation. Late start has no delay on end date
Phase II A	systems check & validation	3-May-21	21-May-21			
Phase II B	controls integration & debug	21-Jun-21	31-Jul-21			
Phase III	comissioning	1-Aug-21	7-Aug-21			

# BoG – Budget Approval Tracking

Revenue Description	FedDev Jul 2017	Budget Nov 2018	Budget Nov 2019	Budget Apr 2021	Variance 21 v 18	
FEDDEV	\$ 9,465	\$ 9,465	\$ 9,465	\$ 9,465	\$ -	
PROVINCIAL	\$ 1,500	\$ 1,500	\$ 1,500	\$ 1,500	\$ -	
MAGNA	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ -	
ONTARIO TECH (Contribution)	\$ 500	\$ 500	\$ 500	\$ 500	\$ -	
ONTARIO TECH (OPEX transfer)		\$ 2,035	\$ 2,610	\$ 3,570	\$ 1,535	
Other Revenue				\$ 490	\$ 490	Extreme Classroom event, Research Overhead Note over \$750K "in kind" from Multimatic
<b>Totals</b>	<b>\$ 12,465</b>	<b>\$ 14,500</b>	<b>\$ 15,075</b>	<b>\$ 16,525</b>	<b>\$ 2,025</b>	
Expense Description						Variance Explanation (a Nov 2018; b Nov 2019; c Apr 2021)
MGP Integration into CWT	\$ 2,105	\$ 3,350	\$ 5,500	\$ 6,400	\$ 3,050	a. MGP obsolete controls and inflations b. More complex turntable integration design and build. c. leveling floor & turntable modification \$400K; local mechanical & staff extension 500K
Aerodynamic Enhancements	\$ 2,905	\$ 2,500	\$ 2,150	\$ 2,300	\$ (200)	a. Value engineered design - ride height simplification
Acoustics	\$ 1,250	\$ 800	\$ 700	\$ 800	\$ -	a/b. Bid result lower than budget c. COVID - delay from Germany
Precision Measurement Capability	\$ 1,625	\$ 1,700	\$ 1,100	\$ 1,100	\$ (600)	b. In-house design and build
Chamber Modifications	\$ 640	\$ 650	\$ 700	\$ 700	\$ 50	b. System requires more process air and vacuum
Base Building Modifications	\$ 2,340	\$ 3,600	\$ 3,400	\$ 3,400	\$ (200)	a. Competitive markets and inflation b. Eliminated planned storage building
Engineering and Project Management	\$ 1,600	\$ 1,900	\$ 1,525	\$ 1,825	\$ (75)	a. Re-engineering due to obsolete controls b. Contingency amount moved to integration c. PM continuing extra 12 months
<b>Totals</b>	<b>\$ 12,465</b>	<b>\$ 14,500</b>	<b>\$ 15,075</b>	<b>\$ 16,525</b>	<b>\$ 2,025</b>	

# Financial Report as of 31 March 2021

Revenue Description	Budget Nov 2018	Budget Nov 2019	Budget Apr 2021	Actual to Mar 2021	Variance to Apr 2021
FEDDEV	\$ 9,465	\$ 9,465	\$ 9,465	\$ 9,228	\$ 237
PROVINCIAL	\$ 1,500	\$ 1,500	\$ 1,500	\$ 1,350	\$ 150
MAGNA	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ -
ONTARIO TECH (Contribution)	\$ 500	\$ 500	\$ 500	\$ 500	\$ -
ONTARIO TECH (OPEX transfer)	\$ 2,035	\$ 2,610	\$ 3,570	\$ 2,495	\$ 1,075
Other Revenue			\$ 490	\$ 490	\$ -
<b>Totals</b>	<b>\$ 14,500</b>	<b>\$ 15,075</b>	<b>\$ 16,525</b>	<b>\$ 15,063</b>	<b>\$ 1,462</b>
Expense Description					
MGP Integration into CWT	\$ 3,350	\$ 5,500	\$ 6,400	\$ 5,446	\$ 954
Aerodynamic Enhancements	\$ 2,500	\$ 2,150	\$ 2,300	\$ 2,153	\$ 147
Acoustics	\$ 800	\$ 700	\$ 800	\$ 706	\$ 94
Precision Measurement Capability	\$ 1,700	\$ 1,100	\$ 1,100	\$ 1,087	\$ 13
Chamber Modifications	\$ 650	\$ 700	\$ 700	\$ 706	\$ (6)
Base Building Modifications	\$ 3,600	\$ 3,400	\$ 3,400	\$ 3,417	\$ (17)
Engineering and Project Management	\$ 1,900	\$ 1,525	\$ 1,825	\$ 1,548	\$ 277
<b>Totals</b>	<b>\$ 14,500</b>	<b>\$ 15,075</b>	<b>\$ 16,525</b>	<b>\$ 15,063</b>	<b>\$ 1,462</b>

green highlight equals component completion



## **Change Control:**

- Turntable modification and repair works cost increase

## **Procurement Summary:**

- Nothing to report this period

## **Health & Safety:**

- COVID protocol in place
- MTS personal not granted permission for March visit (completed virtually)

## **Financial Summary:**

- FedDev 75% of holdback amount received this period \$709K
- Total Actual Cash Flow to date \$15.06 M
- New ask for funding increase from BOG to \$16.525M



## BOARD REPORT

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**SESSION:**

Public


**ACTION REQUESTED:**

Decision  
Discussion/Direction  
Information


**TO: Board of Governors**
**DATE: April 22, 2021**
**FROM: Audit & Finance Committee**
**SUBJECT: Controlled Goods Program Policy**


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**ACADEMIC COUNCIL MANDATE:**

- In accordance with committee's Terms of Reference, the committee is responsible for overseeing risk management at the university, which includes ensuring that appropriate processes are in place to identify, report and control areas of significant risk to the university and ensuring that appropriate mitigative actions are taken or planned in areas where material risk is identified and receiving regular reports from management on areas of significant risk to the university.
- We are presenting the draft Controlled Goods Program Policy for approval by the Board of Governors.

**BACKGROUND/CONTEXT & RATIONALE:**

- The Controlled Goods Program Policy is being established to demonstrate compliance with Canada's Controlled Goods Program, a Federal Government program administered by the Controlled Goods Directorate.
- The Controlled Goods governance framework will define the University's management plan for Controlled Goods and/or Controlled Technology to prevent the proliferation of weapons of mass destruction, conventional weapons, and goods that have military or national security significance.
- The Controlled Goods Program Policy applies to all University Members (e.g. University employees, students, and those holding appointments, such as, adjunct status).
- The accountability framework identifies the roles and responsibilities of University Members and defines the requirements associated with the University's registration in the Controlled Goods Program.

**ALIGNMENT WITH MISSION, VISION, VALUES & STRATEGIC PLAN:**

- This policy supports the university's values of integrity and respect by demonstrating the institution's commitment to ethical conduct through adherence with all laws and compliance obligations.
- By establishing a Controlled Goods compliance program at Ontario Tech University, this policy will support the strategic pillar of "partnerships". The university will be strategically positioning itself as an effective industry partner to niche client groups.

**CONSULTATION:**

- Developed in consultation between the Compliance Office (USGC) and the Office of Research Services (ORS).
- Policy Advisory Committee – April 21, 2020 for consultation.
- Research Board – November 23, 2020 for consultation.
- Online Consultation – November 30 to December 11, 2020 for consultation.
- Academic Council – January 26, 2021 for consultation.
- Audit & Finance Committee – February 17, 2021 for written consultation & April 14, 2021 for recommendation.

**Consultation Comments and Response To Date**

- All feedback received to date has been related to clarification. No other feedback has been received.

**COMPLIANCE WITH POLICY/LEGISLATION:**

- The Controlled Goods Program Policy will create an institutional compliance program to ensure that the University can comply with the requirements under the *Defence Production Act* and the *Controlled Goods Regulations*.

**MOTION for CONSIDERATION:**

*That pursuant to the recommendation of the Audit & Finance Committee, the Board of Governors hereby approves the Controlled Goods Program Policy, as presented.*

**SUPPORTING REFERENCE MATERIALS:**

- Controlled Goods Program Policy

Classification Number	<i>To be assigned by Policy Office</i>
Framework Category	Legal, Compliance and Governance
Approving Authority	Board of Governors
Policy Owner	Vice-President, Research & Innovation
Approval Date	DRAFT FOR REVIEW
Review Date	
Supersedes	

## CONTROLLED GOODS PROGRAM POLICY

### PURPOSE

1. The purpose of this Policy is to define the authority, obligations and procedures established and maintained by the University to achieve compliance with Canada's Controlled Goods Program which is a Federal Government program administered by the Controlled Goods Directorate under the Defence Production Act and the Controlled Goods Regulations.
2. To provide a framework for the responsible management of Controlled Goods and/or Controlled Technology for the prevention of the proliferation of weapons of mass destruction, and conventional weapons, and goods that have military or national security significance.

### DEFINITIONS

3. For the purposes of this Policy the following definitions apply:
 

**"Access"** means to Possess, Transfer or Examine Controlled Goods and/or Controlled Technology. This may include the direct or indirect involvement in the acquisition, repair, modification, transfer or disposal of Controlled Goods and/or Controlled Technology, or the transmission, reception, interpretation, manipulation or safe keeping of Controlled Goods and/or Controlled Technology information.

**"Authorized Individual"** is an individual that is responsible for ensuring that a Designated Official is appointed for each University Work Site in Canada where Controlled Goods and/or Controlled Technology are examined, possessed or transferred; and has signing authority to approve any changes in any of the information contained in the application for registration.

**"Controlled Goods"** means as listed in the schedule to the *Defence Production Act*. They are listed as Group 2, Group 5 (section 5504), and Group 6 of the Export Control List. These groups are described as follows:

  - **Group 2 Goods (Munitions List):** Includes, but is not limited to, automatic weapons, firearms, ammunition, components, projectors, bombs, fighter jets,

tanks, missiles, chemicals, explosives, and related equipment and components, etc.

- **Group 5 Goods-Item 5504 (Strategic Goods):** Includes but is not limited to, global navigation satellite systems, ground control stations, and nuclear weapon design and testing equipment.
- **Group 6 (Missile Technology Control Regime):** Includes but is not limited to, missile technology-rocket systems, unmanned air vehicle systems, propulsion components and equipment.

**“Controlled Goods Guide”** means the guide to the Controlled Goods List that provides a simplified listing of the items that are identified as Controlled Goods. The guide helps identify whether or not an item is included on the Controlled Goods List, but the detailed *Controlled Goods List* takes precedence over this guide.

**“Controlled Goods List”** means the list of goods set out in the schedule to the Defense Production Act as defined above in “Controlled Goods”.

**“Controlled Goods Program”** is an industrial security program that is authorized by the *Defence Production Act*. The Canadian Government’s Controlled Goods Directorate administers the Controlled Goods Program to prevent the proliferation of tactical and strategic assets and to build up Canada's defence trade controls. Public Services and Procurement Canada is the federal agency responsible for this program.

**“Controlled Technology”** technology necessary for the development, production or use of a Controlled Good. These technologies include information necessary for the design, development, production, manufacture, assembly, operation, repair, testing, maintenance or modification of Controlled Goods. This information may take the form of Technical Data or Technical Assistance. Controlled Technology does not include general scientific, mathematical or engineering principles commonly taught in a school, college or university, information in the public domain, basic marketing information or general system descriptions.

**“Designated Official(s)”** means an official responsible for ensuring compliance with the Controlled Goods Program, with responsibility within a certain area of the University.

**“Examination”** means to investigate Controlled Goods and/or Controlled Technology by any means so as to provide a person with detailed knowledge of the Controlled Goods and/or Controlled Technology inherent properties and performance characteristics that would allow that person to use this knowledge so that the good could be reproduced or replicated, or the performance of a similar article could be improved.

**“Functional Units”** Means any Faculty, Department, Administrative Unit, Research Facility (e.g. ACE) or Third-Party Contractor in which the Controlled Goods Program applies.

**“Unit Leads”** means any University members in charge of a Functional Unit.

**“ITAR”** International Traffic in Arms Regulations. Individuals who are registered with ITAR may be exempt from registration with the Controlled Goods Program pending documentation is provided to the Designated Official in support of the exemption.

**“Possession”** means to actually possess, wherein the person has direct physical control over a Controlled Good at a given time, or constructive possession, where the person has the power and the intention at a given time to exercise control over a Controlled Good either directly or through another person or persons.

**“Project Leads”** means a University Member responsible for, or involved in, a project, research or otherwise, that the Controlled Goods Program applies.

**“Security Assessment”** is a risk assessment carried out by the Designated Official that is required by law for anyone Examining, Possessing or Transferring Controlled Goods and/or Controlled Technology. Through this assessment Designated Official determines the extent to which the individual poses a risk of Transferring a Controlled Good to a non-registered or exempt individual.

**“Security Breach”** means the unauthorized Examination, Possession or Transfer of Controlled Goods and/or Controlled Technology.

**“Security Plan”** is a written document that sets out the following:

- procedures to control the Examination, Possession and Transfer of Controlled Goods and/or Controlled Technology,
- individuals responsible for security,
- responsibilities of the security organization,
- procedures for reporting and investigating security breaches,
- contents of training programs and security briefings.

**“Security Briefings”** is the information provided to all visitors prior to the Examination of Controlled Goods.

**“Technical Assistance”** includes assistance provided in the form of instruction, skills, training, working knowledge or consulting services and may involve the transfer of Technical Data.

**“Technical Data”** includes Controlled Technology in the form of blueprints, plans, diagrams, models, formulae, tables, engineering designs and specifications, manuals and instructions.

**“Transfer”** means, in respect of a Controlled Good, to dispose of it or disclose its content in any manner. This would include sharing or giving access (physical, verbal or electronic) to Controlled Technology, which includes but is not limited to, Technical Data, software or providing Technical Assistance in respect of a Controlled Good.

**“University” or “Ontario Tech University”** means the University of Ontario Institute of Technology (operating as Ontario Tech University).

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

- Employed by the University (including temporary workers, research personnel);
- Registered as a student, in accordance with the academic regulations of the University (including international students);
- Holding an appointment with the University, including paid, unpaid and/or honorific appointments; 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 (including contractors and subcontractors).

**“Work Site”** means each physical place of business in Canada where Controlled Goods and/or Controlled Technology are examined, possessed or transferred by the Controlled Goods registrant.

## **SCOPE AND AUTHORITY**

4. This Policy applies to all University Members who may be involved in the Examination, Possession or Transfer of; or, may have any form of Access to any Controlled Good at, related to, on behalf of or in connection with Ontario Tech University.
5. The Vice-President responsible for Research and Innovation, or successor thereof, is the Policy Owner and is responsible for overseeing the implementation, administration and interpretation of this Policy.

## **POLICY**

6. Ontario Tech University is committed to managing and safeguarding Controlled Goods used in research, scholarly work and other University activities. This Policy is intended to manage the University’s obligations in accordance with applicable statutes, regulations, directives, policies and instructions, including Canada’s Controlled Goods Program. This Policy applies to the entire life cycle (from acquisition/creation through to disposal/destruction) for any Controlled Goods and/or Controlled Technology that the University may have Access to, Examine, Transfer or have in its Possession.
7. The University is registered in Canada’s Controlled Goods Program. Any addition of Controlled Goods and/or Controlled Technology, individuals, or Work Sites requires prior review, a Security Assessment and authorization by a Designated Official.

8. If any University Member wishes to Examine, Possess or Transfer Controlled Goods and/or Controlled Technology must contact a Designated Official prior to any activity falling under the Controlled Goods Program.

## **ROLES AND RESPONSIBILITIES**

### **9. Roles and Responsibilities**

#### **9.1 Office of the Vice-President Research and Innovation will:**

- a) Act as the primary authority for the Controlled Goods Program at the University.
- b) Designate at least one individual to be the Authorized Individual registered with Canada's Controlled Goods Directorate.
- c) Oversee the implementation, administration and interpretation of this Policy.
- d) Maintain the University's registration in the Controlled Goods Program.
- e) Coordinate the monitoring and review of this Policy with the Research Board, or successor thereof.
- f) Coordinate the development of supporting procedures and training materials to support compliance with this Policy.
- g) Designate at least one individual to serve as Designated Official for the University.
- h) Arrange training and retraining for Designated Officials.
- i) Maintain a register of Designated Officials along with proof of training and certification to serve as a Designated Official under the Controlled Goods Program.
- j) Maintain a register of activities, Work Sites and Controlled Goods and/or Controlled Technology that are authorized and registered under the Controlled Goods Program.
- k) Support a University website with links to relevant legislation, training materials and list of Designated Officials to support compliance with this Policy.
- l) Support the development of the supporting procedures, guidance and training materials.
- m) Cooperate with the University Secretary and General Counsel in the performance of the University Secretary and General Counsel.

#### **9.2 Designated Official(s) will carry out the duties prescribed in the Controlled Goods Regulations and the Defence Productions Act which include, but are not limited to:**

- a) Be certified under the Controlled Goods Program by completing the Designated Official Certification Program;



- b) Answer questions about export controls for their area of responsibility;
- c) Conduct Security Assessments and Security Briefings for all University Members who wish to Examine, Possess or Transfer any Controlled Goods;
- d) Submit applications for exemptions to the Minister in respect of temporary workers or visitors in accordance with Section 18 of the Controlled Goods Regulations;
- e) Develop and implement a Security Plan for every Work Site where Controlled Goods and/or Controlled Technology are Examined, Possessed or Transferred;
- f) Authorize Work Sites, individuals and new uses of Controlled Goods and/or Controlled Technology;
- g) Keep and maintain a record of Controlled Goods, Security Assessments and supporting documentation, information on the identity of exempt individuals and evidence regarding the classes of exempt individuals;
- h) In conjunction with the Office of the General Counsel, develop a report of all Security Breaches;
- i) Advise the Canada Controlled Goods Directorate of any Security Breaches in relation to Controlled Goods and/or Controlled Technology;
- j) Conduct training or make training available for University Members seeking to use Controlled Goods and/or Controlled Technology;
- k) Maintain recordkeeping obligations required under the Controlled Goods Program; and
- l) Maintain compliance with the Controlled Goods Program and allow for inspections of the University to ensure conformity with the legislation.
- m) Cooperate with the University Secretary and General Counsel in the performance of the University Secretary and General Counsel.

**9.3 Office of the University Secretary and General Counsel will:**

- a) Audit and report on Controlled Goods Program compliance, and in this regard will be given such access to files and information as is required to fulfil this role.
- b) Designate at least one individual to serve as Designated Official for the University's Faculties and Researchers as backup to the Designated Official in the Office of the Vice-President Research and Innovation.
- c) Monitor legislative changes and recommend revisions and/or updates to supporting policies and procedures to maintain the effectiveness of the Controlled Goods Program.

- d) Investigate and respond to the Controlled Goods Directorate in an appropriate manner to any charges related to Controlled Goods offenses under the Defence Production Act and the Controlled Goods Regulations.

**9.4 Office of Research Services will:**

- a) Assist with the execution of the roles and responsibilities of the Office of the Vice-President Research and Innovation.

**9.5 Functional Units will:**

- a) If decided upon by the Authorized Individual, designate one or more individuals to serve as Designated Official for the Unit
- b) Establish and implement Security Documentation to add to the site Security Plan once it is established that the Controlled Good Program applies to the Functional Unit

**9.6 Unit Leads will:**

- a) Administrative structures, programs and resources are in place and demonstrate due diligence in complying with the Controlled Goods Program;
- b) Orders and requirements of regulatory inspectors and directors are complied with;
- c) Orders of the Public Services and Procurement Canada, as legislated by the Defence Production Act and the Controlled Goods Regulations are complied with;
- d) The resources and direction necessary are provided to support their departments in developing and implementing programs and practices that ensure compliance with the Controlled Goods Program.
- e) Assist the Project Lead in the performance of the Project Lead roles and responsibilities.
- f) Cooperate with the Designated Official in the performance of the Designated Official duties.
- g) Cooperate with the University Secretary and General Counsel in the performance of the University Secretary and General Counsel.

**9.7 University Members will:**

- a) Refrain from the use of Controlled Goods and/or Controlled Technology without prior authorization from a Designated Official;
- b) Follow all prescribed practices and procedures related to the Controlled Goods Program.

- c) Avoid circumventing any technical or administrative safeguards in the use of Controlled Goods and/or Controlled Technology.
- d) Completed the Controlled Goods training; either, if you, your faculty or department have been identified as a mandatory participant;
- e) Report changes related to the handling of Controlled Goods or Controlled Technology at the University, Security Breaches and personnel background changes to the applicable Designated Official.
- f) Cooperate with the Designated Official(s) in the performance of the Designated Official duties.

**9.8 Project Leads will:**

- a) Perform all the roles and responsibilities of a University Member.
- b) Ensure and enforce the compliance of this Policy by all University Members under their supervision.
- c) Identify new University Members under their supervision who fall under this Policy and immediately inform the Designated Official.
- d) Promptly correct any identified Policy non-compliances and immediately advise the Designated Official(s).
- e) Inform the Designated Official(s) of his/her anticipated, current Examination, Possession or Transfer of Controlled Goods and/or Controlled Technology. Submission of registration/application to the Designated Official is recommended at least two months prior to receiving Controlled Goods and/or Controlled Technology;
- f) Complete a Security Assessment with the Designated Official and provide same to the Designated Official in accordance with section 15 of the Defence Production Act and the Controlled Goods Regulations. Where applicable, provide the Designated Official with the information necessary for registration exemptions as identified under the legislation;
- g) Cooperate with the Unit Leads in the performance of the Unit Leads roles and responsibilities; and
- h) Cooperate with the Designated Official in the performance of the Designated Official's roles and responsibilities.

**10. Identifying Controlled Goods**

- 10.1** It is the responsibility of each University Member to understand the requirements and restrictions of Canada's Controlled Goods Program;
- 10.2** It is also the responsibility of each University Member to assess the goods, including components, parts, technology, technical data or technical assistance that they may examine, possess or transfer to determine whether it is a Controlled Good. This assessment must be conducted prior to any Examination, Possession or Transfer of a Controlled Good and/or Technology;

- 10.3** The Controlled Goods List and the Controlled Goods Guide will be used by the University Member for the purposes of this assessment; and
- 10.4** If the University Member identifies a Controlled Good and/or Controlled Technology, they are required to contact the Designated Official to commence a Security Assessment before the Examination, Possession or Transfer of any Controlled Good.

## **11. Security Assessments**

- 11.1** Any University Member wishing to Examine, Possess or Transfer Controlled Goods for any purpose, including research or study, must first undergo a Security Assessment, successfully complete Controlled Goods training and be authorized by a Designated Official to Examine, Possess and/or Transfer the identified Controlled Goods.
- 11.2** Security Assessments will be conducted in accordance with the process set out by the Controlled Goods Program.
- 11.3** Security Assessments can be valid for up to five years, as long as the individual remains a University Member and/or the Designated Official determines that a new Security Assessment is not required prior to the end of the five-year period.
- 11.4** Security Assessments conducted by the Designated Official are subject to inspection by the Controlled Goods Directorate at any time over the period of registration and for a period of two years after the day on which the person ceases to be a University Member.
- 11.5** A University Member is not permitted to share or provide Access to Controlled Goods to any person, within or outside of the University (including visitors, research partners or contractors) unless that person has an approved Security Assessment, registered or exempt under, and is in full compliance with the requirements of Canada's Controlled Goods Program and the University's Controlled Goods Policy and related procedures.

## **12. Security Plan**

- 12.1** For each Work Site where Controlled Goods are Examined, Possessed or Transferred, a Security Plan must be developed. A Security Plan is a written document that must include the following information:
  - a)** Procedures to control the Examination, Possession and Transfer of Controlled Goods at each applicable worksite;
  - b)** Procedures for reporting and investigating Security Breaches;

- c) Descriptions of the responsibilities of the University's administrative structure, and identification of individuals responsible for the security of Controlled Goods and/or Controlled Technology;
- d) Contents of training programs given to University Members, and
- e) Contents of Security Briefings given to visitors.

### **13. Security Breach Reporting**

**13.1** A Security Breach is the unauthorized Examination, Possession or Transfer of Controlled Goods and/or Controlled Technology. All breaches, suspected or confirmed, must be reported immediately to a Designated Official. The University is required to report any such breach to the Canada Controlled Goods Directorate within three (3) days upon discovery. The Designated Official will coordinate with the Office of the General Counsel to deliver the required report.

**13.2** Security Breaches involving Controlled Goods include:

- a) Loss of Controlled Goods, such as by theft or disappearance, including a breach of controlled Technical Data as a result of computer hacking or cyber attack or the theft of a device on which Controlled Goods and/or Controlled Technology are stored;
- b) Unauthorized Examination, Possession or Transfer of Controlled Goods and/or Controlled Technology, including its controlled Technical Data, or software by anyone, including unauthorized University Members;
- c) Appearance of willful damage or tampering to Controlled Goods/Technology; and
- d) Witness of unauthorized persons Examining Controlled Goods and/or Controlled Technology.

### **14. Controlled Goods Training**

**14.1** Every University Member who will Examine, Possess or Transfer Controlled Goods for any purpose is required to successfully complete the applicable Controlled Goods Program training.

## **MONITORING AND REVIEW**

15. This Policy will be reviewed as necessary and at least every three years. The Research Board, or successor thereof, is responsible to monitor and review this Policy.

#### **RELEVANT LEGISLATION**

16. Defence Production Act, R.S.C., 1985, c. D-1  
Controlled Goods Regulations, SOR/2001-32  
Controlled Goods List (Schedule 35 of Defence Production Act)  
Guide to the schedule to the Defence Production Act  
Export and Import Permits Act, R.S.C., 1985 c. E-19  
A Guide to Canada's Export Controls  
International Traffic in Arms Regulations, 22 CFR 120-130

#### **RELATED POLICIES, PROCEDURES & DOCUMENTS**

17. Access Control policy and procedure  
Adjunct Professors Policy  
Biosafety Program Manual  
Booking and Use of University Space  
Contract Management Policy  
Cotutelle Policy  
Creation of Research Entities Procedure  
Document Imaging Policy  
Information Security  
International Agreements Procedure  
International Travel, High Risk  
International Travel, Student  
Personal Use of University Resources  
Procurement of Goods and Services  
Technology Use  
Radiation Safety Manual

Records Disposition

Records Management

Responsible Conduct of Research and Scholarship

Risk Management Policy

Student Conduct Policy

Safe Disclosure Policy

DRAFT



## BOARD REPORT

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**SESSION:**
**Public**

**ACTION REQUESTED:**
**Decision  
Discussion/Direction  
Information**

**TO: Board of Governors**
**DATE: April 22, 2021**
**FROM: Audit & Finance Committee**
**SUBJECT: Radiation Safety Policy**


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**COMMITTEE MANDATE:**

- In accordance with committee's Terms of Reference, the committee is responsible for overseeing risk management at the university, which includes ensuring that appropriate processes are in place to identify, report and control areas of significant risk to the university and ensuring that appropriate mitigative actions are taken or planned in areas where material risk is identified and receiving regular reports from management on areas of significant risk to the university.
- We are presenting the draft Radiation Safety Policy for approval by the Board of Governors.

**BACKGROUND/CONTEXT & RATIONALE:**

- The University is a leader in Nuclear Science teaching and research.
- The University does not have a Radiation Safety Policy, but has been functioning with a strong compliance program outlined in the Radiation Safety Manual.
- A Radiation Safety Policy strengthens the University's commitment to providing a safe work environment that are in line with the applicable regulatory requirements.

**RESOURCES REQUIRED:**

- The University is mandated to appoint a Radiation Safety Officer (RSO) on all CNSC Licenses issued to the University. The RSO ensures the requirements of the legislation are met.
- The University must have a radiation safety program in place – some aspects of the program requires monetary resources to function (e.g. dosimetry, annual leak testing, annual device calibration, etc.). The costs are shared between ORS, the faculties/departments, and the workers/students.



- Compliance measures and practices are currently in place, as such, the University is already allocating resources.

### **IMPLICATIONS:**

- Compliance with the applicable regulatory requirements is currently administered by the Radiation Safety Program, which is reviewed by the Radiation Safety Committee every 3 years. The Radiation Safety Policy makes clear policy statements and ensures that the policy statements found in the Radiation Safety Manual are governed by the Policy Framework and are available in the Policy Library.
- Research, teaching and other activities involving ionizing and non-ionizing radiation and radiation emitting devices will fall under the policy. Faculty and staff involved in those activities will fall under the policy.
- A radiation safety policy will put Ontario Tech in line with other Canadian Universities

### **CONSULTATION:**

**June 9, 2015 (Radiation Safety Committee):** Radiation Safety Committee determined that a stand-alone Radiation Safety Policy would further strengthen compliance framework at the university.

**Dec 18, 2015 (Radiation Safety Committee):** Discussed suggested revisions submitted by the committee members. RSO to revise and circulate revised version to committee for approval.

**Feb 22, 2016 (Research Board):** reviewed revised copy and requested changes.

**July 5, 2016 (Research Board):** reviewed and modified the policy.

**November 7, 2016 (Policy Advisory Committee):** Recommended revisions. Revisions made by ORS.

**October 8, 2020 (Radiation Safety Committee):** Discussions resume on Radiation Safety Policy and finalized for submission to University Secretary and General Counsel's Office.

**February 17, 2021 (Audit & Finance Committee for written consultation)**

**February 23, 2021 (Academic Council)**

**April 13, 2021 (Administrative Leadership Team)**

**April 14, 2021 (Audit & Finance Committee for recommendation)**

### **COMPLIANCE WITH POLICY/LEGISLATION:**

- A Radiation Safety Policy will complement the University's Health and Safety Policy and the Radiation Safety Manual by capturing the additional requisites for radiation safety.
- A Radiation Safety Policy is in compliance with the applicable legislation:

<b>• Legislation</b>	<b>Administered by</b>
Nuclear Safety and Control Act, and all applicable regulations under the Act.	Canadian Nuclear Safety Commission (CNSC)
Occupational Health and Safety Act	Ontario Ministry of Labour (MOL)
R.R.O. 1990, Reg. 861 X-Ray Safety	Ontario Ministry of Labour

Healing Arts and Radiation Protection Act and Regulations	Ontario Ministry of Health and Long-Term Care (MOHLTC)
R.R.O 1990, Reg. 543 X-Ray Safety Code	Ontario Ministry of Health and Long-Term Care
Radiation Emitting Devices Act	Health Canada
Radiation Emitting Devices Regulations	Health Canada

**MOTION for CONSIDERATION:**

*That pursuant to the recommendation of the Audit and Finance Committee, the Board of Governors hereby approves the Radiation Safety Policy, as presented.*

**SUPPORTING REFERENCE MATERIALS:**

- Radiation Safety Policy

Classification	LCG XXXX
Framework Category	Legal, Compliance and Governance
Approving Authority	Board of Governors
Policy Owner	VP Research and Innovation
Approval Date	DRAFT FOR REVIEW
Review Date	
Supersedes	

## RADIATION SAFETY POLICY

### PURPOSE

1. This policy sets out the standards, requirements and responsibilities that apply to research and scholarly activities involving ionizing and non-ionizing radiation, including nuclear substances and radiation emitting devices at the University of Ontario Institute of Technology (Ontario Tech).

### DEFINITIONS

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

**“Action Level”** means a specific dose or other parameter that, if exceeded, may indicate a loss of control of part of the radiation safety program.

**“Authorized Users”** means any University Member who has been authorized to handle ionizing or non-ionizing radiation in accordance with the requirements set out in the Radiation Safety Program.

**“ALARA”** (as low as reasonably achievable) means an optimization tool in radiation protection used to keep individual, workplace and public dose limits as low as reasonably achievable, social and economic factors being taken into account. ALARA is not a dose limit; it is a practice that aims to keep dose levels as far as possible below regulatory limits. (ALARA)

**“CNSC”** means the Canadian Nuclear Safety Commission, the federal regulatory agency whose mandate is to establish and enforce the Nuclear Safety and Control Act and Regulations. The CNSC regulates the use of nuclear energy and materials to protect health, safety, security and the environment, and to implement Canada's international commitments on the peaceful use of nuclear energy.

**“Ionizing Radiation”** means particles, X-rays, or gamma rays with sufficient energy to cause ionization in the medium through which it passes.

**“MOL”** means the Ontario Ministry of Labour, the provincial regulatory agency whose mandate is to establish and enforce the Occupational Health and Safety Act, which includes the X-ray Safety regulation and takes into consideration the American National Standards Institute (ANSI) Z136 series of laser safety standards (the “ANSI” Standards).

**“Non-Ionizing Radiation”** means any type of electromagnetic radiation that does not carry enough energy to ionize atoms or molecules.

**“Nuclear Substance”** means:

- a) deuterium, thorium, uranium or an element with an atomic number greater than 92;
- b) a derivative or compound of deuterium, thorium, uranium or of an element with an atomic number greater than 92;
- c) a radioactive nuclide;
- d) a substance that is prescribed as being capable of releasing nuclear energy or as being required for the production or use of nuclear energy;
- e) a radioactive by-product of the development, production or use of nuclear energy; and
- f) a radioactive substance or radioactive thing that was used for the development or production, or in connection with the use, of nuclear energy.

**“Radiation”** means, for the purpose of this policy:

- a) energy in the form of electromagnetic waves or acoustical waves with the potential to harm;
- b) the emission by a nuclear substance, the production using a nuclear substance, or the production at a nuclear facility of an atomic or subatomic particle or electromagnetic wave with sufficient energy for ionization.

**“Radiation device”** means any device that contains more than the exemption quantity of a nuclear substance and that enables the nuclear substance to be used for its radiation properties.

**“Radiation emitting device”** means any device that is capable of producing and emitting radiation.

**“Radioisotope Laboratory”** means a conventional laboratory that is permitted to house radioactive materials and all activities within the laboratory are prescribed by a radioisotope permit.

**“Radiation Safety Program”** means the documented policies and procedures developed to control the risks and hazards associated with ionizing and non-ionizing radiation. The radiation safety program includes x-ray safety and for the purposes of this policy includes the laser safety program. These programs are documented as the Radiation Safety Manual and the Laser Safety Manual and outline the university’s responsibility and oversight for the protection of personnel against the harmful effects of radiation.

**“University Member”** means any member of the Ontario Tech community who teaches, conducts research or works at or under the auspices of the University and includes any of the following:

- A person who is an employee of the university;
- Any person who is an appointee (including adjunct faculty, emeritus, a volunteer on research related committees and boards) of the University , or
- Student, post-doctoral fellows, visiting scholars, contractors, and any other research personnel while they are engaged in research or scholarly activities under supervision of a Member.

## **SCOPE AND AUTHORITY**

3. This policy applies to all activities at the University involving ionizing and non-ionizing radiation and radiation emitting devices defined under this Policy.

4. The Vice-President Research and Innovation, or successor thereof, is the Policy Owner and is responsible for overseeing the implementation, administration and interpretation of this Policy.
5. On behalf of the Vice-President, Research and Innovation, the Radiation Safety Officer and the Radiation Safety Committee have the authority to immediately stop any use of ionizing and non-ionizing radiation sources and radiation emitting devices which deviates from the approved conditions set out in a Permit or is deemed to be in non-compliance with the applicable legislation and regulations and/or university policy or procedures as described under the Radiation Safety Program.

## **POLICY**

The University is committed to protecting all University Members and the environment from any adverse effects resulting from the use of ionizing and non-ionizing radiation for research and scholarly activities at the University. To this end, the University will maintain a radiation safety program to ensure the safe use, storage, transfer and disposal of radiation and radioactive materials in compliance with all legislated requirements, University Policies and Procedures.

### **6. General**

- 6.1. The University holds Licences from the Canadian Nuclear Safety Commission for the use of nuclear substances and radiation devices.
- 6.2. The University is registered with the Ministry of Labour for the use of x-ray devices on campus.
- 6.3. All procurement, use, storage, transfers, and disposal of these material/devices by a University Member under the auspices of the University is governed by the terms of the CNSC Licence(s) or MOL approval letter.
- 6.4. The University adheres to the safety standards outlined in the ANSI Standard for the Safe Use of Lasers for all laser equipment.
- 6.5. The University shall establish a Radiation Safety Program for workplace safety and regulatory compliance in accordance with CNSC requirements, the ANSI Standard and the X-Ray Safety Regulation. The internal responsibility system shall be fundamental to the effective operation of the Radiation Safety Program.
- 6.6. All research and scholarly activities at the University involving ionizing, non-ionizing and radiation emitting devices must be approved by the Radiation Safety Committee prior to any activities commencing.
- 6.7. Authorized Users are accountable for ensuring compliance with all relevant legislation, regulations, guidelines and University policies and procedures.
- 6.8. The University recognizes its responsibility to act with due diligence where ionizing, non-ionizing materials and radiation emitting devices are concerned.
- 6.9. The University shall only support work for which it is licensed to by the CNSC or approved for by the MOL.
- 6.10. All occupational exposures shall be limited in accordance with the ALARA (as Low As Reasonably Achievable) principle and within CNSC and MOL prescribed dose limits.

- 6.11. University Members who, on reasonable grounds, believe that a University place or vehicle is contaminated in excess of the prescribed limit by a radioactive prescribed substance, or an event has occurred that is likely to result in the exposure of persons or the environment to a dose of radiation in excess of prescribed limits, shall immediately notify the Radiation Safety Officer and appropriate authorities about the location and circumstances of the contamination or event.

## **7. Non-Compliance**

- 7.1. All members of the University community are subject to the requirements of this policy. Violations place the University at significant risk and are subject to appropriate corrective administrative, academic or non-academic discipline and could result in disciplinary action up to and including termination of the member's position with the University, or in the case of a student, an academic suspension. Any disciplinary action arising from a violation of this policy will be conducted in accordance with the collective agreement that governs the member, if applicable. Significant legal penalties may also be assessed by the Canadian Nuclear Safety Commission under the authority of the Nuclear Safety and Control Act and Regulations or the Ontario Ministry of labour under the authority of the Ontario Occupational Health and Safety Act and X-Ray Safety Regulation.

## **MONITORING AND REVIEW**

8. This Policy will be reviewed as necessary and at least every three years. The Director, Research Services, or successor thereof, is responsible to monitor and review this Policy.

## **RELEVANT LEGISLATION**

9. Nuclear Safety and Control Act  
Regulations under the Nuclear Safety and Control Act  
Occupational Health and Safety Act  
R.R.O. 1990, Reg. 861 X-Ray Safety  
Healing Arts and Radiation Protection Act and Regulations  
R.R.O 1990, Reg. 543 X-Ray Safety Code  
Radiation Emitting Devices Act

## **RELATED POLICIES, PROCEDURES & DOCUMENTS**

10. Ontario Tech Health and Safety Policy  
Ontario Tech Radiation Safety Manual  
Procurement Policy and Procedures  
CNSC Licenses issued to the University Of Ontario Institute Of Technology  
CNSC Regulatory Guidance Documents

ANSI Standard for the Safe Use of Lasers

MOL X-Ray Permits issued to the University Of Ontario Institute Of Technology

Safety Code 34. Radiation Protection and Safety for Industrial X-Ray Equipment





**BOARD OF GOVERNORS**  
**Audit & Finance Committee**

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**Minutes of the Public Session of the Meeting of Wednesday, February 17, 2021**  
2:00 – 3:15 p.m., Videoconference

**Members:** Laura Elliott (Chair), Stephanie Chow, Mitch Frazer, Dale MacMillan, Steven Murphy, Dietmar Reiner, Roger Thompson

**Staff:** Jamie Bruno, Becky Dinwoodie, Cheryl Foy, Lori Livingston, Brad MacIsaac, Susan McGovern, Pamela Onsiong, Les Jacobs

**Guests:** Shay Babb, Chelsea Bauer (FA), Mike Eklund (FA), Jenn Freeman, Christine McLaughlin (FA), Niall O'Halloran

**1. Call to Order**

The Chair called the meeting to order at 2:05 p.m.

**2. Agenda**

*Upon a motion duly made by D. Reiner and seconded by S. Chow, the Agenda was approved as presented.*

**3. Conflict of Interest Declaration**

None.

**4. Chair's Remarks**

The Chair noted that this is the time of year that people normally struggle with mental health due to the ongoing cold weather and dark days, which has been heightened by the pandemic. She encouraged everyone to prioritize their mental health, perhaps by participating in the Chancellor's Challenge. The Chair thanked the Chancellor for raising funds for our students while also promoting being active. The Chair also noted that the Agenda was structured to make time for strategic discussion and encouraged committee members to actively participate in the discussions.

**5. President's Remarks**

The President advised that members of the senior leadership team have been paired with a specific Board committee, which will help with the development of committee meeting agendas, with an increased focus on strategic priorities.

The President discussed the limited levers available to increase revenue for universities. He reminded the committee that in terms of real dollars, the amount of government grant has been declining since the early 2000's. The provincial government implemented a 10% tuition cut, followed by a tuition freeze. This leaves the university with little flexibility to handle increased costs. Further, the university has incurred increased costs transitioning due to COVID and has lost revenue from ancillary services. When we think about the future, the focus will be on two key priorities:

1. enhancing our technological platforms and infrastructure/learning reimagined; and
2. student recruitment.

The President shared that they are observing a robust interest in postsecondary education, but a nuanced one. Students are being drawn to the more well known institutions (e.g. Western, Queen's, Waterloo, UofT). Over the past year, several of the larger, more established institutions have been lowering their entrance averages in order to accept more students, which has had a negative effect on the enrolment at smaller, lesser known institutions. This highlights the importance of differentiating the university from other institutions and emphasizing our value proposition.

The President reminded the committee that the university's revenues are increasing at a lower rate than labour costs. He confirmed that the senior leadership team has been examining the facts of the Laurentian situation, from which there are valuable lessons to be learned by the sector. There is also some concern about third and fourth waves of the pandemic and the repercussions on employment across the GTA, which can cause challenges for our students.

The Chair noted that Laurentian is top of mind since it has been in the media the past few weeks.

## **6. Strategic Discussion: Fiscal Sustainability**

The Chair started the discussion by referencing the two priorities identified by the President. She commented that when money is tight, it is important to focus on the institution's priorities. In response to a question about whether learning reimagined would be program based, L. Livingston responded that learning reimagined involves considering the future of learning. The university is already considering tech pilots. We understand that there will be a portion of students that would like to be on campus and others who will continue to stay home. We are looking at bringing both of those groups to the classroom. With respect to creating a sticky campus, the university will also be investing in increasing advising resources, restructuring advising teams, professional development of advisors, and student success programming of LEAP and UPrep programs.

Overall, the university's financial picture is looking healthy. A committee member commended the senior leadership team for the actions that were taken - great planning has kept the university in a good place. B. MacIsaac noted that the 2021-2022 budget is being developed based on the assumption that the university's buildings will be fully occupied in September. If there are savings there, the funds will be used to offset those places that are being run.

There was a discussion regarding the effects of the pandemic on enrolment in community colleges. Based on the news, colleges have generally taken a larger hit than universities. People in college are not seeing job prospects right away and are considering furthering their education. It is anticipated that there will be an increase in mature students and college graduates next year.

A member asked what keeps the VP, Administration up at night. B. MacIsaac responded that it is the difficult choices that must be made. He noted that the university's revenues are \$2m less than 2019 and salaries are \$6m more. It is difficult to balance competing priorities, while helping make things happen.

In the context of the SMA3, there was a discussion about the impact of the new funding model. B. MacIsaac confirmed that the SMA3 will have ten indicators, each one having its own formula for setting a target. He advised that when looking at most of the indicators, he is comfortable with 70% of them when looking two-years out. Work is continuing on how to count in-course experiential learning. They are also continuing to look at new programmings, offering shorter courses (undergraduate diplomas), and innovative ways to improve graduation rates.

There was a discussion about the opportunities for national and international partnerships. There was also a discussion about what steps the senior leadership is taking to "pandemic proof" the university. B. MacIsaac advised that improvements to technology and supporting the community in becoming more adept at technology platforms will help the university going forward. He also noted that the Registrar is in tune with domestic and international recruitment opportunities and is ensuring there is rigour attached to international opportunities. The university is looking to increase the number of international students next year.

A member commented that this is the best time to be part of Ontario Tech as the rebranding has put the university in a position to take advantage of these opportunities and has accelerated the university's mission. There was also support expressed for focusing on key priorities. The member also commented that lowering entrance averages and accepting more students is not a winning strategy. Our university will be the university that every institution aspires to be in about 10 years.

The committee also had a discussion about the reserves set aside for deferred maintenance. It is important to think about the quality of the university's facilities in light

of the sticky campus priority. The university is in a good position to weather lesser investment in deferred maintenance at this time. It will be important for the Board to continue to monitor the costs of deferred maintenance every year. B. Maclsaac confirmed that last year there was no money set aside for reserves and they are not planning to do so next year. They will come to the board with a pro-rated increase to reestablish reserves in 2023 and onward. The investment in students will pay large dividends in the end.

## **7. Finance**

### **7.1. Third Quarter Financial Reports & 2021-2022 Budget Update**

P. Onsiong reviewed the third quarter financial reports, which were included in the meeting material. She highlighted the investments made in technology, student recruitment, and ACE. Any surplus will be reviewed and a recommendation will be made with respect to whether to set aside reserves at the committee's April meeting. P. Onsiong responded to questions from the committee.

## **8. Investment Committee Oversight**

### **8.1. Quarterly Report**

S. Chow delivered the Investment Committee's quarterly report. The portfolio's performance was 1% above benchmark for the last quarter and is just above \$31m. She reported on PH&N's annual ESG report and provided an overview of PH&N's ESG approach to investment. S. Chow advised that the Investment Committee had a robust discussion regarding the investment strategy, including the structure of the Statement of Investment Policies and Asset Class Management Strategy. The Investment Committee will continue their review with the goal of providing additional flexibility to the university's investment manager.

## **9. Project Updates – questions only**

Written project updates were included in the committee's meeting material and B. Maclsaac responded to questions from the committee. He advised that with the anticipated ACE overrun, there will be some increase to the project costs. He informed the committee that instead of having the integration team from the US come up to complete the work, they are working on an innovative approach to do a virtual integration with the assistance of a local company. They are also looking at other ways of addressing the increased costs and will return to the committee with a better estimate of costs at the next meeting.

## **10. Consent Agenda:**

*Upon a motion duly made by D. Reiner and seconded by S. Chow, the Consent Agenda was approved as presented.*

**10.1. Minutes of Public Session of Meeting of June 19, 2020**

**10.2. Compliance Policy**

**11. Written Consultation**

The Chair thanked C. Foy and the senior leadership team for working to streamline committee meetings by including items for written consultation. The Chair asked the committee members to review the policy documents from an oversight perspective as opposed to wordsmithing. She encouraged members to send their feedback to B. Dinwoodie, who will forward their comments on to the policy owners.

**11.1. Controlled Goods Policy**

**11.2. Radiation Safety Policy**

**12. For Information:**

**12.1. Credit Rating Update**

**12.2. Risk, Compliance & Policy Updates**

**12.3. Fiscal Blueprint 2021-2022**

**13. Other Business**

**14. Adjournment**

*Upon a motion duly made by D. Reiner, the meeting adjourned at 3:07 p.m.*

Becky Dinwoodie, Secretary



## COMMITTEE REPORT

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### SESSION:

Public ☒

### ACTION REQUESTED:

Decision ☒  
 Discussion/Direction ☐  
 Information ☐

Financial Impact ☐ Yes ☒ No

Included in Budget ☐ Yes ☒ No

TO: Board of Governors

DATE: April 22, 2021

FROM: Governance, Nominations & Human Resources Committee

SLT LEAD: Cheryl Foy, University Secretary and General Counsel

SUBJECT: Accommodation Policy

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### COMMITTEE MANDATE:

- Under the University's Act, section 9 (1), the Board of Governors has the power: "to establish academic, research, service and institutional policies and plans and to control the manner in which they are implemented". The university's Policy Framework is a key institutional policy that delegates the Board's power, establishing categories of policy instruments with distinct approval pathways.
- In accordance with its Terms of Reference, one of GNHR's mandate includes the establishment of human resources policy instruments.
- **Request:** We are seeking the Board's approval of the Accommodation Policy..

### BACKGROUND/CONTEXT & RATIONALE:

The Secretariat plays a significant role in advancing the strategic objective of creating a sticky campus. This work is done with a focus on initiatives to improve the culture within which students learn and employees work. The Accommodation Policy is an equity, diversity and inclusion initiative and was created to fill a policy gap – while the University has procedures for disability-related accommodation requests and processes, applicable human rights legislation requires accommodation on multiple other grounds ("Protected Grounds"). While the university has received and responded to requests on several of these Protected Grounds, there are currently no policy instruments to assist university



members seeking to be accommodated on these Protected Grounds or to assist those involved in responding to such requests.

#### **ALIGNMENT WITH MISSION, VISION, VALUES & STRATEGIC PLAN:**

- This policy supports the university's values of integrity and respect by demonstrating the institution's commitment to working towards a barrier-free and inclusive campus environment.
- By promoting an inclusive and equitable culture at the university, this policy also supports the strategic pillar of creating a "sticky campus". In order to create a "sticky campus", the university community must feel welcome and included.

#### **CONSULTATION:**

- Policy Advisory Committee (Consultation - November 2020)
- Online Consultation (Consultation – December 18, 2020 – January 18, 2021)
- Academic Council (Consultation - February 23, 2021 – March 3, 2021)
- Governance, Nomination and Human Resources Committee (Consultation - January 28, 2021; Approval – March 30, 2021)
- Board of Governors (Approval – April 22, 2021)

#### **Consultation Comments and Response to Date**

##### Accommodation Policy

- We received feedback from individuals questioning the definitions of specific Protected Grounds that are included in the definitions section (e.g. disability, sex, creed, etc.). Specifically, the questions tended to focus on where the definitions came from and whether the level of detail provided is necessary.
- **Response:** We have clarified in the Policy instrument which of the definitions come directly from the Ontario Human Rights Code. Where the definition is not included in the Code, we have defined the terms in a manner consistent with the [approach/guidance of the?] Ontario Human Rights Commission or by referring to how the terms have been interpreted in jurisprudence. Our goal is to provide sufficient detail so that University Members can understand how the Protected Grounds may result in instances where accommodation may be needed.
- We received feedback that the Definitions section of the Policy was too extensive, that the definitions were confusing and too lengthy. There was a suggestion that some of the detail should be included in separate guidelines.
- **Response:** Revisions have been made in attempts to address the feedback related to the Definitions section of the Policy; specifically, attempts were made to make the section more concise where possible and appropriate. However, it should also be noted that the policy instruments will not be standalone. Web-based tools, and training will follow. As this is a new policy, we erred on the side of including more rather than less. We have aimed for a clear and succinct document that nonetheless provides the necessary information to ensure University Members know their rights, responsibilities and obligations – this is particularly important since the University has never had a stand-alone accommodation policy previously. Once the Human Rights Policy framework is

established, the Human Rights Office will begin to focus on additional informational supports and resources for the Campus community and as we roll those out we will revisit the content of the policy instrument during regularly scheduled reviews.

- We received feedback about the prominence of definitions in the policy (e.g., at the beginning of the policy). The individual asked whether the definitions could be placed at the end or as an appendix to the policy.
- **Response:** The policy adheres to the University's existing Policy template and framework. With that said, the USGC's office has commenced a review of standard practice and will return to the Board with findings at a later date.
- A member asked why job applicants are called out in the policy.
- **Response:** Job applicants are protected against discrimination under the Ontario Human Right Code's employment provisions. As such, job applicants are entitled to accommodation during the application process. The Accessibility for Ontarians with Disabilities Act (AODA) also includes provisions requiring that employers accommodate job applicants on the ground of disability.
- A member states that the definition of "Disability" is ableist in tone. For example, it was suggested that the term "deafness" should be capitalized.
- **Response:** We have clarified in the policy instrument that the definition of "Disability" comes directly from the Code. Regardless we have capitalized "Deafness" as requested by the member. Although we will retain the legal definition of disability from the Code, the Human Rights Office is dedicated to the use of more inclusive language in the development of its website content and informational resources.
- We received feedback questioning the use of "Ontario Tech University" in the policy documents rather than UOIT.
- **Response:** University members have been given feedback to use Ontario Tech University in Policy instruments rather than UOIT.

#### **MOTION:**

*Pursuant to the recommendation of the Governance, Nominations and Human Resources Committee, the Board of Governors hereby approves the Accommodation Policy as presented.*

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#### **SUPPORTING REFERENCE MATERIALS:**

- clean and blacklined Accommodation Policy



Classification Number	<i>To be completed by the Policy Office</i>
Framework Category	Legal, Compliance and Governance
Approving Authority	Board of Governors
Policy Owner	University Secretary and General Counsel
Approval Date	DRAFT FOR CONSULTATION
Review Date	
Supersedes	

## ACCOMMODATION POLICY

### PURPOSE

1. The purpose of this Policy is to:

- ~~Establish the University's e~~Commitment the University to ~~working towards~~ a barrier-free and inclusive campus environment; and,
- Demonstrate compliance with the obligations and responsibilities, required of the University under its Respectful Campus Policy and by the *Ontario Human Rights Code* ("the Code"), the *Accessibility for Ontarians with Disabilities Act* (AODA), and the *Workplace Safety and Insurance Act*.

### DEFINITIONS

"**Accommodation Measures**" are adaptations or adjustments that ~~are may be~~ required to enable ~~an employee to perform his or her essential job responsibilities effectively and/or a service recipient to participate fully in their academic pursuits~~full participation. Accommodation Measures may include, but are not limited to:

- Human support services such as sign language interpreters, readers, etc.
- Technical aids and assistive devices
- ~~Modification of testing/exam requirements~~
- Workstation and/or office modifications
- Flexible or alternative work/assignment schedules
- Temporary re-assignments

"**Barriers**" include attitudes (stereotypes or prejudices), designs, policies, practices and, rules- that prevent full participation of individuals or groups on the basis of a protected Ground. ~~when applied in the same way to everyone without accommodation~~

"**Creed**" is not defined in the Code, but courts and tribunals often refer to creed as religious beliefs and/or practices. As creed is not clearly defined, the following characteristics have been relied on when considering whether a belief system is a creed under the Code:

- It is sincerely, freely, and deeply held
- Is integrally linked to a person's identity, self-definition, and fulfilment
- Is a particular and comprehensive, overarching system of belief that governs one's conduct and practices

- Addresses ultimate questions of human existence, including ideas about life, purpose, death, and the existence or non-existence of a creator and/or a higher or different order of existence
- Has some nexus/connection to an organization or community that professes a shared system of belief.

~~Not every belief, opinion, expression, practice, or matter of conscience is a creed under the Code. Further, practices/observances which are hateful, incite hatred or violence against other individuals/groups, or contravene criminal laws are not protected by the Code.~~

**“Disability”** is defined in the Code as means:

- any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and includes diabetes mellitus, epilepsy, a brain injury, any degree of paralysis, amputation, lack of physical coordination, blindness or visual impediment, Ddeafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or other animal or on a wheelchair or other remedial appliance or device;
- a condition of mental impairment or a development disability;
- a learning disability, or dysfunction in one or more of the processes involved in understanding or using symbols or spoken language;
- a mental disorder; or
- an injury or disability for which benefits were claimed or received under the insurance plan established under the *Workplace Safety and Insurance Act*.

**“Duty to Accommodate”** refers to the obligation to eliminate the disadvantage, to the point of undue hardship, caused by barriers that exclude individuals or groups protected under the Code from participating in all aspects of their employment, academic endeavors, or use of facilities and housing or their receipt of services from the University on campus. Failure to meet the Duty to Accommodate is a form of discrimination. ~~There is a procedural obligation to explore all accommodation options, and a substantive obligation to implement an accommodation that is reasonable. Every accommodation request must be fully considered, and may be refused only if no Code-related need is substantiated or if undue hardship can be demonstrated.~~

**“Family Status”** is defined in the Code as the status of being in a parent and -child relationship. It, and includes any relationship that is equivalent to the care, responsibilities and commitment of a parent to a child. ~~“Parent” includes any person acting in the position of parent to a child, including biological, adoptive, foster, step-parents, legal guardians, or even a friend or family member who has taken responsibility for the care of a child whose parent(s) is not able to raise the child.~~ An adult child who is responsible for the care of a parent (e.g., providing elder care) is also in a relationship that is included in the definition of family status. In order to trigger a Family Status accommodation, the child/parent must be under the supervision or control of the University Member, there must be an essential need or legal obligation that flows from the relationship and the impact must create real disadvantages to the parental-child relationship and the responsibilities that flow from it (i.e. it is not trivial, insubstantial or merely a negative impact).

~~An assessment of whether a Family Status request triggers the University’s Duty to Accommodate:~~

- ~~Includes whether the child/parent is under the care and/or supervision of the individual~~
- ~~Includes whether the need is based on an essential or legal obligation which flows from the parent-child relationship~~
- ~~Includes whether the rule/requirement creates real disadvantage to the parent-child relationship and the responsibilities that flow from it (i.e. it is not trivial, insubstantial, or merely a negative impact)~~
- ~~May include a consideration of whether the individual made reasonable efforts to meet their child/parent obligations through alternative solutions that are reasonably accessible~~

**“Functional Limitations”** refer to the specific effect(s) an individual’s code related needs/obligations impact their ability to access services, facilities and housing and or perform the essential requirements of their academic or employment pursuits. For example, an employee is unable to lift objects greater than 10 pounds due to a disability, or a student will be late for class because they are a single parent and need to drop off their child to daycare at a specific time.

**“Gender Identity & Gender Expression”** are not defined in the Code. Gender Identity is the gender that people identify with or how they perceive themselves, which may be different from their birth-assigned sex. Gender identity is linked to a sense of self, the sense of being woman, man, both, neither or anywhere along the gender spectrum (non-binary). Gender Expression is the way people communicate or express their gender identity publicly; often through behaviour and physical appearance, e.g., dressing, the length and style of hair, or by emphasizing, de-emphasizing or changing physical characteristics. Chosen names and preferred pronouns are also ways in which people express gender. Gender Identity and Gender Expression are completely separate from sexual orientation.

~~All employees, job applicants and service recipients have a right to be treated with respect and dignity, dress in accordance with and be identified by and referred to as their self-identified or expressed gender.~~ Accommodations on the ground of gender identity or gender expression may be sought relating to:

- Pronouns
- Name and Gender title changes
- Transitioning
- Gender affirming surgery
- Washroom Access
- Locker Room/Change Facilities

**“Interim Accommodations”** are temporary Accommodation Measures that are implemented on a good-faith basis while an accommodation request is under review and are typically reserved for complex cases that may require more time or specialist input to determine whether Accommodation is required and/or to identify and choose appropriate long-term Accommodation Measures.

**"Person(s) of Authority"** includes any person who has charge of a workplace, authority over another Employee or authority in the administration of education. Anyone who supervises an Employee at Ontario Tech University is a Person of Authority. For the purposes of this policy, Faculty members, and ~~Teaching Assistants and Faculty Leadership~~ (e.g. Deans, Associates Deans, etc.) are also considered Persons of Authority vis-à-vis their relationship to students.

**"Protected Ground(s)"** are the grounds contained in the Ontario Human Rights Code under which individuals are protected against discrimination and harassment. All University Members are protected under the following Grounds: "race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, Record of Offences, marital status, family status or disability." Employees are additionally protected under the ground "record of offences."

~~Protected Grounds for Students include "race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, Record of Offences, marital status, family status or disability," and any additional protected grounds that are added to the Ontario Human Rights Code by way of statutory amendment. Protected Grounds for Employees are the same, but include the additional ground of "record of offences."~~

**"Sex (Including Pregnancy and Breastfeeding)"** ~~is not specifically defined in the Code, the ground of "sex,"~~ but it is considered to be related to a person's biological sex, male or female. ~~The Code makes it against the law to discriminate against someone or to harass them because of sex, including pregnancy and breastfeeding. Pregnancy includes the process from conception up to the period following childbirth.~~ Special needs and circumstances that may be experienced as a result of pregnancy are also included within the definition of sexpregnancy. Special needs can relate to circumstances arising from:

- breastfeeding
- miscarriage or stillbirth
- abortion
- conditions which result directly or indirectly from an abortion/miscarriage or stillbirth
- fertility treatments/ other interventions to get pregnant
- medical complications resulting from pregnancy
- recovery from childbirth
- ~~breastfeeding~~
- postpartum depression

**"Undue Hardship"** ~~as defined in the Code prescribes three considerations in assessing whether an accommodation could cause undue hardship: Cost; Outside Sources of Funding; and Health and Safety Considerations. Additional information is available on the Ontario Human Rights Commission website (URL: www.ohrc.on.ca).~~ refers to the scope in which an organization's Duty to Accommodate extends. In most cases, organizations must take all reasonable steps to determine if an individual can be accommodated. However, the Duty to Accommodate does not extend to cases in which Undue Hardship can be demonstrated. The three factors under the Code that can be

considered in determining undue hardship are, Cost, Outside Sources of Funding and Health and Safety requirements.

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

- is employed by the University or holds an appointment with the University, including paid, unpaid and/or honorific appointments (“**Employee**”);
- is registered as a student, in accordance with the academic regulations of the University (“**Student**”); and/or,
- Is 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

2. The University Secretary and General Counsel is the Policy Owner. The Policy Owner is responsible for overseeing the implementation, administration, interpretation and application of this Policy.
3. This Policy applies to all University Members in all aspects of their engagement with the University.
- ~~2. This Policy applies to all University Members, including Employees (i.e. full-time, part-time, temporary, seasonal, contract workers), volunteers and job applicants, as well as individuals who receive services from the University, e.g. all Students, and/or those that are permitted to use University facilities.~~
- ~~3. The University Secretary and General Counsel is the Policy Owner and is responsible for the interpretation and administrative direction of this policy and its associated policies and procedures to ensure their compliance with regulatory requirements.~~
4. This Policy does not override or diminish the rights provided to Employees under applicable Collective Agreements. Collective Agreements will supersede this Policy to the extent there is a conflict.

## POLICY

5. 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 recognizes its duty to accommodate to the point of undue hardship and commits itself to an accommodation process that reflects the principles of dignity, and privacy, inclusion and individualization and inclusion.
- ~~6.~~
- ~~5. Ontario Tech University is We are committed to fully exploring all requests for accommodation in good faith, and to providing reasonable accommodation up to the point of Undue Hardship, when the need for accommodation has been established unless the accommodation would alter a bona fide occupational or academic requirement and/or undue hardship can be demonstrated.~~

7. Ontario Tech University will consider on a case-by-case basis whether Interim Accommodations can be implemented during the exploration of accommodation requests.

8. Where there are multiple ways to provide accommodation without incurring Undue Hardship, the University reserves the right to accommodate in the manner most consistent with the University's operational and academic requirements.

#### 6.9. The Duty to Accommodate: General Principles

~~In order to meet the needs of individuals affected, t~~The University's approach to providing accommodations will be based on the following principles:

a) **Individualization:** ~~designing accommodation to meet the specific circumstances of each Employee, job applicant and Student.~~ Accommodation is assessed and delivered on an individual basis for persons who make their needs known. Each request must be considered individually in order to meet the specific circumstances of the individual seeking accommodation. ~~assess appropriate accommodation. Requests for accommodation must be dealt with in a timely manner so individuals can fully participate in all aspects of employment, use of facilities and receipt of services, except where evidence does not support the need for accommodation or where undue hardship can be demonstrated.~~

b) **Dignity:** ~~Requests for accommodation must be dealt with in a~~ respectful and timely manner so individuals can fully participate in all aspects of employment, academic endeavors and in the use of facilities and housing and receipt of services, ~~except where evidence does not support the need for accommodation or where undue hardship can be demonstrated. and~~

c) **Privacy:** individuals must be accommodated in ways that respect their ~~dignity~~ and right to privacy. Information relating to specific requests for accommodation will be treated as confidential and will only be used for the purpose of assessing and implementing accommodation options and solutions.

~~e) Partnership and Consultation:~~ The consideration of accommodation requests and the search for reasonable accommodation measures will involve the person requiring the accommodation and a Person of Authority. Consultations with third parties with specialized expertise in the development of the accommodation plan may also be required (e.g. the Human Rights Office, Student Accessibility Services and Human Resources~~medical practitioners~~).

ed) Inclusion: intentional design helps ensure ~~The University is committed to ensuring its~~ programs, policies, practices, facilities, services, communications and systems- ~~are designed intentionally are designed and administered~~ to foster the full integration of diverse individuals and groups protected under the Code. Periodic~~The~~ proactive reviews of existing policies, rules, practices and procedures to identify and eliminate barriers to access and inclusion can also promote a more inclusive campus while helping to minimize the need for individualized accommodations. ~~Intentional design and systemic assessments minimize the need for individual assessments/accommodations.~~

e) **Respect** ~~for confidentiality and dignity and the unique circumstances of each University Member. See comment above re: Dignity and Privacy.~~

f) **Written accommodation plans:** ~~in cases involving disability accommodation, written accommodation plans will be developed in accordance with the requirements of the Accessibility for Ontarians with Disabilities Act.~~



## **7.10. Making a Request for Accommodation**

Although accommodation requests are most commonly made on the grounds of Disability, Family Status, Creed, Sex (more specifically related to pregnancy ~~and breast-feeding~~) and Gender Identity & Gender Expression, requests for accommodation can be made based upon any Protected Ground.

It is typically the responsibility of the University Member to make their Protected Ground ~~Code~~-related needs known. Reach out to a relevant Person of Authority for information and assistance and/or to commence the accommodation process. [Note: The University has specialized procedures for Students and Employees related to making disability-related accommodation requests.] ~~For accommodation requests related to all other Protected Grounds, speak to a Person of Authority (e.g. your manager, your Professor, a Dean, etc.)~~

A detailed, written account of your Code-related needs will assist the Person of Authority to understand your situation and will likely expedite the accommodation process. If appropriate and available, provide supporting documentation that verifies the need for accommodation (e.g. a medical form, a child's daycare schedule or a custody agreement). Those requesting accommodation should focus on the Functional Limitations that are impacting their ability to work, participate academically or access other services, facilities or housing, and should avoid requesting specific Accommodation Measures at the outset.

Any University Member may book a consultation meeting with The Human Rights Office for additional information related to this policy instrument or for advice related to their specific circumstances.

## **8.11. Receiving a Request for Accommodation**

~~Accommodation requests on the basis of a Disability must be handled in a manner consistent with obligations detailed in the relevant procedures for Students or Employees. Student Accessibility Services manages Disability-related accommodation requests from Students and Human Resources manages similar requests from Employees.~~

~~For all other accommodation requests, Except in relation to disability-related requests, Persons of Authority will determine whether appropriate Functional Limitations have been identified in consultation with experts as necessary, and if not, will ask the requester to identify appropriate Functional Limitations. Persons of Authority are tasked with receiving and responding to requests for accommodation. When in receipt of a request for accommodation, Once the functional limitations are identified, the Person of Authority will determine whether the need for accommodation has been verified.~~

If there is evidence to support the need for accommodation, the Person of Authority will identify and select appropriate accommodation measures in consultation with the individual seeking accommodation. If, on the other hand, the assessment concludes that accommodation is not required, the Person of Authority will advise the individual in writing.

Persons of Authority are encouraged to consult with the Human Rights Office for advice and assistance. In any event, if the Person of Authority concludes that accommodation is not required, they must consult with the Human Rights Office prior to informing the individual.

## **9.12. Dispute Resolution**

The University has Dispute Resolution procedures to handle allegations of discrimination. University Members who have concerns about the manner in which their request for accommodation has been handled should consult the Respectful Campus Policy and related procedures.

## **ROLES AND RESPONSIBILITIES**

### **10.13. All University Members**

1. 1. Are responsible for familiarizing themselves with this Policy
- 4.2. Will build and maintain positive and productive relationships and demonstrate Respect in their interactions; and,
- 2.3. Will engage the accommodation process in good-faith and in a cooperative manner, which includes making their needs known in a timely fashion, providing additional information about their individualized needs when requested and being open to all reasonable Accommodation Measures.

### **11.14. Persons of Authority**

1. Are responsible for ~~familiarizing themselves with this Policy and will ensure~~ inge University Members under their authority are aware of this Policy and its associated procedures;
2. Will respond to requests for Accommodation in good faith, in accordance with related Ontario Tech University policies and procedures, and in consultation with relevant stakeholders;
3. Will handle requests for accommodation on the ground of “Disability” consistent with applicable procedures for Students and Employees;
4. Will process requests for accommodation related to all other Protected Grounds pursuant to requirements under this policy, ensuring the University meets its Duty to Accommodate up to the point of undue hardship; and,
5. Will cooperate with relevant stakeholders in the process of identifying and implementing reasonable Accommodation Measures.

### **12.15. Human Rights Office**



1. Is responsible for the interpretation and administrative direction of this policy and its associated policies and procedures to ensure their compliance with regulatory requirements;
2. Will assist University Members to understand their rights and obligations under this policy and provide advice and/or direction; and,
3. Will assist Persons of Authority to assess requests for accommodation and explore reasonable Accommodation Measures.

#### **13.16. Human Resources**

1. Is responsible for administering the “Procedures for Accommodating Employees and Job Applicants with Disabilities;” and,
2. Will assist Persons of Authority to implement Accommodation Measures in the workplace.

#### **14.17. Student Life**

1. Is responsible for administering the “Procedures for Academic Accommodation for Students with Disabilities;” and,
2. Will assist Persons of Authority to implement Accommodation Measures for students.

### **MONITORING AND REVIEW**

**15.18.** This Policy will be reviewed as necessary and at least every three years. The University Secretary and General Counsel, or successor thereof, is responsible to monitor and review this Policy.

### **RELEVANT LEGISLATION**

**16.19.** Human Rights Code, R.S.O. 1990, c. H.19

Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005  
Workplace Safety and Insurance Act

### **RELATED POLICIES, PROCEDURES & DOCUMENTS**

**17.20.** Accessibility Policy

Procedures for Accommodating Employees and Job Applicants with Disabilities  
Procedures for Academic Accommodation for Students with Disabilities  
Respectful Campus Policy

[Ontario Human Rights Commission \(Policies and Guidelines\)](#)

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## ACCOMMODATION POLICY

### PURPOSE

- The purpose of this Policy is to:
  - Commit the University to a barrier-free and inclusive campus environment; and,
  - Demonstrate compliance with the obligations and responsibilities, required of the University under its Respectful Campus Policy and by the *Ontario Human Rights Code* (“the Code”), the *Accessibility for Ontarians with Disabilities Act* (AODA), and the *Workplace Safety and Insurance Act*.

### DEFINITIONS

- “Accommodation Measures”** are adaptations or adjustments that are required to enable full participation. Accommodation Measures may include, but are not limited to:
  - Human support services such as sign language interpreters, readers, etc.
  - Technical aids and assistive devices
  - Workstation and/or office modifications
  - Flexible or alternative work/assignment schedules
  - Temporary re-assignments

**“Barriers”** include attitudes (stereotypes or prejudices), designs, policies, practices and rules that prevent full participation of individuals or groups on the basis of a protected Ground

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- It is sincerely, freely, and deeply held
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- Has some nexus/connection to an organization or community that professes a shared system of belief.

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- any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and includes diabetes mellitus, epilepsy, a brain injury, any degree of paralysis, amputation, lack of physical

coordination, blindness or visual impediment, Deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or other animal or on a wheelchair or other remedial appliance or device;

- a condition of mental impairment or a development disability;
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**“Duty to Accommodate”** refers to the obligation to eliminate the disadvantage, to the point of undue hardship, caused by barriers that exclude individuals or groups protected under the Code from participating in all aspects of their employment, academic endeavors, or use of facilities and housing on campus. Failure to meet the Duty to Accommodate is a form of discrimination.

**“Family Status”** is defined in the Code as the status of being in a parent and child relationship. It includes any relationship that is equivalent to the care, responsibilities and commitment of a parent to a child. An adult child who is responsible for the care of a parent (e.g., providing elder care) is also in a relationship that is included in the definition of family status. In order to trigger a Family Status accommodation, the child/parent must be under the supervision or control of the University Member, there must be an essential need or legal obligation that flows from the relationship and the impact must create real disadvantages to the parental-child relationship and the responsibilities that flow from it (i.e. it is not trivial, insubstantial or merely a negative impact).

**“Functional Limitations”** refer to the specific effect(s) an individual’s code related needs/obligations impact their ability to access services, facilities and housing and or perform the essential requirements of their academic or employment pursuits. For example, an employee is unable to lift objects greater than 10 pounds due to a disability, or a student will be late for class because they are a single parent and need to drop off their child to daycare at a specific time.

**“Gender Identity & Gender Expression”** are not defined in the Code. Gender Identity is the gender that people identify with or how they perceive themselves, which may be different from their birth-assigned sex. Gender identity is linked to a sense of self, the sense of being woman, man, both, neither or anywhere along the gender spectrum (non-binary). Gender Expression is the way people communicate or express their gender identity publicly; often through behaviour and physical appearance, e.g., dressing, the length and style of hair, or by emphasizing, de-emphasizing or changing physical characteristics. Chosen names and preferred pronouns are also ways in which people express gender. Gender Identity and Gender Expression are completely separate from sexual orientation.

Accommodations on the ground of gender identity or gender expression may be sought relating to:

- Pronouns
- Name and Gender title changes
- Transitioning

- Gender affirming surgery
- Washroom Access
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**“Interim Accommodations”** are temporary Accommodation Measures that are implemented on a good-faith basis while an accommodation request is under review and are typically reserved for complex cases that may require more time or specialist input to determine whether Accommodation is required and/or to identify and choose appropriate long-term Accommodation Measures.

**"Person(s) of Authority"** includes any person who has charge of a workplace, authority over another Employee or authority in the administration of education. Anyone who supervises an Employee at Ontario Tech University is a Person of Authority. For the purposes of this policy, Faculty members, and Faculty Leadership (e.g. Deans, Associates Deans, etc.) are also considered Persons of Authority vis-à-vis their relationship to students.

**"Protected Ground(s)"** are the grounds contained in the Ontario Human Rights Code under which individuals are protected against discrimination and harassment. All University Members are protected under the following Grounds: “race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, Record of Offences, marital status, family status or disability.” Employees are additionally protected under the ground “record of offences.”

**“Sex (Including Pregnancy)”** is not specifically defined in the Code, but is considered to be related to a person’s biological sex, male or female. Special needs and circumstances that may be experienced as a result of pregnancy are also included within the definition of sex. Special needs can relate to circumstances arising from:

- breastfeeding
- miscarriage or stillbirth
- abortion
- conditions which result directly or indirectly from an abortion/miscarriage or stillbirth
- fertility treatments/ other interventions to get pregnant
- medical complications resulting from pregnancy
- recovery from childbirth
- postpartum depression

**“Undue Hardship”** refers to the scope in which an organization’s Duty to Accommodate extends. In most cases, organizations must take all reasonable steps to determine if an individual can be accommodated. However, the Duty to Accommodate does not extend to cases in which Undue Hardship can be demonstrated. The three factors under the Code that can be considered in determining undue hardship are, Cost, Outside Sources of Funding and Health and Safety requirements.

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

- is employed by the University or holds an appointment with the University, including paid, unpaid and/or honorific appointments (“**Employee**”);
- is registered as a student, in accordance with the academic regulations of the University (“**Student**”); and/or,
- Is 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. The University Secretary and General Counsel is the Policy Owner. The Policy Owner is responsible for overseeing the implementation, administration, interpretation and application of this Policy.
4. This Policy applies to all University Members in all aspects of their engagement with the University.
5. This Policy does not override or diminish the rights provided to Employees under applicable Collective Agreements. Collective Agreements will supersede this Policy to the extent there is a conflict.

## **POLICY**

6. 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 recognizes its duty to accommodate to the point of undue hardship and commits itself to accommodation that reflects the principles of dignity, privacy, individualization and inclusion.
7. Ontario Tech University is committed to fully exploring all requests for accommodation in good faith, and to providing reasonable accommodation when the need for accommodation has been established unless the accommodation would alter a bona fide occupational or academic requirement and/or undue hardship can be demonstrated.
8. Ontario Tech University will consider on a case-by-case basis whether Interim Accommodations can be implemented during the exploration of accommodation requests.
9. Where there are multiple ways to provide accommodation without incurring Undue Hardship, the University reserves the right to accommodate in the manner most consistent with the University’s operational and academic requirements.

### **10. The Duty to Accommodate: General Principles**

The University’s approach to providing accommodations will be based on the following principles:

- a) **Individualization:** Accommodation is assessed and delivered on an individual basis for persons who make their needs known. Each request must be considered individually in order to meet the specific circumstances of the individual seeking accommodation.

b) **Dignity:** Requests for accommodation must be dealt with in a respectful and timely manner so individuals can fully participate in all aspects of employment, academic endeavors and in the use of facilities and housing.

c) **Privacy:** individuals must be accommodated in ways that respect their right to privacy. Information relating to specific requests for accommodation will be treated as confidential and will only be used for the purpose of assessing and implementing accommodation options and solutions. The consideration of accommodation requests and the search for reasonable accommodation measures will involve the person requiring the accommodation and a Person of Authority. Consultations with third parties with specialized expertise in the development of the accommodation plan may also be required (e.g. the Human Rights Office, Student Accessibility Services and Human Resources).

e) **Inclusion:** The University is committed to ensuring its programs, policies, practices, facilities, services, communications and systems are designed intentionally to foster the full integration of diverse individuals and groups protected under the Code. Periodic proactive reviews of existing policies, rules, practices and procedures to identify and eliminate barriers to access and inclusion can also promote a more inclusive campus while helping to minimize the need for individualized accommodations.

## **11. Making a Request for Accommodation**

Although accommodation requests are most commonly made on the grounds of Disability, Family Status, Creed, Sex (more specifically related to pregnancy) and Gender Identity & Gender Expression, requests for accommodation can be made based upon any Protected Ground.

It is typically the responsibility of the University Member to make their Protected Ground-related needs known. Reach out to a relevant Person of Authority for information and assistance and/or to commence the accommodation process. [Note: The University has specialized procedures for [Students](#) and [Employees](#) related to making disability-related accommodation requests.]

A detailed, written account of your Code-related needs will assist the Person of Authority to understand your situation and will likely expedite the accommodation process. If appropriate and available, provide supporting documentation that verifies the need for accommodation (e.g. a medical form, a child's daycare schedule or a custody agreement). Those requesting accommodation should focus on the Functional Limitations that are impacting their ability to work, participate academically or access other services, facilities or housing, and should avoid requesting specific Accommodation Measures at the outset.

Any University Member may book a consultation meeting with The Human Rights Office for additional information related to this policy instrument or for advice related to their specific circumstances.

## **12. Receiving a Request for Accommodation**

Except in relation to disability-related requests, Persons of Authority will determine whether appropriate Functional Limitations have been identified in consultation with

experts as necessary, and if not, will ask the requester to identify appropriate Functional Limitations. Once the functional limitations are identified, the Person of Authority will determine whether the need for accommodation has been verified.

If there is evidence to support the need for accommodation, the Person of Authority will identify and select appropriate accommodation measures in consultation with the individual seeking accommodation. If, on the other hand, the assessment concludes that accommodation is not required, the Person of Authority will advise the individual in writing.

Persons of Authority are encouraged to consult with the Human Rights Office for advice and assistance. In any event, if the Person of Authority concludes that accommodation is not required, they must consult with the Human Rights Office prior to informing the individual.

### **13. Dispute Resolution**

The University has Dispute Resolution procedures to handle allegations of discrimination. University Members who have concerns about the manner in which their request for accommodation has been handled should consult the Respectful Campus Policy and related procedures.

## **ROLES AND RESPONSIBILITIES**

### **14. All University Members**

1. Are responsible for familiarizing themselves with this Policy
2. Will build and maintain positive and productive relationships and demonstrate Respect in their interactions; and,
3. Will engage the accommodation process in good-faith and in a cooperative manner, which includes making their needs known in a timely fashion, providing additional information about their individualized needs when requested and being open to all reasonable Accommodation Measures.

### **15. Persons of Authority**

1. Are responsible for ensuring University Members under their authority are aware of this Policy and its associated procedures;
2. Will respond to requests for Accommodation in good faith, in accordance with related Ontario Tech University policies and procedures, and in consultation with relevant stakeholders;
3. Will handle requests for accommodation on the ground of "Disability" consistent with applicable procedures for Students and Employees;
4. Will process requests for accommodation related to all other Protected Grounds pursuant to requirements under this policy, ensuring the University meets its Duty to Accommodate up to the point of undue hardship; and,
5. Will cooperate with relevant stakeholders in the process of identifying and implementing reasonable Accommodation Measures.



## **16. Human Rights Office**

1. Is responsible for the interpretation and administrative direction of this policy and its associated policies and procedures to ensure their compliance with regulatory requirements;
2. Will assist University Members to understand their rights and obligations under this policy and provide advice and/or direction; and,
3. Will assist Persons of Authority to assess requests for accommodation and explore reasonable Accommodation Measures.

## **17. Human Resources**

1. Is responsible for administering the “Procedures for Accommodating Employees and Job Applicants with Disabilities;” and,
2. Will assist Persons of Authority to implement Accommodation Measures in the workplace.

## **18. Student Life**

1. Is responsible for administering the “Procedures for Academic Accommodation for Students with Disabilities;” and,
2. Will assist Persons of Authority to implement Accommodation Measures for students.

## **MONITORING AND REVIEW**

19. This Policy will be reviewed as necessary and at least every three years. The University Secretary and General Counsel, or successor thereof, is responsible to monitor and review this Policy.

## **RELEVANT LEGISLATION**

20. Human Rights Code, R.S.O. 1990, c. H.19  
Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005  
Workplace Safety and Insurance Act

## **RELATED POLICIES, PROCEDURES & DOCUMENTS**

21. Respectful Campus Policy  
Accessibility Policy  
Procedures for Accommodating Employees and Job Applicants with Disabilities  
Procedures for Academic Accommodation for Students with Disabilities  
[Ontario Human Rights Commission \(Policies and Guidelines\)](#)





## BOARD REPORT

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**SESSION:**
**Public** ☒
**ACTION REQUESTED:**
**Decision** ☒  
**Discussion/Direction** ☐  
**Information** ☐
**Financial Impact** ☐ Yes ☒ No

**Included in Budget** ☐ Yes ☒ No

**TO:** **Board of Governors**
**DATE:** **April 22, 2021**
**FROM:** **Governance, Nominations & Human Resources Committee**
**SLT LEAD:** **Cheryl Foy, University Secretary and General Counsel**
**SUBJECT:** **Respectful Campus Policy Instruments**


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**COMMITTEE MANDATE:**

- Under the University's Act, section 9 (1), the Board of Governors has the power: "to establish academic, research, service and institutional policies and plans and to control the manner in which they are implemented". The university's Policy Framework is a key institutional policy that delegates the Board's power, establishing categories of policy instruments with distinct approval pathways.
- In accordance with its Terms of Reference, one of GNHR's mandate includes the establishment of human resources policy instruments.

**Request:** We are seeking the approval of the Board of Governors of the Respectful Campus Policy.

**BACKGROUND/CONTEXT & RATIONALE:**

The Secretariat plays a significant role in advancing the strategic objective of creating a sticky campus. This work is done with a focus on initiatives to improve the culture within which students learn and employees work. Several years ago, the Secretariat began to focus on how the university improves its culture by increasing its capacity to manage conflict and promote respect. The purpose of the Respectful Campus Policy is to communicate the University's Human Rights responsibilities and obligations in a central document that applies to all University Members. The Policy combines an existing

student policy (which has not been updated since 2004 and is out of date) with a policy that applies only to employees. In addition, the policy places a greater emphasis on preventing harassment and discrimination by addressing disrespect and microaggressions and placing greater emphasis on informal dispute resolution processes such as mediation. While the principles and obligations described in the policy apply to all University Members (with the exception of workplace harassment), the dispute resolution procedures for employees and students will remain separate. The Policy is accompanied by the employee procedures and the student procedures will be forthcoming shortly.

#### **ALIGNMENT WITH MISSION, VISION, VALUES & STRATEGIC PLAN:**

- These policy documents support the university's values of integrity and respect by demonstrating the university's commitment to establishing a safe, inclusive, and equitable culture at the institution.
- By promoting a respectful, inclusive, and equitable culture at the university, these policy documents also support the strategic pillar of creating a "sticky campus". If we want the university community to want to spend time on campus, they must feel protected and be familiar with their various rights, roles, responsibilities and obligations as they relate to preventing and responding to all forms of harassment and discrimination. We must also move toward more constructive ways of resolving disputes earlier and in less adversarial ways.

#### **CONSULTATION:**

- Policy Advisory Committee (Consultation - November 2020)
- Faculty Association (Consultation - November 2020)
- Online Consultation (December 18, 2020 – January 18, 2021)
- Joint Health and Safety Committee (Consultation - January 21, 2021 – February 19, 2021)
- Academic Council (Consultation - February 23, 2021 – March 3, 2021)
- Governance, Nomination and Human Resources Committee (Consultation - January 28, 2021; Recommendation – March 30, 2021)
- Board of Governors (Approval – April 22, 2021)

#### **Consultation Comments and Response**

##### Respectful Campus Policy

- We received feedback that including job applicants in the definition of employee "does not make sense" and is "overreach."
- **Response:** Job applicants are protected against discrimination and harassment under the employment provisions of the Ontario Human Rights Code.
- We received feedback suggesting that "Microaggression" should not be defined in the Policy because it is "commentary" and "overreach."
- **Response:** The purpose of including a definition for Microaggression is to inform the campus community that there are types of behaviour like Microaggressions and disrespectful behaviour that may fall below the threshold of harassment, but are nonetheless harmful and require action on the part of Persons of Authority. Including this definition is consistent with the policy goal of creating a culture of

- respectful engagement and preventing harassment and discrimination by addressing various forms of conflict early and effectively. Inclusion of the definition also sends the message that inappropriate behaviour will not be tolerated, e.g. racism, sexism, ableism, transphobia, islamophobia, etc. This is of particular importance to members of the University community who come from traditionally marginalized communities.
- We received feedback that the definition of “Harassment” is too long with too much commentary. It was suggested that we use the legal definition of harassment instead.
  - **Response:** The legal definitions are included in the definition of “Discriminatory Harassment,” “Workplace Harassment” and “Sexual Harassment.” The use of the term “Harassment” in the policy instrument is to denote where all types of harassment are being referred to. The definition of “Harassment” is meant to provide a less legalistic and more colloquial understanding of what specific actions may or may not amount to harassment.
  - We received feedback suggesting that paragraphs 9-12 are commentary and not necessary.
  - **Response:** We believe there is value in setting out broadly the University’s principles and expectations as they relate to Human Rights. We also believe that there is value in providing guidance to the community about how Human Rights and Respect should be considered in relation to particular circumstances that are unique to academic environments.
  - We received feedback questioning the need to include information in the policy regarding privacy obligations since the University has other policies that already set out these obligations (paragraph 13.11).
  - **Response:** Because human rights reports and requests for accommodation on human rights grounds often require the disclosure of sensitive information it is appropriate to include a paragraph about the importance of maintaining private and confidential information collected under the policy in a manner consistent with our Privacy and Records Management policies.
  - We received feedback that there should be more references within the Policy to Collective Agreement protections. It was also pointed out that the Policy does not reference academic freedom.
  - **Response:** paragraph 7 of the policy notes that the policy and related procedures do “not override or diminish the rights provided to Employees under applicable Collective Agreements,” which includes the right to academic freedom under the FA Collective Agreement. Regardless, a reference to academic freedom was added to paragraph 7 for greater clarity.
  - We received feedback that there is a discrepancy with the scope and authority sections in the Policy and Procedure.
  - **Response:** The discrepancy was purposeful. The policy is for all university members; the procedures are for employees only. Further procedural instruments will come that will address students.
  - We received feedback that the Policy does not reference bullying, with the suggestion that the Policy only covers harassing behavior if it is linked to a protected ground under the Ontario Human Rights Code.

### Respectful Campus Procedures (for Employees)

- We received feedback suggesting that the definitions section should be omitted from the Procedures in favour of simply referencing the definitions from the policy.
- **Response:** replicating definitions in a procedural document is standard in University policy instruments: including the definitions in the procedure is consistent with current and past practice and existing policy direction. Please note, however, that the Policy Office plans to work on displaying the policies in such a way that the definition section would be removed and viewers able to click on the defined term each time they encounter it in a policy instrument if they want to look up the word.
- We received feedback questioning the need to include information in the procedure regarding the handling of confidential information when the University has other policies that already set out these obligations (paragraph 7).
- **Response:** Because human rights reports and related investigation processes often require the disclosure of sensitive information it is appropriate to include a detailed section about how confidentiality will be maintained during reporting and dispute resolution processes. This is to ensure that individuals who are considering coming forward with a report of harassment or discrimination are not dissuaded because of fears about how their personal and private information may be used. Furthermore, it is important that the same individuals are aware of instances when the information provided may need to be shared.
- A member asked about the use of the term “Administrative Fairness” rather than “Procedural Fairness” or just “Natural justice.”
- **Response:** We’ve chosen for the purposes of the policy instrument to use “Administrative Fairness” as set out in the definitions section and to use it consistently.

#### **MOTION:**

*That pursuant to the recommendation of the Governance, Nominations and Human Resources Committee, the Board of Governors hereby approves the Respectful Campus Policy, as presented.*

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#### **SUPPORTING REFERENCE MATERIALS:**

- clean & blacklined Respectful Campus Policy

Classification Number	<i>To be completed by the Policy Office</i>
Framework Category	Legal, Compliance and Governance
Approving Authority	Board of Governors
Policy Owner	University Secretary and General Counsel
Approval Date	DRAFT FOR CONSULTATION
Review Date	
Supersedes	

## RESPECTFUL CAMPUS POLICY

### PURPOSE

1. The Respectful Campus Policy (the “Policy”) outlines Ontario Tech University’s commitment to promote and sustain a respectful and inclusive campus in accordance with the Ontario Human Rights Code (the “Code”), the Accessibility for Ontarians with Disabilities Act, and the Occupational Health and Safety Act (OHSA). The purpose of the Policy is to ensure the campus community is familiar with their various rights, roles, responsibilities and obligations as they relate to preventing and responding to all forms of Harassment and Discrimination.

### DEFINITIONS

2. For the purposes of this Policy and associated procedures, the following definitions apply:

**“Barriers”** include attitudes (stereotypes or prejudices), policies, practices, rules and designs that prevent full participation of individuals or groups on the basis of a Protected people Ground from fully participating in employment and service provision. ~~Systemic barriers are formal or informal policies, practices or rules which, when applied in the same way to everyone without accommodation, may have the effect of excluding or restricting the participation of some individuals and/or groups. Individuals and groups can experience discrimination as a result of physical (building design), attitudinal (stereotypes or prejudices) or systemic barriers.~~

**“Complainant”** refers to an individual ~~who is alleged to have experienced Harassment and/or Discrimination or~~ who has filed a Report regarding an alleged breach of this policy.

**“Discrimination”** is a distinction, without lawful justification, whether intentional or not, which has the effect of denying benefits to, or otherwise disadvantaging, an individual on the basis of a Protected Ground (defined below). Discrimination may involve direct actions that are discriminatory on their face, or it may involve rules, practices or procedures that appear neutral, but have the effect of disadvantaging one or more groups of people.

**“Discriminatory Harassment”** means engaging in a course of vexatious comment or conduct, ~~against a University Member in the course of employment or receipt of service,~~ based on any Protected Ground, that is known or ought reasonably to be known to be unwelcome. Discriminatory Harassment may include, for example, taunting or mocking

someone's race, ridiculing an individual's disability or targeting others with sexual, gender-based or homophobic slurs.

"Disrespect" is behavior that falls short of Harassment, but nevertheless has harmful impacts on the campus environment, e.g. rude, inconsiderate and passive aggressive behavior. Disrespect, if left unaddressed, can escalate to Harassment or Discrimination.

**"Duty to Accommodate"** refers to the obligation to eliminate the disadvantage, to the point of undue hardship, caused by barriers that exclude individuals or groups protected under the Code from participating in all aspects of their employment, academic endeavors, or use of facilities and housing or their receipt of services from the on campus University. Failure to meet the Duty to Accommodate is a form of discrimination. For more on the Duty to Accommodate see the University's Accommodation Policy.

**"Employee"** means job applicants and individuals performing services directly on the University's behalf, including administrative staff members, Faculty, volunteers and contract employees. Students who are employed during the course of their studies, are "Employees" for the purposes of this Policy when they are engaged in employment activities, but not otherwise.

**"Faculty"** includes a Faculty Member at Ontario Tech University, and includes those with both limited term and indefinite term appointments, as well as those with paid, unpaid and honorific appointments. For greater certainty, "Faculty" also includes visiting scholars and emeritus professors.

**"Harassment"** is the term used in this policy instrument to represent all forms of harassment: Discriminatory Harassment, Workplace Harassment and Sexual Harassment.

For greater certainty, Harassment is objectionable and unwanted behaviour that is verbally ~~or physically~~ abusive, vexatious or hostile, that is without reasonable justification, and that creates a hostile or intimidating environment for working, learning or living. Harassment may be intentional or unintentional. While harassment usually consists of repeated acts, a single serious incident that has a lasting harmful effect may also constitute harassment.

Harassing behaviour includes, but is not limited to cumulative demeaning or intimidating comments, gestures or conduct; verbal aggression or yelling; bullying; threats to a person's employment or educational status, person or property; persistent comments or conduct, including ostracism or exclusion of a person, that undermines an individual's self-esteem so as to compromise their ability to achieve work or study goals; abuse of power, authority or position; sabotage of a person's work; humiliating initiation practices; hazing; calling someone derogatory names; spreading of malicious rumours or lies; or making malicious or vexatious complaints about a person.

Harassment does not include the exercise of appropriate managerial or supervisory direction, including performance management and the imposition of discipline; constructive criticism; respectful expression of differences of opinions; reasonable changes to assignments or duties; correction of inappropriate ~~student~~ behaviour; interpersonal conflict; instructional techniques such as irony, conjecture, and refutation, or assigning readings or other instructional materials that advocate controversial positions; and single incidents of thoughtless, petty or foolish words or acts that cause fleeting harm.

**"JHSC"** means the Joint Health & Safety Committee(s) at Ontario Tech University.

**"Mediation"** is a structured process in which parties in dispute are assisted by a third-party to engage in dialogue~~discuss a dispute~~ and attempt to arrive at a mutually agreeable resolution. Mediation is a voluntary process and can only proceed if all parties involved agree to participate. ~~Depending on the circumstances, mediation may result in a signed agreement summarizing the agreed upon terms of settlement.~~

**"Microaggression"** means a comment or action that negatively targets a group based on a Protected Ground (e.g. a racist, sexist or homophobic comment). Microaggressions may be intentional or accidental, but are nonetheless harmful and stigmatizing to a certain group of people. If allowed to go unchallenged, Microaggressions may escalate to Harassment and/or Discrimination

**"Person(s) of Authority"** include for the purposes of this policy and related procedures, any person who has charge of a workplace, authority over another Employee or authority in the administration of education. ~~Anyone who supervises an Employee at Ontario Tech University is a Person of Authority including supervisors, managers, Faculty members, Teaching Assistants, senior management and Faculty Leadership (e.g. Deans, Associates Deans, etc.) are also considered Persons of Authority vis-à-vis their relationship to students.~~

**"Poisoned Environment"** is a form of indirect Discriminatory Harassment ~~that creates real or perceived inequalities~~. It occurs when comments or conduct (including comments or conduct that are condoned or allowed to continue when brought to the attention of a Person of Authority), ridicule or demean a person or group based upon a Protected Ground. The comments or conduct need not be directed at a specific person, and may be from any person, regardless of position or status.

**"Protected Ground(s)"** are the grounds contained in the Ontario Human Rights Code under which individuals are protected against discrimination and harassment. All University Members are Protected under the following Grounds: ~~for Students include~~ "race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, ~~Record of Offences~~, marital status, family status and/or disability," ~~and any additional protected grounds that are added to the Ontario Human Rights Code by way of statutory amendment. Protected Grounds for Employees are additionally the same, but include the additional protected under the ground of "record of offences."~~

**"Report"** refers to information about Harassment and/or Discrimination that is reported under the applicable procedures.

**"Reprisal"** includes retaliation, coercion, dismissal, threats or intimidation of anyone who in good faith: raises complaints or concerns, exercises their rights, or participates in a remedial process under this Policy.

**"Respect"** is a standard of interpersonal communication and behaviour characterized by self-restraint and consideration for others. ~~Disrespect is behavior that falls short of Harassment, but nevertheless has harmful impacts on the campus environment, e.g. rude, inconsiderate and passive aggressive behavior. Disrespect, if left unaddressed, can escalate to Harassment or Discrimination.~~

**"Respondent"** refers to anyone who is alleged to have engaged in behaviours of Harassment and/or Discrimination or who is the subject of a report regarding a breach of this policy.

**"Sexual Harassment"** means,



1. engaging in a course of vexatious comment or conduct because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome, or
2. making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement and the person knows or ought reasonably to know that the solicitation or advance is unwelcome.

Sexual Harassment includes but is not limited to, sexually suggestive or obscene remarks or gestures, negative stereotypical comments based on gender, sex or sexual orientation, gender identity and gender expression, ~~and showing or sending pornography.~~

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

- is employed by the University or holds an appointment with the University, including paid, unpaid and/or honorific appointments (**“Employee”**);
- is registered as a student, in accordance with the academic regulations of the University (**“Student”**); and/or
- Is 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.

**“Workplace”** means any place where Employees engage in any facet of employment activity (e.g. recruitment, training, evaluation and development), including employment activities online, outside the normal place of work, and employment activities that occur outside of normal working hours.

**“Workplace Harassment”** means,

1. engaging in a course of vexatious comment or conduct against an Employee in a workplace that is known or ought reasonably to be known to be unwelcome, and/or
2. Workplace Sexual Harassment ~~\_(defined as Sexual Harassment against an Employee in the workplace).~~

## SCOPE AND AUTHORITY

3. The University Secretary and General Counsel is the Policy Owner. The Policy Owner is responsible for overseeing the implementation, administration, interpretation and application of this Policy.
4. The Policy Owner will ensure the Policy is reviewed as often as is necessary, and in any event, at least annually, in consultation with all appropriate departments and the JHSC(s), and in accordance with the University’s Policy Framework and relevant Collective Agreements.
5. This Policy applies to all University Members in all aspects of their engagement with the University.
6. Ontario Tech University has a [Student Sexual Violence Policy](#), which sets out a framework for ensuring that students who experience sexual violence are directed to appropriate supports and services and that includes a set of procedures that are completely student-driven; meaning students decide if they want to file a formal report or



to participate in informal or formal resolution options. Sexual Harassment, as defined under this policy is also defined as Student Sexual Violence when perpetrated by or against a student. ~~As such, there is necessarily overlap between the two policies in the event that a student alleges sexual violence against an Employee or an employee alleges sexual harassment by a student. In that case,~~ all of the rights, roles, responsibilities and obligations established under the Student Sexual Violence Policy will ~~be applied~~ to the Student Complainant, ~~whereas and~~ this Policy and its related procedures will be applied to ~~the Respondent Employees, including Respondents who are Students acting in the capacity as a University Employee (e.g., Teaching Assistants).~~ Such overlap will also occur in the event that an Employee alleges Sexual Harassment by a Student.

7. This Policy ~~and its corresponding Procedures~~ does not override or diminish the rights provided to Employees under applicable Collective Agreements, ~~including the right to academic freedom afforded to Faculty.~~ Collective Agreements will supersede this Policy to the extent there is a conflict.
8. This Policy does not preclude University Members from pursuing resolution through external resources and processes, including those offered by the Human Rights Legal Support Centre, the Human Rights Tribunal of Ontario and the Ontario Labour Relations Board.

## POLICY

9. The University promotes a campus environment that is equitable, inclusive and accessible, and does not tolerate, ignore or condone Discrimination or Harassment by or against anyone. ~~The University is committed to providing a campus environment in which all University Members are treated with dignity, and to fostering a climate of understanding and mutual respect for the value of each individual.~~
10. ~~In the context of an academic community, responsibility for maintaining a respectful campus falls on all University members.~~ The University is committed to providing a campus environment in which all University Members are treated with dignity, and to fostering a climate of understanding and mutual respect. ~~Excellence in learning, research and work in the university community is fostered by promoting the freest possible exchange of information, ideas, beliefs and opinions in diverse forms, and it necessarily includes dissemination and discussion of controversial topics and unpopular points of view. However, Freedom of expression and freedom of inquiry must be exercised responsibly, in ways that demonstrate active concern and respect for others, including their ability to participate meaningfully in the exchange of information, ideas, beliefs and opinions (refer to the University's Freedom of Expression Policy). Respect for the value of freedom of expression and promotion of free inquiry are central to the University's mission.~~
11. ~~However, these freedoms cannot exist without an equally vigorous commitment to recognition of and respect for the freedoms of others, and concern for the well-being of every member of the university community. Excellence in scholarship, teaching and employment activities flows from active concern and respect for others, including their ability to participate meaningfully in the exchange of information, ideas, beliefs and opinions.~~

~~12.11.~~ Therefore, freedom of expression and freedom of inquiry must be exercised responsibly, in ways that recognize and respect the dignity of others, having careful regard to the dynamics of different relationships within the university environment, such as between professor and student, or supervisor and employee. The University will maintain a A respectful campus ~~is a climate environment~~ in which the human dignity of each individual is valued, and the diverse perspectives, ideas and experiences of all members of the community are able to flourish. While misunderstandings and conflicts will occur in a complex, demanding and diverse campus environment where collaboration is essential to success, early and informal approaches to resolution should be sought whenever possible and appropriate.

~~13.12.~~ To promote a respectful campus environment:

~~13.1.12.1.~~ The University will ensure that procedures are in place for the prevention of, and response to Harassment, Discrimination and other breaches of this policy.

~~13.2.12.2.~~ The University will provide information, instruction and assistance to University Members with respect to Harassment and Discrimination.

~~13.3.12.3.~~ The University will ~~provideensure~~ Persons of Authority ~~are provided~~ with information and instruction that will enable them to recognize, assess and address Harassment and Discrimination, and to understand how to respond appropriately when such incidents are alleged. The University will also ~~provideensure that~~ Persons of Authority with information and instruction that will enable them to understand their role in preventing incidents of Harassment and Discrimination by effectively and quickly addressing disrespectful behavior, Microaggressions and any other behaviours thatissues negatively impacting group cohesion, ~~in an effective and timely manner. quickly~~

~~13.4.12.4.~~ Any University Member who believes they have been harassed or discriminated against, or have witnessed Harassment or Discrimination, is expected to make good faith efforts to resolve their concerns depending on the circumstances, and/or Report the situation in a timely manner.

~~13.5.12.5.~~ The University will administer the processes set out in applicable procedures responding to Reports fairly and promptly, with adequate regard to the unique circumstances of each particular case, and in a manner that prioritizes the dignity and privacy of individuals involved.

~~13.6.12.6.~~ Where applicable and appropriate, the University will make available informal dispute resolution processes such as Mediation in an attempt to resolve ~~the~~ disputes and underlying conflict at the heart of a Report.

~~13.7.12.7.~~ The University will inform and update Complainants, Respondents and relevant Persons of Authority (as appropriate) about the status of dispute resolution processes as they progress.

~~12.8.~~ University Members are protected against Reprisal for submitting a Report in good faith, or for participating in a related dispute resolution process. ~~This protection does not apply to a University Member who submits a Report that is determined to be frivolous or vexatious, or who exhibits bad faith and/or refuses to cooperate in the course of an investigation.~~ A University Member who believes they have been penalized for submitting a Report in good faith,

or for participating in a related investigation, may pursue the allegation of Reprisal by submitting a Report, and/or may pursue a Reprisal complaint through external processes.

~~13.8-12.9.~~ Reprisal This protection does not apply to a University Member who submits a Report that is determined to be frivolous or vexatious, or who exhibits bad faith and/or refuses to cooperate in the course of an investigation; each of which are considered breaches of this policy.

~~13.9-12.10.~~ \_\_\_\_\_ The University will respect the privacy of individuals involved in Reports and investigations, ensuring information about a Report is not disclosed, except to the extent necessary to investigate, take corrective action, implement measures to protect the health and safety of University Members and/or restore the learning/work environment, or as otherwise required by law.

~~13.10-12.11.~~ \_\_\_\_\_ Personal Information collected under this Policy will be used only for the purposes of administering this Policy, and will be disclosed only on a need-to-know basis, to the extent disclosure is required to fulfill the University's legal obligations under the *Human Rights Code*, the *Occupational Health & Safety Act*, and any other applicable law and/or legal obligations, including any applicable collective agreement. Subject to applicable law, Personal Information collected, used and disclosed under this Policy will otherwise be kept confidential, and will be stored and disposed of in accordance with *Freedom of Information and Protection of Privacy Act* and Ontario Tech University's *Records Management Policy*.

~~13.11-12.12.~~ \_\_\_\_\_ University Members who engage in Harassment and/or Discrimination, Reprisal or other breaches of this policy will be held accountable and may be subject to disciplinary measures, up to and including termination of employment or academic expulsion.

## ROLES AND RESPONSIBILITIES

### ~~14.13.~~ All University Members

~~13.1.~~ \_\_\_\_\_ Have a shared responsibility for ~~creating and~~ maintaining a respectful environment that is free from Harassment and Discrimination.

~~14.1-13.2.~~ Are responsible for familiarizing themselves with this Policy and related procedures;

~~14.2-13.3.~~ \_\_\_\_\_ Will refrain from engaging in Harassment, Discrimination, acts of Reprisal or other breaches of this policy.

~~14.3-13.4.~~ \_\_\_\_\_ Will build and maintain positive and productive relationships and demonstrate Respect in their interactions.

~~14.4-13.5.~~ \_\_\_\_\_ Will work cooperatively and constructively to resolve conflicts they encounter and seek assistance from a Person of Authority, as appropriate, regarding any escalating conflict they are unable to resolve themselves.

~~14.5-13.6.~~ \_\_\_\_\_ Will complete all required Discrimination and Harassment instruction and training within established timelines

~~14.6.~~13.7. Will exercise rights under this Policy in good faith using prescribed channels. For more information on reporting Harassment and Discrimination, refer to the procedures for Employees [\[link\]](#) and Students [\[link\]](#).

~~14.7.~~13.8. Will participate in and cooperate with the Reporting Process and/or any related investigation, including respecting confidentiality obligations.

~~14.8.~~13.9. Will comply with the corrective measures imposed by the University under this Policy, subject to relevant collective agreements and other appeal rights.

#### **15.14. Persons of Authority**

Persons of Authority are responsible for supporting Ontario Tech University in its duty to create and maintain a respectful environment that is free from Harassment and Discrimination. Therefore, Persons of Authority have additional obligations in addition to the expectations for all University Members (above). Persons of Authority:

~~15.1.~~14.1. Will cultivate a respectful and inclusive environment where people feel safe to raise concerns;

~~15.2.~~14.2. Will ~~actively monitor the campus environment to~~ ensure expected standards under this Policy are adhered to, including addressing and resolving Microaggressions and other disrespectful behavior should they occur;

~~15.3.~~14.3. Will lead by example, acting with Respect and modelling positive relationship building and constructive conflict resolution skills in dealings with all University Members, and in particular, those under their authority;

~~15.4.~~14.4. Are responsible for ~~familiarizing themselves with this Policy and related procedures, and will ensure~~ University Members under their authority are aware of this Policy and its associated procedures;

~~15.5.~~14.5. Will avoid the appearance of favoritism and unfairness by following and promoting adherence to evidence-based decision-making and the principles of non-Discrimination outlined in this Policy;

~~15.6.~~14.6. Will consider seriously each incident, concern or Report brought forward by taking immediate action to stop any Discrimination, Harassment or other inappropriate behavior, whether the subject of a formal complaint or not, by following policies and procedures to the extent necessary to ensure compliance (note: a Person of Authority cannot agree “to do nothing,” even when that is requested by a University Member);

~~15.7.~~ Will ~~respond to requests for Accommodation in accordance with related Ontario Tech University policies and procedures, and in consultation with appropriate stakeholders;~~

~~15.8.~~14.7. Will inform ~~and consult senior people leaders, Human Resources and/or~~ the Human Rights Office ~~about~~regarding all activities related to Discrimination and Harassment or other concerns and Reports related to this Policy; and,

~~15.9.~~14.8. Will cooperate with the Human Rights Office to implement recommendations and restore areas under their authority that have been disrupted by alleged or actual Policy violations, or complaint resolution processes.

## **16.15. Human Rights Office**

**15.1.** ~~The Human Rights Office will take primary responsibility for updating related procedures applicable to Employees and Students, ensuring that all related procedures are reviewed as often as is necessary, and in any event, at least annually, in consultation with all appropriate departments and the JHSC(s), and in accordance with the University's Policy Framework and relevant collective agreements. Is responsible for the interpretation and administrative direction of this policy and its associated policies and procedures to ensure their compliance with regulatory requirements and will take primary responsibility for updating related procedures applicable to Employees and Students, ensuring that all related procedures are reviewed as often as is necessary in consultation with all appropriate departments.~~

~~16.1.~~

**16.2.15.2.** The Human Rights Office will oversee dispute resolution processes, determine needs and engage specialist support, as necessary, for investigation, fact finding, Mediation or other interventions required to restore the campus to a positive and productive environment, including:

- a) receiving and responding to Reports from all University Members while ensuring Reports are responded to appropriately using informal and formal dispute resolution methods in a timely and equitable manner, as outlined in this Policy and in related procedures;
- b) ensuring the appropriate departments and/or individuals are advised of a Report, where appropriate; and,
- c) ensuring the outcome of an investigation under this Policy, is communicated in writing to Complainant(s), Respondent(s) and relevant Persons of Authority to support corrective and restorative measures.

**16.3.15.3.** The Human Rights Office is also responsible for:

- a) ensuring that copies of this Policy and related procedures are posted on a University website; and,
- b) Submitting an Annual Report to the Board of Governors Directors about statistics and trends in human rights complaint activities and other program initiatives

## **17.16. Human Resources**

**17.1.16.1.** Human Resources is primarily responsible for the following ~~overseeing~~ compliance obligations under ~~with~~ the *Occupational Health & Safety Act*, including:

- a) providing Employees with appropriate information and instruction with respect to Workplace Harassment, including notifying them of this Policy and its related procedures;
- b) ensuring all Persons of Authority are provided with information and instruction that will enable them to recognize, assess and address Workplace Harassment in their respective workplaces, and will ensure Persons of Authority are aware of this Policy and related procedures;

- c) ensuring that copies of this Policy and employment-related procedures are posted on the established health and safety bulletin boards where it is likely to come to the attention of Employees; and,
- d) ensuring the corrective actions taken as a result of an investigation (if any), are communicated in writing to Complainant(s) and Respondent(s) who are Employees;

~~17.2.~~16.2. Human Resources is also responsible for:

- a) providing Employees and Persons of Authority with appropriate information and instruction with respect to Discrimination and Discriminatory Harassment, including notifying them of this Policy and its related procedures;
- b) Assisting Persons of Authority, in consultation with the Human Rights Office, to address Microaggressions and other disrespectful behaviors that occur in the employment context; and,
- c) Assisting Persons of Authority to implement corrective and restorative measures in areas under their authority that have been disrupted by alleged or actual Policy violations, or complaint resolution processes.

## ~~18.~~17. Student Life

~~18.1.~~17.1. Student Life is responsible for:

- a) Providing Students with appropriate information with respect to Discriminatory Harassment and Discrimination, including notifying them of this Policy and its related procedures; and,
- b) Assisting Persons of Authority, in consultation with Human Resources and/or the Human Rights Office, to address Microaggressions and other disrespectful behaviors that occur in the academic or on-campus housing context.

## MONITORING AND REVIEW

~~19.~~18. This Policy will be reviewed as necessary and at least every year. The University Secretary and General Counsel, or successor thereof, is responsible to monitor and review this Policy.

## RELEVANT LEGISLATION

~~20.~~19. Human Rights Code, R.S.O. 1990, c. H.19

Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005

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, c F. 31

## RELATED POLICIES, PROCEDURES & DOCUMENTS



~~21-20.~~ [NTD: Policy Superseded]Academic Accommodation for Students with Disabilities  
[\[Procedures\]](#)

Access to Information and Protection of Privacy Policy

Accessibility [\[Policy\]](#)

Accessible Customer Service [\[Policy\]](#)

Accommodation for Employees and Job Applicants with Disabilities [\[Procedures\]](#)

Change of Gender [\[Policy\]](#)

Exempt Academic Staff [\[Policy\]](#) [NTD: Employment policy]

Exempt Academic Staff Employment (Deans, Associate Deans and Teaching Staff  
Governors [\[Procedures\]](#) [NTD: Employment policy]

Freedom of Expression [\[Policy\]](#)

Limited Term Academic Associates [\[Procedures\]](#) [NTD: Employment policy]

Emergency Management Plan and Procedures

Fair Processes Policy

Non-Academic Staff Policies

Student Sexual Violence Policy and Procedures

Procedures to Prevent and Address Harassment and Discrimination in the Workplace  
[NTD: name tbc]

Harassment and Discrimination Procedures for Students [NTD: name tbc]

Records Management Policy

Joint Health and Safety Committee Terms of Reference

Occupational Health and Safety Management System

Student Conduct Policy

Medical Cannabis Use by Students [\[Procedures\]](#)

Service Animals [\[Procedures\]](#)

Use of Memory Aids by Students with Disabilities [\[Directives\]](#)Use of Audio Recording of  
Lectures by Students with Disabilities [\[Directives\]](#)

Procedures for Accommodating Employees and Job Applicants with Disabilities  
Procedures for Academic Accommodation for Students with Disabilities  
Respectful Campus Policy



Classification Number	<i>To be completed by the Policy Office</i>
Framework Category	Legal, Compliance and Governance
Approving Authority	Board of Governors
Policy Owner	University Secretary and General Counsel
Approval Date	DRAFT FOR CONSULTATION
Review Date	
Supersedes	

## RESPECTFUL CAMPUS POLICY

### PURPOSE

1. The Respectful Campus Policy (the “Policy”) outlines Ontario Tech University’s commitment to promote and sustain a respectful and inclusive campus in accordance with the Ontario Human Rights Code (the “Code”), the Accessibility for Ontarians with Disabilities Act, and the Occupational Health and Safety Act (OHSA). The purpose of the Policy is to ensure the campus community is familiar with their various rights, roles, responsibilities and obligations as they relate to preventing and responding to all forms of Harassment and Discrimination.

### DEFINITIONS

2. For the purposes of this Policy and associated procedures, the following definitions apply:
 

**“Barriers”** include attitudes (stereotypes or prejudices), policies, practices, rules and designs that prevent full participation of individuals or groups on the basis of a Protected Ground.

**“Complainant”** refers to an individual who has filed a Report regarding an alleged breach of this policy.

**“Discrimination”** is a distinction, without lawful justification, whether intentional or not, which has the effect of denying benefits to, or otherwise disadvantaging, an individual on the basis of a Protected Ground (defined below). Discrimination may involve direct actions that are discriminatory on their face, or it may involve rules, practices or procedures that appear neutral, but have the effect of disadvantaging one or more groups of people.

**“Discriminatory Harassment”** means engaging in a course of vexatious comment or conduct based on any Protected Ground, that is known or ought reasonably to be known to be unwelcome. Discriminatory Harassment may include, for example, taunting or mocking someone’s race, ridiculing an individual’s disability or targeting others with sexual, gender-based or homophobic slurs.

**“Disrespect”** is behavior that falls short of Harassment, but nevertheless has harmful impacts on the campus environment, e.g. rude, inconsiderate and passive aggressive behavior. Disrespect, if left unaddressed, can escalate to Harassment or Discrimination.

**“Duty to Accommodate”** refers to the obligation to eliminate the disadvantage, to the point of undue hardship, caused by barriers that exclude individuals or groups protected under the Code from participating in all aspects of their employment, academic

endeavors, or use of facilities and housing on campus. Failure to meet the Duty to Accommodate is a form of discrimination. For more on the Duty to Accommodate see the University's Accommodation Policy.

**"Employee"** means job applicants and individuals performing services directly on the University's behalf, including administrative staff members, Faculty, volunteers and contract employees. Students who are employed during the course of their studies, are "Employees" for the purposes of this Policy when they are engaged in employment activities, but not otherwise.

**"Faculty"** includes a Faculty Member at Ontario Tech University, and includes those with both limited term and indefinite term appointments, as well as those with paid, unpaid and honorific appointments. For greater certainty, "Faculty" also includes visiting scholars and emeritus professors.

**"Harassment"** is the term used in this policy instrument to represent all forms of harassment: Discriminatory Harassment, Workplace Harassment and Sexual Harassment.

For greater certainty, Harassment is objectionable and unwanted behaviour that is verbally abusive, vexatious or hostile, that is without reasonable justification, and that creates a hostile or intimidating environment for working, learning or living. Harassment may be intentional or unintentional. While harassment usually consists of repeated acts, a single serious incident that has a lasting harmful effect may also constitute harassment.

Harassing behaviour includes, but is not limited to cumulative demeaning or intimidating comments, gestures or conduct; verbal aggression or yelling; bullying; threats to a person's employment or educational status, person or property; persistent comments or conduct, including ostracism or exclusion of a person, that undermines an individual's self-esteem so as to compromise their ability to achieve work or study goals; abuse of power, authority or position; sabotage of a person's work; humiliating initiation practices; hazing; calling someone derogatory names; spreading of malicious rumours or lies; or making malicious or vexatious complaints about a person.

Harassment does not include the exercise of appropriate managerial or supervisory direction, including performance management and the imposition of discipline; constructive criticism; respectful expression of differences of opinions; reasonable changes to assignments or duties; correction of inappropriate behaviour; interpersonal conflict; instructional techniques such as irony, conjecture, and refutation, or assigning readings or other instructional materials that advocate controversial positions; and single incidents of thoughtless, petty or foolish words or acts that cause fleeting harm.

**"JHSC"** means the Joint Health & Safety Committee(s) at Ontario Tech University.

**"Mediation"** is a structured process in which parties in dispute are assisted by a third-party to engage in dialogue and attempt to arrive at a mutually agreeable resolution. Mediation is a voluntary process and can only proceed if all parties involved agree to participate.

**"Microaggression"** means a comment or action that negatively targets a group based on a Protected Ground (e.g. a racist, sexist or homophobic comment). Microaggressions may be intentional or accidental, but are nonetheless harmful and stigmatizing to a certain group of people. If allowed to go unchallenged, Microaggressions may escalate to Harassment and/or Discrimination

**"Person(s) of Authority"** include, for the purposes of this policy and related procedures, any person who has charge of a workplace, authority over another Employee or authority in the administration of education, including supervisors, managers, senior management and Faculty leadership (e.g. Deans, Associates Deans, etc.).

**"Poisoned Environment"** is a form of indirect Discriminatory Harassment. It occurs when comments or conduct (including comments or conduct that are condoned or allowed to continue when brought to the attention of a Person of Authority), ridicule or demean a person or group based upon a Protected Ground. The comments or conduct need not be directed at a specific person, and may be from any person, regardless of position or status.

**"Protected Ground(s)"** are the grounds contained in the Ontario Human Rights Code under which individuals are protected against discrimination and harassment. All University Members are protected under the following Grounds: "race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, marital status, family status and disability." Employees are additionally protected under the ground "record of offences."

**"Report"** refers to information about Harassment and/or Discrimination that is reported under the applicable procedures.

**"Reprisal"** includes retaliation, coercion, dismissal, threats or intimidation of anyone who in good faith: raises complaints or concerns, exercises their rights, or participates in a remedial process under this Policy.

**"Respect"** is a standard of interpersonal communication and behaviour characterized by self-restraint and consideration for others.

**"Respondent"** refers to anyone who is alleged to have engaged in behaviours of Harassment and/or Discrimination or who is the subject of a report regarding a breach of this policy.

**"Sexual Harassment"** means,

1. engaging in a course of vexatious comment or conduct because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome, or
2. making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement and the person knows or ought reasonably to know that the solicitation or advance is unwelcome.

Sexual Harassment includes but is not limited to, sexually suggestive or obscene remarks or gestures, negative stereotypical comments based on gender, sex or sexual orientation, gender identity and gender expression.

**"University Member"** means any individual who:

- is employed by the University or holds an appointment with the University, including paid, unpaid and/or honorific appointments ("**Employee**");
- is registered as a student, in accordance with the academic regulations of the University ("**Student**"); and/or

- Is 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.

**"Workplace"** means any place where Employees engage in any facet of employment activity (e.g. recruitment, training, evaluation and development), including employment activities online, outside the normal place of work, and employment activities that occur outside of normal working hours.

**"Workplace Harassment"** means,

1. engaging in a course of vexatious comment or conduct against an Employee in a workplace that is known or ought reasonably to be known to be unwelcome, and/or
2. Workplace Sexual Harassment - defined as Sexual Harassment against an Employee in the workplace.

### SCOPE AND AUTHORITY

3. The University Secretary and General Counsel is the Policy Owner. The Policy Owner is responsible for overseeing the implementation, administration, interpretation and application of this Policy.
4. The Policy Owner will ensure the Policy is reviewed as often as is necessary, and in any event, at least annually, in consultation with all appropriate departments and the JHSC(s), and in accordance with the University's Policy Framework and relevant Collective Agreements.
5. This Policy applies to all University Members in all aspects of their engagement with the University.
6. Ontario Tech University has a [Student Sexual Violence Policy](#), which sets out a framework for ensuring that students who experience sexual violence are directed to appropriate supports and services and that includes a set of procedures that are completely student-driven; meaning students decide if they want to file a formal report or to participate in informal or formal resolution options. Sexual Harassment, as defined under this policy is also defined as Student Sexual Violence when perpetrated by or against a student. In the event that a student alleges sexual violence against an Employee or an employee alleges sexual harassment by a student, all of the rights, roles, responsibilities and obligations established under the Student Sexual Violence Policy will apply to the Student and this Policy and its related procedures will be applied to Employees.
7. This Policy and its corresponding Procedures do not override or diminish the rights provided to Employees under applicable Collective Agreements, including the right to academic freedom afforded to Faculty. Collective Agreements will supersede this Policy to the extent there is a conflict.
8. This Policy does not preclude University Members from pursuing resolution through external resources and processes, including those offered by the Human Rights Legal Support Centre, the Human Rights Tribunal of Ontario and the Ontario Labour Relations Board.

## POLICY

9. The University promotes a campus environment that is equitable, inclusive and accessible, and does not tolerate, ignore or condone Discrimination or Harassment by or against anyone.
10. The University is committed to providing a campus environment in which all University Members are treated with dignity, and to fostering a climate of understanding and mutual respect. Excellence in the university community is fostered by promoting the freest possible exchange of information, ideas, beliefs and opinions in diverse forms, and it necessarily includes dissemination and discussion of controversial topics and unpopular points of view. However, [Freedom of expression](#) and freedom of inquiry must be exercised responsibly, in ways that demonstrate active concern and respect for others, including their ability to participate meaningfully in the exchange of information, ideas, beliefs and opinions (refer to the University's [Freedom of Expression Policy](#)).
11. The University will maintain a respectful campus environment in which the human dignity of each individual is valued, and the diverse perspectives, ideas and experiences of all members of the community are able to flourish. While misunderstandings and conflicts will occur in a complex, demanding and diverse campus environment where collaboration is essential to success, early and informal approaches to resolution should be sought whenever possible and appropriate.
12. To promote a respectful campus environment:
  - 12.1. The University will ensure that procedures are in place for the prevention of, and response to Harassment, Discrimination and other breaches of this policy.
  - 12.2. The University will provide information, instruction and assistance to University Members with respect to Harassment and Discrimination.
  - 12.3. The University will provide Persons of Authority with information and instruction that will enable them to recognize, assess and address Harassment and Discrimination, and to understand how to respond appropriately when such incidents are alleged. The University will also provide Persons of Authority with information and instruction that will enable them to effectively and quickly address disrespectful behavior, Microaggressions and any other behaviours that negatively impact group cohesion.
  - 12.4. Any University Member who believes they have been harassed or discriminated against, or have witnessed Harassment or Discrimination, is expected to make good faith efforts to resolve their concerns depending on the circumstances, and/or Report the situation in a timely manner.
  - 12.5. The University will administer the processes set out in applicable procedures responding to Reports fairly and promptly, with adequate regard to the unique circumstances of each particular case, and in a manner that prioritizes the dignity and privacy of individuals involved.
  - 12.6. Where applicable and appropriate, the University will make available informal dispute resolution processes such as Mediation in an attempt to resolve disputes and underlying conflict at the heart of a Report.

- 12.7. The University will inform and update Complainants, Respondents and relevant Persons of Authority (as appropriate) about the status of dispute resolution processes as they progress.
- 12.8. University Members are protected against Reprisal for submitting a Report in good faith, or for participating in a related dispute resolution process. A University Member who believes they have been penalized for submitting a Report in good faith, or for participating in a related investigation, may pursue the allegation of Reprisal by submitting a Report, and/or may pursue a Reprisal complaint through external processes.
- 12.9. Reprisal protection does not apply to a University Member who submits a Report that is determined to be frivolous or vexatious, or who exhibits bad faith and/or refuses to cooperate in the course of an investigation; each of which are considered breaches of this policy.
- 12.10. The University will respect the privacy of individuals involved in Reports and investigations, ensuring information about a Report is not disclosed, except to the extent necessary to investigate, take corrective action, implement measures to protect the health and safety of University Members and/or restore the learning/work environment, or as otherwise required by law.
- 12.11. Personal Information collected under this Policy will be used only for the purposes of administering this Policy, and will be disclosed only on a need-to-know basis, to the extent disclosure is required to fulfill the University's legal obligations under the *Human Rights Code*, the *Occupational Health & Safety Act*, and any other applicable law and/or legal obligations, including any applicable collective agreement. Subject to applicable law, Personal Information collected, used and disclosed under this Policy will otherwise be kept confidential, and will be stored and disposed of in accordance with *Freedom of Information and Protection of Privacy Act* and Ontario Tech University's *Records Management Policy*.
- 12.12. University Members who engage in Harassment and/or Discrimination, Reprisal or other breaches of this policy will be held accountable and may be subject to disciplinary measures, up to and including termination of employment or academic expulsion.

## **ROLES AND RESPONSIBILITIES**

### **13. All University Members**

- 13.1. Have a shared responsibility for maintaining a respectful environment that is free from Harassment and Discrimination.
- 13.2. Are responsible for familiarizing themselves with this Policy and related procedures;
- 13.3. Will refrain from engaging in Harassment, Discrimination, acts of Reprisal or other breaches of this policy.
- 13.4. Will build and maintain positive and productive relationships and demonstrate Respect in their interactions.
- 13.5. Will work cooperatively and constructively to resolve conflicts they encounter and seek assistance from a Person of Authority, as appropriate, regarding any escalating conflict they are unable to resolve themselves.



- 13.6. Will complete all required Discrimination and Harassment instruction and training within established timelines
- 13.7. Will exercise rights under this Policy in good faith using prescribed channels. For more information on reporting Harassment and Discrimination, refer to the procedures for Employees [\[link\]](#) and Students [\[link\]](#).
- 13.8. Will participate in and cooperate with the Reporting Process and/or any related investigation, including respecting confidentiality obligations.
- 13.9. Will comply with the corrective measures imposed by the University under this Policy, subject to relevant collective agreements and other appeal rights.

#### 14. **Persons of Authority**

Persons of Authority are responsible for supporting Ontario Tech University in its duty to create and maintain a respectful environment that is free from Harassment and Discrimination. Therefore, Persons of Authority have additional obligations in addition to the expectations for all University Members (above). Persons of Authority:

- 14.1. Will cultivate a respectful and inclusive environment where people feel safe to raise concerns;
- 14.2. Will ensure expected standards under this Policy are adhered to, including addressing and resolving Microaggressions and other disrespectful behavior should they occur;
- 14.3. Will lead by example, acting with Respect and modelling positive relationship building and constructive conflict resolution skills in dealings with all University Members, and in particular, those under their authority;
- 14.4. Are responsible for ensuring University Members under their authority are aware of this Policy and its associated procedures;
- 14.5. Will avoid the appearance of favoritism and unfairness by following and promoting adherence to evidence-based decision-making and the principles of non-Discrimination outlined in this Policy;
- 14.6. Will consider seriously each incident, concern or Report brought forward by taking immediate action to stop any Discrimination, Harassment or other inappropriate behavior, whether the subject of a formal complaint or not, by following policies and procedures to the extent necessary to ensure compliance (note: A Person of Authority cannot agree “to do nothing,” even when that is requested by a University Member);
- 14.7. Will inform the Human Rights Office about all activities related to Discrimination and Harassment or other concerns and Reports related to this Policy; and,
- 14.8. Will cooperate with the Human Rights Office to implement recommendations and restore areas under their authority that have been disrupted by alleged or actual Policy violations, or complaint resolution processes.

#### 15. **Human Rights Office**

- 15.1. The Human Rights Office Is responsible for the interpretation and administrative direction of this policy and its associated policies and

procedures to ensure their compliance with regulatory requirements and will take primary responsibility for updating related procedures applicable to Employees and Students, ensuring that all related procedures are reviewed as often as is necessary in consultation with all appropriate departments.

**15.2.** The Human Rights Office will oversee dispute resolution processes, determine needs and engage specialist support, as necessary, for investigation, fact finding, Mediation or other interventions required to restore the campus to a positive and productive environment, including:

- a) receiving and responding to Reports from all University Members while ensuring Reports are responded to appropriately using informal and formal dispute resolution methods in a timely and equitable manner, as outlined in this Policy and in related procedures;
- b) ensuring the appropriate departments and/or individuals are advised of a Report, where appropriate; and,
- c) ensuring the outcome of an investigation under this Policy, is communicated in writing to Complainant(s), Respondent(s) and relevant Persons of Authority to support corrective and restorative measures.

**15.3.** The Human Rights Office is also responsible for:

- a) ensuring that copies of this Policy and related procedures are posted on a University website; and,
- b) Submitting an Annual Report to the Board of Governors about statistics and trends in human rights complaint activities and other program initiatives

## **16. Human Resources**

**16.1.** Human Resources is responsible for the following compliance obligations under the *Occupational Health & Safety Act*:

- a) providing Employees with appropriate information and instruction with respect to Workplace Harassment, including notifying them of this Policy and its related procedures;
- b) ensuring all Persons of Authority are provided with information and instruction that will enable them to recognize, assess and address Workplace Harassment in their respective workplaces, and will ensure Persons of Authority are aware of this Policy and related procedures;
- c) ensuring that copies of this Policy and employment-related procedures are posted on the established health and safety bulletin boards where it is likely to come to the attention of Employees; and,
- d) ensuring the corrective actions taken as a result of an investigation (if any), are communicated in writing to Complainant(s) and Respondent(s) who are Employees;

**16.2.** Human Resources is also responsible for:



- a) providing Employees and Persons of Authority with appropriate information and instruction with respect to Discrimination and Discriminatory Harassment, including notifying them of this Policy and its related procedures;
- b) Assisting Persons of Authority, in consultation with the Human Rights Office, to address Microaggressions and other disrespectful behaviors that occur in the employment context; and,
- c) Assisting Persons of Authority to implement corrective and restorative measures in areas under their authority that have been disrupted by alleged or actual Policy violations, or complaint resolution processes.

## **17. Student Life**

### **17.1. Student Life is responsible for:**

- a) Providing Students with appropriate information with respect to Discriminatory Harassment and Discrimination, including notifying them of this Policy and its related procedures; and,
- b) Assisting Persons of Authority, in consultation with Human Resources and/or the Human Rights Office, to address Microaggressions and other disrespectful behaviors that occur in the academic or on-campus housing context.

## **MONITORING AND REVIEW**

- 18.** This Policy will be reviewed as necessary and at least every year. The University Secretary and General Counsel, or successor thereof, is responsible to monitor and review this Policy.

## **RELEVANT LEGISLATION**

- 19.** Human Rights Code, R.S.O. 1990, c. H.19  
 Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005  
 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, c F. 31

## **RELATED POLICIES, PROCEDURES & DOCUMENTS**

- 20.** [NTD: Policy Superseded]Academic Accommodation for Students with Disabilities [\[Procedures\]](#)
- Access to Information and Protection of Privacy Policy
- Accessibility [\[Policy\]](#)
- Accessible Customer Service [\[Policy\]](#)
- Accommodation for Employees and Job Applicants with Disabilities [\[Procedures\]](#)
- Change of Gender [\[Policy\]](#)

Exempt Academic Staff [Policy] [NTD: Employment policy]

Exempt Academic Staff Employment (Deans, Associate Deans and Teaching Staff Governors [Procedures] [NTD: Employment policy]

Freedom of Expression [Policy]

Limited Term Academic Associates [Procedures] [NTD: Employment policy]

Emergency Management Plan and Procedures

Fair Processes Policy

Non-Academic Staff Policies

Student Sexual Violence Policy and Procedures

Procedures to Prevent and Address Harassment and Discrimination in the Workplace [NTD: name tbc]

Harassment and Discrimination Procedures for Students [NTD: name tbc]

Records Management Policy

Joint Health and Safety Committee Terms of Reference

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Medical Cannabis Use by Students [[Procedures](#)]

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Use of Memory Aids by Students with Disabilities [[Directives](#)]

Use of Audio Recording of Lectures by Students with Disabilities [[Directives](#)]

Procedures for Accommodating Employees and Job Applicants with Disabilities

Procedures for Academic Accommodation for Students with Disabilities



## BOARD REPORT

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**SESSION:**

Public  
Non-Public

☒  
☐
**ACTION REQUESTED:**

Decision  
Discussion/Direction  
Information

☒  
☐  
☐

**TO:** Board of Governors

**DATE:** April 22, 2021

**FROM:** Governance, Nominations & Human Resources Committee

**PREPARED BY:** Becky Dinwoodie, Associate University Secretary & Judicial Officer

**SUBJECT:** Board Committee Composition for 2020-2021

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**COMMITTEE MANDATE:**

As set out in the terms of reference for the Governance, Nominations & Human Resource Committee (GNHR), the committee's responsibilities include the assessment of the leadership needs of the Board, and in consultation with committee chairs, recommend individual member assignments for each of the standing committees.

**BACKGROUND:**
**Committee Membership Requirements:**

- The Board has 5 standing committees:
  - Executive
  - Audit & Finance
  - Governance Nominations & Human Resources
  - Investment
  - Strategy & Planning
- The Executive is composed of entirely *ex-officio* members.
- Each of the other standing committees requires a minimum of 3 external governors.

- Accordingly, the minimum number of external governors required to meet the minimum composition requirements of the committees (assuming each governor serves on only 1 committee) is **12**.

### **New LGIC Governors**

- Since the 2020-2021 committee membership was approved by the Board in September 2020, the government has appointed two new LGIC governors to the Board, Doug Ellis and Kathy Hao.
- As the appointments were made mid-year and to provide the new governors with an opportunity to be properly oriented to the Board, committee assignments were not made upon appointment.
- We reviewed the composition of each committee to determine committee needs, as well as to ensure compliance with the membership requirements of the relevant committee's Terms of Reference.

### **COMPLIANCE WITH POLICY/LEGISLATION:**

- We have reviewed the committee compositions in light of the new appointments and committee needs, including confirming the membership composition would continue to comply with the membership requirements of the committees' Terms of Reference.

### **MOTION**

*That pursuant to the recommendation of the Governance, Nominations and Human Resources Committee, the Board of Governors hereby approves the following appointments for the remainder of the 2020-2021 Board year:*

- *Doug Ellis – Audit & Finance Committee*
- *Kathy Hao – Investment Committee*

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**SUPPORTING REFERENCE MATERIALS:**

- Committee Membership 2020-2021

**Board Committee Membership 2020-2021**

***Audit and Finance Committee***

*Laura Elliott (Chair)*

*Stephanie Chow*

*Dale MacMillan*

*Roger Thompson*

*Dietmar Reiner, Board Chair (ex-officio)*

*Steven Murphy, President (ex-officio)*

***Governance, Nominations and Human Resources Committee***

*Maria Saros (Chair)*

*Lisa Edgar*

*Laura Elliott*

*Kori Kingsbury*

*Trevin Stratton*

*Dietmar Reiner, Board Chair (ex-officio)*

*Steven Murphy, President (ex-officio)*

***Investment Committee***

*Stephanie Chow (Chair)*

*Ferdinand Jones*

*Thorsten Koseck*

*Mark Neville*

*Maria Saros*

*Kim Slade*

*Dietmar Reiner, Board Chair (ex-officio)*

*Steven Murphy, President (ex-officio)*

***Strategy & Planning Committee***

*Thorsten Koseck (Chair)*

*Azzam Abu-Rayash*

*Liqun Cao*

*Kevin Chan*

*Jim Wilson*

*Lynne Zucker*

*Dietmar Reiner, Board Chair (ex-officio)*

*Steven Murphy, President (ex-officio)*



## **BOARD OF GOVERNORS**

### **Governance, Nominations & Human Resources Committee (GNHR)**

Minutes of the Public Session of the Meeting of January 28, 2021

2:00 – 3:00 p.m., Videoconference

**Members:** Maria Saros (Chair), Lisa Edgar, Laura Elliott, Mitch Frazer, Steven Murphy, Dietmar Reiner

**Regrets:** Francis Garwe, Kori Kingsbury, Trevin Stratton

**Staff:** Jamie Bruno, Cheryl Foy, Lori Livingston, Susan McGovern

**Guests:** Chelsea Bauer, Mike Eklund, Hannah Scott

#### **1. Call to Order**

The Chair called the meeting to order at 2:02 p.m.

#### **2. Agenda**

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

#### **3. Conflict of Interest Declaration**

There were no conflict of interest declarations.

#### **4. Chair's Remarks**

The Chair wished everyone a Happy New Year and hopes everyone is keeping safe in light of the increasing COVID numbers. She noted that the committee has an ambitious agenda, which has been structured to encourage strategic discussion. She thanked C. Foy and B. Dinwoodie for structuring the meeting in this new format. The Chair reminded the members that the committee's role is one of oversight and strategic focus and encouraged members to keep their comments at that level.

## 5. President's Remarks

The President also acknowledged the Board Chair and Secretariat for their work on structuring the agenda in a way to fulfill the governors' fiduciary obligations and to ensure there is more time for discussion rather than presentation. It is a tight agenda and it is focused on making the most of our governors' time in an effective way. This is part of the university's continued efforts to improve our governance processes. The President noted that as GNHR is responsible for governance, this is the best place to discuss the Board's strategy and objectives with respect to EDI and to develop recommendations for consideration by the full Board.

## 6. Governance

### 6.1 Strategic Discussion: Strategic goals for Board Governance EDI Strategy

The Chair remarked that concurrent with the COVID-19 crisis, we have also been witnessing a crisis of racism, hatred and violence across North America. Equity, diversity, and inclusivity (EDI) are fundamental values that define our institution. In order to demonstrate the Board's commitment to systemic change to organizational structures that continue to marginalize communities, one of the Board's priorities for this year is to develop a governance EDI strategy for the Board. The committee should consider what role the committee and the Board should be playing in advancing EDI. This is in addition to the Board's oversight role of EDI initiatives at the institution.

The Chair reminded the committee members that they are responsible for overseeing this initiative and advising the Board accordingly. The Chair provided an overview of the committee's preliminary discussion of EDI at the October meeting. One of the comments that stood out from that discussion was that the institution should be a leader in this area for the broader community.

The Chair framed the strategic discussion by asking the committee to focus on identifying the Board's goals for the Board itself in the area of EDI so that the senior leadership of the university can support the Board in the achievement of those goals. Once the Board finalizes its goals for EDI, the Office of the University Secretary will support the Board through research and planning work.

The Chair kicked off the discussion by asking the committee members what role they see the Board playing in EDI at the institution, keeping in mind their responsibility for oversight and not operations. The committee's discussion included the following comments and feedback:

- EDI is incredibly important for the institution;
- reviewing the report of the President's Equity Taskforce (PET) presented at the December Board meeting was helpful;

- continuous professional development and learning should be the starting point so that Board members have a common understanding about what a university should look like;
- should identify goals with respect to outcomes: staff hiring, policies, Board member composition;
- suggestion to review the PET report in more detail;
- incorporate continued PD for the Board to help increase the governors' EDI knowledge
- oversight of the university's metrics in order to determine whether we are making progress;
- additional educational resources would be helpful;
- would be helpful for the Board to better understand what the university already has in place - what targets/metrics are in place and identify gaps;
- there can also be some confusion with respect to terminology (e.g. multiculturalism);
- must also take EDI into account with respect to communications and the Board's relationship with stakeholders;
- important to identify desired outcomes and metrics in order to help assess improvement and success;
- given the nature of the institution and presence we have in the community, there will likely be an onus to achieve outcomes sooner rather than later and be seen as a leader;
- seeing an increased focus on EDI metrics in corporations, as well;
- reference to the PET report that recommended developing a university-wide EDI strategic action plan – will be helpful for the Board to understand the university's development of the plan - in terms of oversight, it would be beneficial for the Board to review the plan;
- ensure that expenditures and budget are reviewed with a lens to support EDI initiatives, as well as policy development;
- the Board has a role to play in terms of stakeholder relations in terms of EDI (e.g. procurement and the types of organizations that the university deals with);
- there should be short and long-term strategies;
- EDI must be integrated into everything we do and must work with the unique culture of Ontario Tech;
- this is an incredible opportunity – there is room for improvement, but there are many things that the university already does in this space - our students model this very well;
- the Board needs to set the tone for the entire university - if done well, this will make Ontario Tech the best in class.



The Chair then asked the committee for their thoughts on the Board's role, including succession, renewal, and recruitment, which are unique responsibilities for GNHR. The committee shared the following comments:

- when it comes to succession planning and recruitment, EDI goals should be built into these processes;
- the Board will require a broader reach for recruitment to ensure diverse populations are included;
- the needle has already been moved with respect to gender diversity but there is still room for improvement with respect to racial diversity;
- suggestion to incorporate EDI into the interview process – GNHR can be more methodical in composing the interview panel (e.g. if the candidate is female, ensure there are at least two female governors on the interview panel);

The Chair thanked the committee members for the robust discussion and looks forward to continuing the discussion at the February Board PD session. She informed the committee that an external facilitator would be leading the session.

## **7. Review of Board Committee Structure**

D. Reiner discussed his priorities as Board Chair, which includes how to continue to increase governor engagement and focus on strategy. Through his conversations with governors, there seems to be alignment on this. D. Reiner remarked that the timing is right due to the breadth of capability and experience of the Board members and the set of challenges facing the institution. It is important to consider how the university comes through these challenges as a leader.

As we review our committee structure, in order to have fruitful strategic discussions, it will be important for the senior leadership team to bring forward the right items for discussion that align with the university's long-term goals. This will require adjustments to committee agendas to ensure there is sufficient time for discussion. It will also be important to consider whether matters are being reviewed by the correct committee. After having an opportunity to look across the committees' work, GNHR may develop some recommendations for consideration by the Board.

D. Reiner noted that the proposal is simply fine tuning the good practices that are already in place. The Chair thanked D. Reiner, S. Murphy and C. Foy for their work on continuous improvement. A member commented that they have observed some instances where governors are getting into the weeds a bit too much and suggested using questions to guide discussions. Another member agreed that the structure of agendas is a good starting point and welcomed other suggestions that staff might have to assist the Board in their work.

## 8. Policy Consultation:

C. Foy highlighted that the Accommodation and Respectful Workplace Policies, included for written consultation, are important policies with respect to EDI. She reminded GNHR that policies are brought to the Board to ensure they are the types of policy statements that we want to make as an institution. She discussed how these policy instruments in particular promote a "sticky campus".

### 8.1 Proposed Amendments to:

- (a) Board of Governors Recruitment, Appointment and Leadership Policy
- (b) By-law No. 1
- (c) Board of Governors Procedures for the Election of Administrative Staff, Student, and Teaching Staff Governors
- (d) Exempt Academic Staff Employment Policy & Deans, Associate Deans and Teaching Staff Governors Procedures

C. Foy provided an overview of the proposed amendments to the By-law and policy documents arising out of the arbitration decision. She reviewed the key findings of the arbitrator and walked through the key amendments being proposed as a result of the decision. C. Foy responded to questions from the committee. She advised that the amendments address the implications of the decision and more clearly set out the expectations of governors. The Chair encouraged the committee to share any additional comments they might have with C. Foy.

## 9. Consent Agenda:

*Upon a motion duly made by L. Elliott and seconded by L. Edgar, the Consent Agenda was approved.*

### 9.1.Minutes of the Meeting of October 22, 2020

### 9.2.Election Process 2021

## 10. Policy Documents for Written Feedback:

- 10.1. Accommodation Policy
- 10.2. Respectful Campus Policy & Procedures to Prevent and Address Discrimination and Harassment By or Against Employees

## 11. Adjournment

*Upon a motion duly made by S. Murphy, the public session adjourned at 2:52 p.m.*

Becky Dinwoodie, Secretary



**BOARD OF GOVERNORS**  
**Strategy & Planning Committee (S&P)**

**Minutes of the Public Session of the Meeting of Thursday, January 14, 2021**  
**2:00 p.m. to 3:25 p.m., Videoconference Only**

**Attendees:** Thorsten Koseck (Chair), Azzam Abu-Rayash, Liqun Cao, Kevin Chan, Mitch Frazer, Steven Murphy, Dietmar Reiner, Jim Wilson, Lynne Zucker

**Staff:** Jamie Bruno, Becky Dinwoodie, Cheryl Foy, Les Jacobs, Lori Livingston, Brad MacIsaac, Sue McGovern

**1. Call to Order**

The Chair called the meeting to order at 2:00 p.m.

**2. Agenda**

*Upon a motion duly made by D. Reiner and seconded by J. Wilson, the Agenda was approved as presented.*

**3. Conflict of Interest Declaration**

There was none.

**4. Minutes of Public Session of Meeting of October 8, 2020**

*Upon a motion duly made by L. Zucker and seconded by J. Wilson, the Minutes were approved as presented.*

**5. Chair's Remarks**

The Chair started the meeting with a safety message. He shared the story of using a log splitter without following all of the safety precautions. He emphasized the importance of reviewing safety processes and continuing to improve upon them.

The Chair wished everyone a Happy New Year and that he hopes 2021 is a better year. He thanked everyone for participating in the meeting. He also thanked the Senior Leadership Team for all of their work in keeping the operations of the university going in the context of changing provincial restrictions. The Chair referenced the recent imposition of Stay at Home orders and encouraged people to follow the guidelines.

## 6. President's Remarks

The President welcomed everyone back and also wished everyone a Happy New Year. He hopes everyone had an opportunity to rest and relax over the holidays. He noted that the first week of classes was about to end and observed that things seem to be going well. The university continues to closely monitor the COVID numbers in the community.

The President reported that they continue to focus on the post-COVID world and how the university can differentiate itself in that world. He reviewed some of the COVID initiatives the university has been involved in, including: graduating nursing students early, ventilator design, wastewater analysis, and use of light to eliminate COVID in high traffic areas.

The university is looking at how we can reinvent education and incorporate the lessons learned over the past year. The university transitioned online the quickest in the province. We are seeing more and more innovation in each of our Faculties, which will help us become a better institution. Every university is trying to employ more technology and we are thinking about how we can truly be differentiated from the pack.

### 6.1. Strategic initiatives

The President advised that they are scanning websites around the globe to find out what other institutions are doing. There are many institutions claiming to offer hybrid learning. Focus groups are being held with students to find out what they want to see in a post-COVID environment. The President shared that he is hearing from students that it is useful to have lectures available online to review on demand. This allows students the opportunity to view them several times, study the lessons, and retain the information. We must explore how we can create an online model in addition to an in-person model. Learning online will also accommodate students who might have only one or two courses left to complete their degree, as well as those students who might not be geographically close. This would be a real differentiator for the university.

The ability to work from home would also present a huge opportunity in the labour market. J. Bruno will be leading those efforts. Students will need online and face-to-face services. The university will engage with unions to figure out how to provide staff with the choice of working from home. This also demonstrates to staff that they work somewhere that cares about them. This would open up the labour field to employ the very best as geography will be less of a determinant. There are strategic initiatives on both academic and administrative side.

## 7. Strategy

### 7.1. Strategic Discussion: Student Success Initiatives

L. Livingston delivered a presentation on student success initiatives. She responded to questions and comments from the committee, which included:

- Is it too early to determine the effect of the LEAP program on student retention?
- Is student retention one of the SMA metrics?
  - L. Livingston confirmed that graduation rates are factored into the SMA metrics.
  - L. Livingston confirmed that the LEAP program coaches were staff and graduate students (one staff member and two graduate students); going forward the role of coach will be expanded to individuals who have held leadership roles with students (e.g. graduate students, student government, or university athletics).
- Will additional resources be required to scale up the LEAP program?
- How does the university's retention rate compare to that of other institutions?
  - L. Livingston advised that the university is in the bottom quarter in the province (80.6% compared to 82.3%).
  - The university's student cohort is considerably different from other institutions (generally lower averages upon entrance).
- We need to challenge ourselves to support student success once students are admitted.
- What is the program/Faculty break down of retention?
  - L. Livingston advised that the Faculty of Engineering and Faculty of Health Sciences have the highest retention rates for year 1-2 students; because of the pass/withdraw option in the Winter 2020 term, the retention rates are somewhat inflated.
- A member expressed support for the focus and spirit of the direction of supporting student success upon admission.
- How is the university doing with domestic and international applications this year?
  - L. Livingston advised that they are in the process of analyzing the data, as the deadline for high school applications was January 15.

## **7.2. Review of University's Mission, Vision & Values (VMV)**

L. Livingston thanked the committee for participating in the targeted consultation session in December. The governors' feedback was appreciated. She noted that the Board members' key comments were included in the accompanying report, together with the

revised VMV document. It became clear from the governors' comments that we must differentiate ourselves in our mission and vision. She noted that "tech with a conscience" resonates with people and was reiterated several times during the consultation session. A suggestion was made to add language to the partnerships reference to clarify the purpose. L. Livingston clarified that based on the motion language, the VMV document can be tweaked. The Chair thanked L. Livingston for her work on the VMV. L. Livingston noted it was a team effort from day 1 and acknowledged the work of the teams of B. MacIsaac and S. McGovern.

*Upon a motion duly made by A. Abu-Rayash and seconded by K. Chan, subject to minor amendments, the Strategy and Planning Committee unanimously recommended the updated Vision, Mission, and Values for approval by the Board of Governors.*

## **8. Planning**

### **8.1. Board Retreat Planning**

S. Murphy noted the retreat will be a virtual one. It would be helpful to the senior leadership team for the Board to explore what the "new normal" will look like post-COVID. It will help to know what level of technology would be a differentiator for the university. Another question to be considered is how can we think about servicing our students more holistically? S. Murphy referenced the Ontario Tech app that was developed by the university and the features it offers. It will also be important to consider how we can put students' education in their hands. The retreat could include an overview of how our competitors are transitioning to online learning (as background material) and how our competitors are using microcredentials. Many universities are offering microcredentials in the place of graduate diplomas. The university has a different view of microcredentials, which involves working hand in glove with industry (example of Ontario Tech Talent). It might be helpful to the Board to include a student panel to share their perspectives on expectations post-COVID, including what they would like to see when back in a face-to-face environment and how technology could make their lives easier. There are many students juggling multiple jobs and providing them with flexibility would be helpful. Depending on timing, the retreat could also include a panel of faculty members. The committee felt that it might be better to bring back a panel of faculty at another time in order to allow more time for discussion during the retreat. The committee had a discussion of the purpose of microcredentials.

A committee member commented that they like the proposed format of the retreat and asked the senior leadership team to think about how this makes its way into the broader strategic plan of the university. The member suggested looking at what will be the essential pillars and how progress will be reported back to the Board in the context of the new normal. It is important to bring it down to a tangible number of items that can be tracked over time and maintain a laser focus on those items.

## **9. Other Business**

The Chair extended an invitation to the committee to attend a tour of the PPE manufacturing facility at GM.

## **10. Adjournment**

*Upon a motion duly made by K. Chan, the public session adjourned at 3:17 p.m.*

Becky Dinwoodie, Secretary

DRAFT





## BOARD OF GOVERNORS' 118<sup>th</sup> REGULAR MEETING

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**Minutes of the Public Session of the Meeting of Thursday, February 25, 2021**  
**1:00 p.m. to 2:45 p.m., Video Conference**

### **GOVERNORS IN ATTENDANCE:**

Dietmar Reiner, Board Chair  
Laura Elliott, Chair of Audit & Finance Committee  
Stephanie Chow, Chair of Investment Committee  
Maria Saros, Chair of Governance, Nominations & Human Resources Committee  
Thorsten Koseck, Chair of Strategy & Planning Committee  
Steven Murphy, President  
Mitch Frazer, Chancellor  
Azzam Abu-Rayash  
Kevin Chan  
Douglas Ellis  
Kathy Hao  
Kori Kingsbury  
Mark Neville  
Kim Slade  
Trevin Stratton  
Roger Thompson  
Jim Wilson  
Lynne Zucker

### **REGRETS:**

Liqun Cao  
Lisa Edgar  
Francis Garwe  
Ferdinand Jones  
Dale MacMillan

### **BOARD SECRETARY:**

Becky Dinwoodie, *Associate University Secretary & Judicial Officer*

### **STAFF:**

Jamie Bruno, *Assistant Vice-President, Human Resources*  
Cheryl Foy, *University Secretary & General Counsel*  
Les Jacobs, *VP, Research and Innovation*  
Barb Hamilton, *Assistant to the University Secretary & General Counsel*  
Krista Hester, *Assistant to the Provost & VP Academic*



Lori Livingston, *Provost & VP Academic*  
Brad MacIsaac, *Vice-President, Administration*  
Susan McGovern, *VP External Relations & Advancement*

**GUESTS:**

Shay Babb  
Chelsea Bauer, *Faculty Association*  
Mike Eklund, *President of Faculty Association*  
Melissa Gerrits  
Ramiro Liscano  
Christine McLaughlin, *Faculty Association*  
Niall O'Halloran  
Andrew Sunstrum

**1. Call to Order**

The Chair called the meeting to order at 1:05 p.m.

**2. Agenda**

*Upon a motion duly made by T. Koseck and seconded by T. Stratton, the Agenda was approved as presented.*

**3. Conflict of Interest Declaration**

There was none.

**4. Chair's Remarks**

The Chair welcomed everyone to the first full Board meeting of 2021. He hoped everyone is keeping healthy and staying safe. The Chair welcomed the newest governor, K. Hao, to her first meeting as a governor. He noted that K. Hao's experience will augment the Board's capabilities. He is excited to have her join the Board and looks forward to working with her.

The Chair discussed the use of language and the potential impact words can have on people. He encouraged governors to abide by the following principles: be respectful, be aware of the social environment they are in, be humble about the limits of their knowledge, and and be committed to learning. The Chair acknowledged that they are going to make mistakes and emphasized the need to learn from those mistakes and be ready to change.

The Chair also provided an update on the collaborative efforts with Durham College (DC). He reported on a recent meeting with the executive members of the DC Board. The goals of the meeting were to explore how aligned the Boards are and how, as Board members, they can help reinvigorate the relationship between the insitutions. He shared that it was a positive and productive meeting. There is good alignment between the Boards and the governors agreed that there is untapped potential worth pursuing. The Chair informed the

Board that the group is going to continue the dialogue with both Presidents in the hope to gain momentum. This will serve as a foundation for future joint Board meetings with DC.

The Chair ended by encouraging members to come prepared to meetings and be ready to actively participate.

## **5. President's Report**

The President also welcomed K. Hao to the Board. The President provided an overview of the COVID-19 initiatives in which the university has been involved over the past year and shared how proud he is of the university community.

The President also discussed the university's budget planning, highlighting the limited levers available to increase revenue for universities. The provincial government's tuition freeze leaves the university with little flexibility to deal with increased costs. In the context of students being drawn to the more well known institutions (e.g. Western, Queen's, Waterloo, UofT) and those institutions accepting more students, it is important to differentiate Ontario Tech from other institutions and emphasize our value proposition.

### **5.1. Strategic Discussion: Fiscal Sustainability**

S. Murphy led the strategic discussion focused on fiscal sustainability. He provided an overview of the strategic priorities that are guiding the 2021-2022 budget development:

- enhancing our technological platforms and infrastructure/learning reimagined; and
- student recruitment.

The Board had an engaged discussion regarding the university's financial planning and investment in key strategic areas.

## **6. Co-Populous Report**

J. Wilson reported on the Durham College (DC) Board Meeting of February 10. At that meeting, the DC Board received a winter enrolment report. For the Winter 2021 semester, the day 10 total enrolment count was 11,283 students. Of those, 2067 are international students, representing 18.3% of all enrolment. Compared to Winter 2020 intake, there was a 6.3% decrease in total day 10 enrolment. The DC Board also received the following presentations:

- update on the College's Response to Covid-19; and
- plans for 2021 Convocation.

J. Wilson highlighted the good news items included in the DC President's Report:

- DC was named one of Greater Toronto's Top Employers of 2021 for the 10th year;

- DC was named one of Canada's Top 50 Research Colleges for 2020; and
- DC's AI Hub and the Galen Weston Centre for Food won a Business Excellence Award from the Greater Oshawa Chamber of Commerce.

## **7. Academic Council**

### **7.1. Vision, Mission, and Values**

L. Elliott reported on the feedback provided by Academic Council (AC) on the updated version of the vision, mission, and values. She emphasized that the Board respects and values the views of the university community, and in particular AC, a key partner in university governance. L. Elliott provided an overview of AC's comments and the proposed amendments to the vision, mission and values, which were also set out in the accompanying report. She noted that this is in keeping with process, as the motion passed by the Strategy and Planning Committee supporting the version before the committee at the time reflects the committee's awareness that changes were possible after the final consultation with AC. As the governor member of AC, L. Elliott requested that the Board accept and approve the proposed amendments.

## **8. Strategy & Planning Committee (S&P) Report**

T. Koseck delivered the S&P report. He provided an update on the contributions that have been made to the Board of Governors Award. He also encouraged governors to consider making a gift to the Brave The Future Campaign, if they have not already done so. T. Koseck also thanked everyone who has supported other initiatives, such as the Pi Day of Giving and Student Relief Fund. He reminded governors of the upcoming Pi Day of Giving activities and encouraged members to participate in the virtual events (Speaker Series). He also reminded governors to introduce Ontario Tech to their networks and businesses to help encourage philanthropic support for the university. He thanked those governors who have already taken this step. He also thanked the Chancellor for initiating the Chancellor's Challenge. The Chancellor discussed the purpose of the Challenge and encouraged Board members to think of creative ways to continue to support the university.

### **8.1. Vision, Mission, Values Refresh**

T. Koseck presented the updated vision, mission, and values for approval. He thanked L. Elliott for sharing the feedback of AC with the Board.

*Upon a motion duly made by T. Koseck and seconded by L. Elliott, pursuant to the recommendation of the Strategy and Planning Committee, the Board of Governors unanimously approved the refreshed Vision, Mission, and Values, as presented.*

## **9. Audit & Finance Committee (A&F) Report**

L. Elliott delivered the A&F report. She advised that A&F also had a robust discussion of fiscal sustainability at their last meeting. While the university's finances are in a good

place, the Board must continue to monitor costs as last year funds were not allocated to reserves and the same for this year. They are looking to reestablish reserves in 2023.

L. Elliott also reported on the capital project updates received by the committee. She noted that the ACE integration project is anticipated to have some increased project costs due to COVID and the project team is exploring innovative ways of completing the integration through virtual means with the assistance of a local company. They will have a better idea as to the additional costs at the next meeting.

L. Elliott advised that the Controlled Goods and Radiation Safety policies were presented to A&F for written consultation and would be returning for recommendation at the next meeting. She highlighted the reports included for information in the Board meeting material.

### **9.1. Third Quarter Financial Reports & 2021-2022 Budget Update**

L. Elliott reported that P. Onsiong reviewed the third quarter financial reports with the committee at their last meeting. The investments in technology, student recruitment, and ACE were highlighted. Items of particular note were:

- enrolment this year is higher overall, mainly due to returning students;
- there has been a decrease in first year domestic enrolment by approximately 6% and this will have a long-lasting impact as those students move through their years at the university; and
- while the revenue from tuition and ancillary fees has increased, commercial revenues have decreased due to the closure of campus (e.g. ACE, food services, parking, etc.).

Overall, there is a current operating forecast of a net operating surplus of \$4.2m at the end of the fiscal year.

## **10. Investment Committee Report**

### **10.1. Quarterly Report**

S. Chow delivered the Investment Committee report. She informed the Board that the portfolio was valued at \$31,178,201 as of December 31, 2020 and the cash account was at \$271,329. The portfolio's performance over the last quarter was 1% ahead of the benchmark. She reported that the committee also received the annual ESG report from PH&N at the last meeting. The committee also had a robust discussion of their investment strategy, which they will continue at the next meeting.

## **11. Governance Nominations & Human Resources Committee (GNHR) Report**

M. Saros delivered the GNHR report. She reported that the committee remains focused on advancing equity, diversity and inclusion (EDI). In support of their efforts, the

committee had an engaged strategic discussion focused on EDI during their last meeting. Key points coming out of the committee's discussion include:

- the need for continuous professional development with respect to EDI for GNHR and the Board;
- ensuring the appropriate line of sight from the Board to the university's EDI strategy considering the multiple stakeholder lens that will need to be applied; and
- the importance of embedding EDI in Board succession, renewal and recruitment.

With respect to professional development, M. Saros thanked the Secretariat's office on behalf of the Board for arranging the EDI session that took place before today's public session. The session helped increase the collective knowledge of the Board. She reviewed the next steps in the development of the Board's EDI governance strategy.

M. Saros reported that the committee was consulted on a number of policy updates, including the Accommodation and Respectful Workplace Policies, which also support the university's EDI work.

The committee also remains focused on ensuring that we continue to refine the structure of our meetings, allocating time for strategic discussion and ensuring continued focus on the matters of most importance to the university's ability to achieve its long-term goals. We appreciate the efforts on the part of the Secretariat's office to support Board members' ability to govern at the oversight, not operational, level through ongoing feedback and professional development opportunities.

Lastly, M. Saros reported that GNHR remains committed to fostering closer ties and strengthening partnerships with DC. In addition to the Chair's remarks, M. Saros observed that there was much enthusiasm on the part of all of the governors who participated in the joint meeting. She found the meeting to be very productive and hopes there will be more opportunities to participate in similar discussions in the future.

## **12. Consent Agenda:**

*Upon a motion duly made by R. Thompson and seconded by S. Chow, the Consent Agenda was approved as presented.*

- 12.1. Compliance Policy**
- 12.2. Updated BMO Banking Resolution**
- 12.3. RBC Dominion Securities Banking Resolution**
- 12.4. Minutes of Public Session of Board Meeting of December 2, 2020**
- 12.5. Minutes of Public Session of A&F Meeting of November 25, 2020**
- 12.6. Minutes of Public Session of GNHR Meeting of October 22, 2020**
- 12.7. Minutes of Public Session of S&P Meeting of October 8, 2020**
- 12.8. Minutes of Public Session of Investment Meeting of November 12, 2020**

**13. Information Items**

- 13.1. Project Updates**
- 13.2. Compliance, Risk and Policy Updates**
- 13.3. Credit Rating Update**
- 13.4. Fiscal Blueprint 2021-2022**

**14. Other Business**

**15. Adjournment**

*There being no other business, upon a motion duly made by M. Neville, the public session adjourned at 2:55 p.m.*

Becky Dinwoodie, Secretary



## BOARD REPORT

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### SESSION:

Public  
Non-Public

☒  
☐

### ACTION REQUESTED:

Decision  
Discussion/Direction  
Information

☐  
☐  
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**TO:** Board of Governors

**DATE:** April 22, 2021

**FROM:** Cheryl Foy, University Secretary and General Counsel

**SUBJECT:** Risk Management Update

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### ***Risk Management Update***

The Annual Risk Register review is underway. Common themes arising from these discussions with Risk Owners include risks associated with the management of employee and student mental health, international travel, and cybersecurity. Our observation is that COVID-19 is a key factor in elevating these risks.

While the previous Provost elected not to create a separate risk register at her level, recognizing that there are risks common across academic units, Dr. Livingston sees value in a separate Provost's risk register. A 2019 Risk Management survey of the Deans identified operational risks that should have oversight by the Provost. The results of this survey have been used to draft the Provost's first draft Operational Risk Register.

The Director of Risk Management is actively involved in COVID-19 risk management activities.

### **Insurance:**

As previously reported, the insurance industry has entered a challenging market, which has resulted in premium increases, coverage limitations, exclusions, and increased restrictions. The University is currently working through the 2021-22 insurance policy renewal. The policy quotes received over the last few weeks are beginning to paint a clear picture of the university's degree of financial risk. We will have a better understanding of our total exposure after the May renewal has concluded.

Insurers are actively limiting their liability arising from COVID-19. This means that the university, like all other organizations, has virtually no coverage for liability arising from COVID-19. This is

understood within our community and we are taking measures to manage risk associated with COVID-19.





## BOARD REPORT

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### SESSION:

Public  
Non-Public

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### ACTION REQUESTED:

Decision  
Discussion/Direction  
Information

☐  
☐  
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**TO:** Board of Governors

**DATE:** April 22, 2021

**FROM:** Cheryl Foy, University Secretary and General Counsel

**SUBJECT:** Compliance Update

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### COMMITTEE MANDATE:

- The Audit and Finance Committee is responsible for overseeing university compliance, risk management, and other internal control functions at the university.
- This oversight includes receiving regular reports from management on areas of significant risk to the university including regulatory matters, as well as policy development and approvals at the university, in accordance with the Policy Framework.

### BACKGROUND/CONTEXT & RATIONALE:

- The purpose of this report is to provide the Board with an update on the status of compliance, risk and policy development activity being undertaken by the Office of the University Secretary and General Counsel (USGC).

### *Compliance Update*

#### **Ethics & Compliance:**

The Compliance Office is developing tools and procedures to support the roll out of the Ethical Conduct Policy and Compliance Policy, both of which were approved by the Board earlier this year.

**Accessibility:**

The Compliance Office is leading a cross-functional compliance initiative with the *Accessibility for Ontarians with Disabilities Act* (AODA). The Accessibility Working Group members have established subcommittees to address and meet the accessibility commitments outlined in the University's Multi-Year Accessibility Plan 2020-2025. The Teaching & Learning Centre is leading a training subcommittee to identify and address opportunities to enhance employee and educator accessibility training. Provincial grant funding has been sought and received to support the development and implementation of institutional e-training initiatives.

As a designated public sector institution, the University is required to report on its progress in relation to the Ontario Tech University Multi-Year Accessibility Plan 2020-2025. The university's Annual Status Report will be reporting on the period from May 1, 2020-April 30, 2021. A draft of the Annual Status Report has been sent to the Accessibility Working Group for review and feedback.

The university will be required to report on its compliance with *the Accessibility for Ontarians with Disabilities Act* and regulations on or before December 31 2021. Check-ins have been scheduled with various stakeholders to commence the completion of same.

**Copyright:**

The Compliance Office has established a multi-year plan to enhance copyright compliance and awareness. The Copyright Advisory Committee is addressing copyright compliance through three (3) subcommittees including the copyright policy, copyright training and intellectual property protection committees.

**Information Governance:**

The University Secretary and General Counsel has undertaken to lead a cross-functional project to address the governance of information at the university. This exercise supports Tech with a Conscience. A road map is currently under development that will address information management, privacy, cybersecurity and information security risks.

**Occupational Health & Safety Act Compliance Review:**

The internal review of the university's compliance with the *Occupational Health & Safety Act* is continuing.

**Controlled Goods:**

The Controlled Goods Policy is being presented to the Board of Governors for approval at today's meeting. Compliance, ORS and ACE are continuing to work together to build out the institutional controlled goods program.



## BOARD REPORT

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### SESSION:

Public  
Non-Public

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### ACTION REQUESTED:

Decision  
Discussion/Direction  
Information

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**TO:** Board of Governors

**DATE:** April 22, 2021

**FROM:** Cheryl Foy, University Secretary and General Counsel

**SUBJECT:** Policy and Privacy Update

---

### COMMITTEE MANDATE:

- The Audit and Finance Committee is responsible for overseeing risk management, and other internal systems and control functions at the university.
- This oversight includes receiving regular reports from management on areas of significant risk to the university including regulatory matters, as well as policy development and approvals at the university, in accordance with the Policy Framework.

### BACKGROUND/CONTEXT & RATIONALE:

- The purpose of this report is to provide the Board with an update on the status of policy development and privacy compliance activity being undertaken by the Office of the University Secretary and General Counsel (USGC).

### *Policy Update*

- The USGC continues to support a variety of policy projects, including supporting the amendment of the Signing Authority Policy and Register. The USGC has developed draft policy instruments to give direction around signing authorities for agreements that do not involve expenditures. Consultation on the draft documents is ongoing and we expect modifications to the drafts to reflect community comments.
- The USGC will be undertaking a review of the Policy Framework over the next several months. We will identify any lessons learned in the previous six years of the Policy Framework. We will also examine approval paths to ensure they

- continue to support the framework's goals of effective and consistent practice in the development and administration of university policy instruments.
- The USGC expects the following instruments to advance to deliberation and approval steps before the end of this board year:
    - Accommodation Policy
    - Respectful Campus Policy and Harassment and Discrimination Procedures
    - Controlled Goods Policy
  - A total of 7 Policy Instruments have been approved from February 1, 2021 to April 1, 2021. A complete list of Policy Instrument approvals has been included as Schedule A.

### ***Privacy Update***

- The USGC is reviewing processes around privacy breach handling and the intersection with cybersecurity incidents. The goal is to formalize the process that the Privacy Office undertakes to support any FIPPA compliance obligations related to privacy breaches and/or cybersecurity incidents.
- The USGC is developing a written process around Privacy Impact Assessments of new technology/software projects at the university. This will help ensure a consistent project review and allow the Privacy Office to better support the university in maintaining FIPPA compliance.
- We are providing updated reporting on FIPPA compliance activities for the Calendar year 2021 to date with a comparison to the previous three years:

**TABLE 3: Privacy Activity by year, calendar year 2018-2020**

<b>Category</b>	<b>Calendar year 2018</b>	<b>Calendar year 2019</b>	<b>Calendar year 2020</b>	<b>Calendar year 2021 YTD</b>
<b>Requests for personal information</b>	11	9	4	3
<b>Requests for general information</b>	3	3	3	0
<b>Informal Requests resolved by USGC</b>	3	9	7	5
<b>3<sup>rd</sup> party notifications</b>	2	1	3	1
<b>Privacy Impact Assessments</b>	-	-	9	1 <i>complete</i> 6 <i>requested</i>

<b>Breaches investigated</b>	11	16	8	6
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**SUPPORTING DOCUMENTS:**

- Schedule A List of Policy Instrument approvals

## **Schedule A: Policy Instrument Approvals**

### **February 1 to April 1, 2021**

- Compliance Policy (Board approved February 25, 2021)
- COVID-19 Face Coverings Directive (Provost approved March 22, 2021)
- Doctoral Candidacy Examination Policy (AC approved February 23, 2021)
- Graduate Project or Major Paper Evaluation Policy (AC approved February 23, 2021)
- Graduate Student Supervisory Committee Policy (AC approved February 23, 2021)
- Graduate Submission of Thesis, Project or Major Paper Policy (AC approved February 23, 2021)
- Thesis Oral Examination for Master's and Doctoral Candidates (AC February 23, 2021)

# New Building Project



## Monthly Project Update MARCH 2021

# New Building Update

## Construction Achievements (31 March 2021)

- Building Energized
- Chiller units delivered and installed
- Boarding and taping works at 1F-2F completed, on going at 3F
- First coat painting at 1F completed, on-going at 2F
- Fire protection system at 2F-3F completed, on-going at 4F
- Electro-mechanical rough-in at LL-2F completed, on-going 3F-5F
- Partition framing progressing at 4F
- Spray foam insulation at 3F-4F completed, on-going at 5F
- Curtain wall caulking and capping in progress
- Mechanical equipment installation at LL & 5F on going
- Waterproofing at 2F & upper roof completed, on going at main roof
- Exterior insulation & metal cladding on going
- Elevator installation commenced



Northeast Elevation

Agenda Item 12.2



South Elevation



East Elevation





← Above ceiling installation at 3F

Electrical Room at 3F →



Agenda Item 12.2



← Chiller installed at LL

Drywall at 2F →







← Roof  
waterproofing

Staircases at  
atrium 1F-2F →



← Metal  
cladding at  
cooling tower

Classroom  
ceiling at LL →



# Forecast Schedule

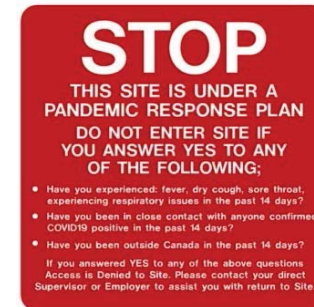
## April 2021 Plan

- Equipment and piping installation continues at LL & 5F mechanical rooms
- Electro-mechanical installation continues
- Partition and painting works continues
- Exterior metal wall cladding continues
- Curtain wall accessories installation continues
- Elevator installation continues
- Roof waterproofing works completion
- Procurement of owner's furnishing & equipment
- Continue samples and shop drawings submittals and RFI responses
- Re-submit SPA amendments related to landscaping

## Overview

- Building occupancy anticipated to be end August 2021
- Baseline schedule is currently on track
- Productivity are being monitored during this covid-19 situation

# Health & Safety Report



- ❑ MOL conducted site inspection on 15 June 2020 reported no non-compliance with the new norm
- ❑ Mandatory wearing of face mask implemented inside enclosed space
- ❑ On December 15, 2020, accident occurred at the construction site resulting to one fatality from the precast erection team. Police & MOL conducted investigations on December 15, 16, 17 & 18, 2020. The site was closed down in the afternoon of December 15 and the day of Dec 16. The work was resumed on Dec 17 under the MOL approval. **MOL still conducting its investigation.**
- ❑ **No covid-19 case identified and incident to report this period**

### **Change Control:**

- Change Order #3 cash allowance increase for inspection and testing, \$14K
- 4 potential change orders under evaluation

### **Procurement Summary:**

- Exterior illuminated signage, award process on going
- Furniture, cost established per end user selection, purchase order on going
- White boards, quotes under evaluation
- Telephone and IT procurement commenced

### **Financial Summary:**

- Total committed donations to date \$498,180
- Total committed amount to date \$45.06M
- Total project cash outflow to date \$27.75M
- Breakdown of Sources and Uses of funds next slide

# A&F Roll up Financial Summary Agenda Item 12.2 as of 31 March 2021

PROJECT FINANCIAL SUMMARY REPORT FOR MONTH ENDING				MARCH 2021			
Sources of Funds - Cash flow							
	Total Funding	Committed Todate	Actual YTD Mar 2021	Mar 2021	Required Funding till Completion	See Notes	
Ontario Tech	\$ 48,000,000	\$ 47,501,820	\$ 27,291,068	\$ 1,552,760	\$ 47,501,820		
Business Enterprises		\$ 250,000	\$ 217,500	\$ 32,500	\$ 250,000		
Foundations		\$ 195,000	\$ 195,000	\$ -	\$ 195,000		
Individuals		\$ 53,180	\$ 51,620	\$ 120	\$ 53,180		
		\$ -	\$ -		\$ -		
Totals	\$ 48,000,000	\$ 48,000,000	\$ 27,755,188	\$ 1,585,380	\$ 48,000,000		
Uses of Funds - Cash flow							
Description	Total Budget	Committed Todate	Actual YTD Mar 2021	Mar 2021	Estimate at Completion		
GMP Contract	\$ 39,996,403	\$ 40,187,366	\$ 24,432,446	\$ 1,565,416	\$ 40,187,366		
FF&E	\$ 3,246,505	\$ 758,929	\$ 506	\$ -	\$ 3,246,505		
Soft Cost	\$ 1,940,732	\$ 1,690,527	\$ 1,284,364	\$ 19,964	\$ 1,865,477		
Portable Relocation	\$ 1,738,512	\$ 1,739,350	\$ 1,721,058	\$ -	\$ 2,326,758		
New Parking (50% sharing)	\$ 327,848	\$ 327,848	\$ 316,815	\$ -	\$ 316,815		
Contingencies	\$ 750,000	\$ 353,313	\$ 353,313		\$ 57,080.14		
Totals	\$ 48,000,000	\$ 45,057,333	\$ 27,755,188	\$ 1,585,380	\$ 48,000,000		



## COMMITTEE/BOARD REPORT

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### SESSION:

Public ☒  
Non-Public ☐

### ACTION REQUESTED:

Decision ☐  
Discussion/Direction ☐  
Information ☒

Financial Impact ☐ Yes ☒ No

Included in Budget ☒ Yes ☐ No

TO: Board of Governors

DATE: April 22, 2021

PRESENTED BY: Les Jacobs, VP, Research and Innovation

SUBJECT: Autonomous Vehicle Innovation Network (AVIN) Update

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### COMMITTEE/BOARD MANDATE:

In accordance with its Terms of Reference, A&F is responsible for overseeing the financial affairs of the university, which includes ensuring fiscal responsibility and providing oversight for major capital projects, auxiliary operations, and structures.

We are providing the Board with an update on the status of the AVIN Program at Ontario Tech University

### BACKGROUND/CONTEXT & RATIONALE:

Announced in the 2017 Ontario Budget, AVIN is an \$80-million, five-year investment, delivered by the Ontario Centre of Innovation (previously the Ontario Centres of Excellence) to support Ontario's continued leadership in Autonomous Vehicle Innovation.

The AVIN program is proceeding as planned. All of the planned infrastructure investments were completed in calendar year 2019.

Investments in new Autonomous Vehicle R&D Capabilities through \$5M in AVIN Funding for Technology Development Site:  
Infrastructure



- EV Charging/Microgrid Test Bed
- Simulated Automotive Wireless Environment
- Software Validation and Certification
- Data Storage, Real Time Analysis and Visualization
- Fabrication Space
- ACE Innovation Garage

#### Services

- Business and Technical Advisory Services
- Programming for Entrepreneurs and SMEs
- Full time technical staff

The project remains on track to meet the forecast budget (“Services”) for the remaining year of the AVIN project which concludes March 31, 2022.

The Province announced the launch of a new program called the Ontario Vehicle Innovation Network (OVIN) to replace AVIN with a commitment of \$56 million in the 2021 Budget. The focus of OVIN is on electric vehicles. The opportunities for Ontario Tech through this new program will be communicated once the Province releases more information and details.

#### **RESOURCES REQUIRED:**

No additional resources required. We will closely monitor any changes to each project due to COVID restrictions.

#### **CONSULTATION:**

Ongoing consultations take place with VP Research and Innovation, ACE Management, the partners in AVIN’s Durham activities (SPARK Centre and Durham College) along with the Ontario Centre of Innovation who administer the AVIN funding program.

#### **NEXT STEPS:**

An update will be provided at the next meeting of A&F.

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#### **SUPPORTING REFERENCE MATERIALS:**

- None attached for this update



## BOARD REPORT

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### SESSION:

Public  
Non-Public

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### ACTION REQUESTED:

Decision  
Discussion/Direction  
Information

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**TO:** Board of Governors

**DATE:** April 22, 2021

**PRESENTED BY:** Cheryl Foy, University Secretary & General Counsel

**SUBJECT:** University Risk Management – Strategic Risks Update

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### COMMITTEE MANDATE:

- In accordance with its Terms of Reference, the Strategy & Planning Committee (S&P) is responsible for overseeing the strategic planning for all aspects of the university.
- This includes making recommendations to the Board on strategic foresight, risk, and scenario planning.
- In support of the committee's and Board's mandate, we are providing an update on the status of the university's strategic risk management process.

### BACKGROUND:

- The University Risk Management (URM) program has been in place for just over five years. We approach URM as a long-term cultural change project where the end goal is to create a risk aware culture – a culture in which risk considerations become a natural part of university decision-making processes. At the outset, we estimated that this was a fifteen-year project.
- The fifth University Risk Management Report was presented and accepted by the Board on June 25, 2020. Key objectives identified for 2020/2021 included mapping operational risks to strategic risks and continuing to work to address strategic risk to the university. By mapping, we mean that we are seeking to understand where and how operational risks feed into strategic risks. The mapping of operational risks to strategic risks is ongoing.
- A set of Strategic Risks was identified through discussions at a Board Retreat a couple of years ago. We also identified two Foundational Risks: Financial Sustainability and Compliance. Each Strategic and Foundational Risk is assigned to a SLT member. Given recent changes in the SLT team roles, ownership for the

Strategic and Foundational Risks was recently confirmed. The SLT owners are reviewing and updating the risk and risk mitigation information.

- Financial Sustainability is the subject of continued discussion in light of the financial implications of COVID-19. As recently discussed with the Board, the university's financial position is stable. The SLT is focused on maintaining financial sustainability in light of the continued effects of COVID-19, as well as environmental and systemic factors.

**Proposed Process:**

- Finalize the connection of strategic risks to the University's Operational Risks through the annual risk register review.
- Continue to monitor progress of the current and future Strategic Risk mitigation strategies and work with Risk Owners moving the plans forward.

**RESOURCES REQUIRED:**

- Time and resources of SLT, Risk Owners and Risk Management to continue action against the current and future mitigation strategies.

**ALIGNMENT WITH MISSION, VISION, VALUES & STRATEGIC PLAN:**

- Strategic risk planning is a fundamental aspect of strategic planning and essential to the successful implementation of the University's Strategic Plan.

**COMPLIANCE WITH POLICY/LEGISLATION:**

- The identification and assignment of the University Strategic Risks promotes compliance with the University's Risk Management Policy.

**NEXT STEPS:**

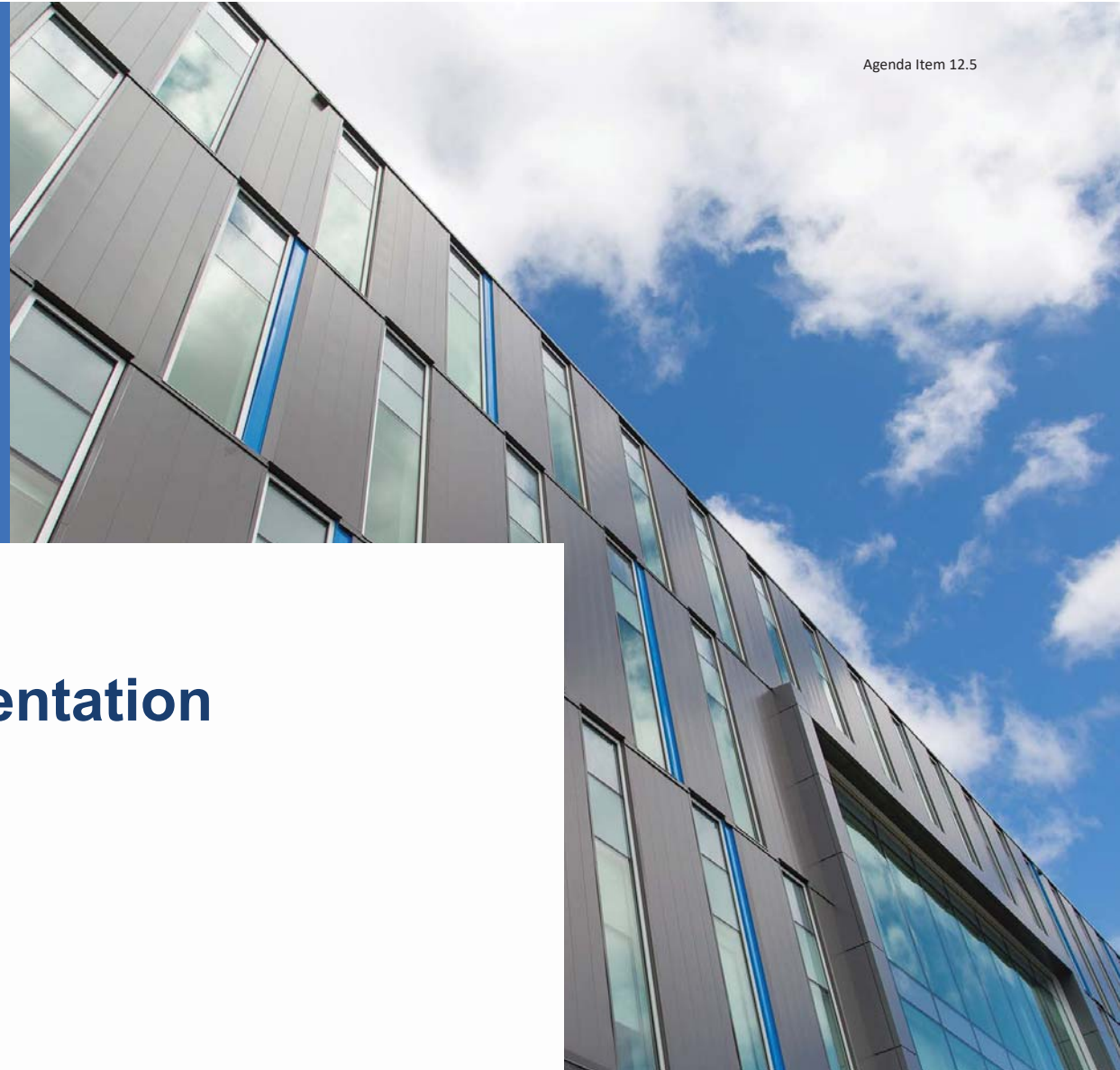
A report on the annual risk activities, including the Strategic and Foundational Risks will be included in the Annual Risk Report. In the 2021/22 year, SLT is planning a review of the Strategic Risks to ensure they align with the strategic pillars.

# Research Strategy Presentation

**Board of Governors**

**Prof Les Jacobs, Vice-President, Research and Innovation**

**April 2021**



## Four Pillars of Research Strategy



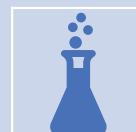
Research Reputation



Research Funding



Research Ranking



Research Intensity

## Progress since 2019 (InfoSource)

- Research Reputation: Designated one of twelve Research Universities of the Year in the country
- Research Ranking: Moving from 44<sup>th</sup> to 39<sup>th</sup> in the National Rankings of 70 plus universities
- Research Intensity:
  - Moving from 36<sup>th</sup> to 29<sup>th</sup> in the National Rankings
  - Moving to 5<sup>th</sup> nationally for the percentage of industry-sponsored research (24.8%)
  - Ranked 2<sup>nd</sup> nationally for annual increase in industry-sponsored research (450%)
- Research Funding: Increase from \$11.3 million to over \$20 million this year

# Strategic Priorities and Commitments

## Institutional Priorities

- Tech with a Conscience
- Partnerships

## Research Commitments

- Strengthening Equity, Diversity and Inclusion (EDI)
- Developing Core Research Facilities

## Strategic Research Priorities

- Data Science, Artificial Intelligence, and New Technologies
- Canada's Energy and Environmental Future
- Healthy Populations, Community Well-Being and Social Justice
- Autonomous Vehicles and Systems
- Intelligent Manufacturing and Materials Innovation
- Social Innovation, Disruptive Technologies and the New Economy







## BOARD REPORT

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### SESSION:

Public ☒  
Non-Public ☐

### ACTION REQUESTED:

Decision ☐  
Discussion/Direction ☐  
Information ☒

**TO:** Board of Governors

**DATE:** April 22, 2021

**FROM:** Jamie Bruno, Chief Work Transformation and Organization  
Culture Officer

**SUBJECT:** 2020 DCP Pension Governance Compliance Report

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### COMMITTEE MANDATE:

As part of GNHR's oversight of the university's human resources policies, strategies and plans, the Senior Administration (Pension & Benefits) Sub-Committee (SASC) provides the committee with an annual report on compliance with respect to the University of Ontario Institute of Technology Pension Plan Governance Structure and Pension Plan Processes.

The SASC is presenting the 2020 Pension Governance Compliance Report for the Board's review as part of their oversight role.

### BACKGROUND/CONTEXT & RATIONALE:

Ontario Tech University is the sole sponsor of the university's pension plan. The pension plan is a member-investment directed defined contribution pension plan (DCPP) registered with the Financial Services Regulatory Services and the Canada Revenue Agency, and governed by the *Pension Benefits Act (Ontario)* and the *Income Tax Act, Canada*, respectively.

The SASC exercises overall responsibility for the proper administration of the DCP, and administration and investment of the fund. SASC's responsibilities are carried out by three members of senior management:

- Assistant Vice-President, Human Resources
- Vice-President, Administration
- University Secretary and General Counsel

The SASC is also responsible for reporting to GNHR and certifying that all aspects of the *University of Ontario Institute of Technology Pension Plan Governance Structure and Pension Plan Processes* have been met.

With respect to the year January 1 – December 31, 2020, SASC certifies that the responsibilities and processes set out in the accompanying report have been fulfilled and completed, unless indicated in yellow

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**SUPPORTING REFERENCE MATERIALS:**

- 2020 Annual Pension Plan Governance Report



**THE UNIVERSITY OF ONTARIO INSTITUTE OF TECHNOLOGY DEFINED CONTRIBUTION  
PENSION PLAN  
GOVERNANCE COMPLIANCE CERTIFICATE**

Ontario Tech University sponsors the University Of Ontario Institute Of Technology Pension Plan, Registration No. 1087808 (the "Plan"). The Plan is a member-investment directed defined contribution pension plan registered with the Financial Service Regulatory Authority Ontario and the Canada Revenue Agency governed by the Pension Benefits Act (Ontario) (the "PBA") and the Income Tax Act ("ITA"), Canada, respectively.

The Senior Administration (Pension & Benefits) Sub-Committee (SASC) exercises overall responsibility for the proper administration of the Plan and administration and investment of the Fund.

The SASC's responsibilities are carried out by three members of senior management, the Head of Human Resources, (Effective December 18, 2018 AVP, HR), the Chief Financial Officer (CFO) (Effective November 16, 2020 VP, Administration) and the General Counsel (GC). The main responsibility for the Plan and Fund lies with the President and the Pension & Benefits Staff which report to him/her.

The SASC (or member thereof) is responsible for reporting to the Governance, Nominations & Human Resources Committee of the Ontario Tech University Board of Governors and for certifying that all aspects of the University of Ontario Institute of Technology Pension Plan Governance Structure and the Plan Governance Processes have been met.

With respect to the Year January 1, 2020 to December 31, 2020 the SASC hereby certifies that the responsibilities and processes listed in the accompanying ten (10) Pension Governance Checklists have been fulfilled and completed unless indicated in yellow.

**Jamie Bruno,**  
**Assistant Vice-President, Human Resources**

DATED the 8 day of February, 2021.

**Brad MacIsaac**

Digitally signed by Brad MacIsaac  
DN: cn=Brad MacIsaac, o=OntarioTech, ou=Planning  
& Analysis, email=brad.macisaac@uoit.ca, c=CA  
Date: 2021.02.08 11:21:05 -0500

**Brad MacIsaac, VP Administration**

DATED the 8 day of February, 2021.

**Cheryl Foy,**  
**University Secretary and General Counsel, Office of the President**

DATED the 8 day of February, 2021.

## BOARD OF GOVERNORS

As the guiding mind of the University of Ontario Institute of Technology (Ontario Tech University), the Board is the legal plan administrator and, as such, has general oversight responsibility for the administration of the Plan and the administration and investment of the Fund. The Board has established a governance system for the Plan and Fund, which delegates most of the functions relating to the Plan to the Senior Leadership Team (SLT). The Board plays an oversight role vis-à-vis the Plan, with its main responsibilities being to receive and consider reports from the Governance, Nominations & Human Resources Committee and the Audit & Finance Committee (to which the SLT reports) and to approve Plan design changes recommended by the Governance, Nominations & Human Resources Committee. The Board also appoints the auditor for the Plan and receives reports on risk management issues from the Audit & Finance Committee. The Board may also receive submissions from the Pension & Benefits Committee if that Committee feels that it is necessary to bring a matter directly to the Board's attention.

### Board of Governors Checklist January 1, 2020 to December 31, 2020

No.	Item	Completion Date <sup>1</sup>	Action Required/ Taken/Comments
1.	Establishes and updates the governance system for the Plan on the recommendation of the Governance, Nominations & Human Resources Committee	November 2013	As required
2.	Approves design changes to the Plan <sup>2</sup> on the recommendation of the Governance, Nominations & Human Resources	2020 N/A	
3.	Appoints the Plan auditor	2020 N/A	None
4.	Receives annual report from the Governance, Nominations & Human Resources Committee	March	At least annually
5.	Receives and considers reports from the Audit Committee	November	
6.	May receive submissions directly from the Pension & Benefits Committee	2020 N/A	None

Green-completed  
Yellow-in progress  
Red-outstanding

<sup>1</sup> If a matter is not required to be addressed in a given year, “N/A – 20—“ is indicated in this column so it is clear that someone turned their mind to whether the item was relevant.

<sup>2</sup> Design Changes are any changes other than changes that are required by legislation (changes required by legislation are approved by SASC). The annual report from the Governance, Nominations & Human Resources Committee should reference any amendments that were approved by SASC.

## GOVERNANCE, NOMINATIONS & HUMAN RESOURCES COMMITTEE

The Governance, Nominations & Human Resources Committee exercises an oversight role with respect to the SLT, a committee of senior management to which is assigned responsibility for most administrator and employer functions relating to the Plan, including all day-to-day operational matters. The Committee's main function is to receive and consider reports from the SLT/SASC with respect to the administration of the Plan and the administration and investment of the Fund, as well as with respect to certain employer-related matters including the budget for the Plan. The Governance, Nominations & Human Resources Committee is also responsible for ensuring that the Board receives appropriate reporting on pension-related matters and makes recommendations to the Board on Plan design changes. The Governance, Nominations & Human Resources Committee may receive submissions from the Pension & Benefits Committee if that Committee feels that it is necessary to bring a matter directly to the Committee's attention.

### Governance, Nominations & Human Resources Committee Checklist

**January 1, 2020 to December 31, 2020**

No.	Item	Completion Date	Action Required/ Taken/Comments
1.	Receives and considers reports from SLT/SASC on matters relating to the, administration and governance of the Plan and Fund	November  March 2021	At least annually Pension Financial Statements; Pension Audit results & #2 below SIPP  Pending approval at GNHR meeting
2.	Receives and considers reports from SLT*/SASC on investment options offered under the Plan	March	Statement of Investment Policies & Procedures (SIPP) removing money market fund and adding Guaranteed Daily Interest Account (GDIA)
3.	Receives and considers reports from the SLT/SASC on employer-related matters, including the operational budget for the Plan	November	At least annually includes # 2 SIPP above
4.	May receive submissions directly from the Pension & Benefits Committee	None	
5.	Considers Plan design changes and makes recommendations to the Board.	2020 N/A	None
6.	Ensures that the appropriate reporting on pension-related matters is made to the Board.	April 2021	Pending recommendation from GNHR to the Board Expected completion date At least annually -as listed in #1 above
7.	Make changes to the Accountability Tool	2020 N/A	

**Green**-completed

**Yellow**-in progress

**Red**-outstanding

## AUDIT & FINANCE COMMITTEE

The Audit Committee has been assigned certain risk management functions and oversees the Plan audit. In carrying out its functions, it works with the SASC and particularly the CFO.

### Audit Board of Governors Checklist

**January 1, 2020 to December 31, 2020**

<b>&amp; Finance Committee No.</b>	<b>Item</b>	<b>Completion Date</b>	<b>Action Required/ Taken/Comments</b>
1.	Performs risk management functions in relation to the Plan and Fund as part of its ERM responsibilities	November	In accordance with the Committee's normal practices
2.	Oversees pension audit as part of the audit of University of Ontario Institute of Technology (Ontario Tech University) pension plan	September	Done
3.	Receives reports from SLT/SASC/CFO on audit and risk management matters	November	Done
4.	Reports to the Board on risk management and audit issues	November	None reported in Pension Audit

Green-completed  
Yellow-in progress  
Red-outstanding



## SENIOR LEADERSHIP TEAM (SLT)

The SLT is responsible for high level oversight of the sponsor, administration and investment functions. The SLT carries out its functions through a sub-committee, the SASC. As such, the SLT, as a committee of the whole, serves mainly as a resource for SASC (i.e., as a sounding board and/or to get input on issues which could have an impact on the University as a whole), receives reports and recommendations from the SASC, and ensures that appropriate reporting is made to the Governance, Nominations & Human Resources and Audit Committees of the Board. Finally, the SLT may receive submissions from the Pension & Benefits Committee if that Committee feels that it is necessary to bring a matter directly to the SLT's attention.

### SLT Checklist

January 1, 2020 to December 31, 2020

No.	Item	Completion Date	Action Required/ Taken/Comments
1.	Receives reports from SASC	Ongoing	SLT meetings held weekly updates provided as required
2.	Considers Plan design changes and makes recommendations to the Governance, Nominations & Human Resources Committee	No plan design changes  March	Amendments to the Plan Text –none  Recommendation to GNHR via the Statement of Investment Policies & Procedures (SIPP) to remove Money Market (MM) fund and replace it with Guaranteed Interest Daily Account (GDIA)
3.	Ensures that appropriate reporting is made to the Governance, Nominations & Human Resources Committee	Ongoing	SLT meetings held weekly updates provided as required & includes SIPP above #2
4.	May receive submissions directly from the Pension & Benefits Committee	2020 N/A	None

Green-completed

Yellow-in progress

Red-outstanding

### Senior Administration Sub-Committee (SASC)

The SASC exercises overall responsibility for the proper administration of the Plan and administration and investment of the Fund as well as certain employer-related responsibilities.

SASC's responsibilities are carried out by three members of senior management, the VP, HR & Services<sup>1</sup> the Chief Financial Officer (CFO)<sup>7</sup> and the General Counsel (GC). The main responsibility for the Plan and Fund lies with the VP, HR & Services and P&B Staff report to him/her.

One of the main responsibilities of SASC is to oversee the activities of P&B Staff, which has primary responsibility for the day-to-day operations of the Plan. SASC ensures that the appropriate policies for the governance of the Plan and Fund are in place, appoints service providers, executes service contracts, and approves Plan amendments, deals with any material regulatory issues and reports to the SLT, the Governance, and Nominations & Human Resources as necessary or required.

Another key responsibility of SASC is to participate in meetings of the Pension & Benefits Committee and to serve as a liaison between the Pension & Benefits Committee and the SLT.

As a sub-committee of SLT, SASC (or a member thereof) is responsible for reporting is to the Governance, Nominations & Human Resources and Audit Committees of the Board.

#### SASC Checklist January 1, 2020 to December 31, 2020

No.	Item	Party Responsible	Completion Date	Action Required/ Taken/Comments
1.	Reviewing and approving the completed checklists/reports of P&B Staff	AVP, HR <sup>1</sup> & Services	February 2021	Pending SASC meeting & approval
2.	Approving and executing Plan amendments and signing any related regulatory filings.	AVP, HR & Services/GC <sup>2</sup> or delegate	2020 None	No plan text amendments required  Regulatory filings do not require signatures therefore submitted with FSRA via FSRA <sup>6</sup> portal online.
3.	Approving and signing all annual regulatory filings	VP, HR& Services/GC <sup>2</sup> or delegate	October  September  November	Annual Information Return (AIR) – reviewed & filed with FSRA  Form 7- Contribution Summary-reviewed and filed with Sun Life (custodian)  Financial Statements filed with FSRA

No.	Item	Party Responsible	Completion Date	Action Required/ Taken/Comments
4.	Approves, reviews and amends SIPP	VP, HR & Services/ GC, CFO <sup>3</sup>	February	Statement of Investment Policies and Procedures (SIPP) amended to remove Money Market fund and add GDIA to investment fund line up filed with FSRA
5.	Selecting third party service providers and negotiating and executing contracts.	VP, HR& Services/CFO	December	RFP conducted for Pension Investment Consultant – Contract awarded to Mercer Canada
6.	Liaising with the Audit Committee in connection with the Plan audit; reviewing, approving and signing financial statements.	CFO <sup>7</sup> /VP,HR& Services	November	Approved & signed
7.	(a) Chairing the Pension & Benefits Committee and preparing the agenda	VP, HR& Services (or delegate)	April & October	Preparation of Agenda Approval of Minutes
	(b) Attending the Pension & Benefits Committee	CFO (or delegate)	April & October	Year End & Semi-Annual Pension Investment Performance meeting and discussions.
8.	Receiving and reviewing reports from P&B Staff regarding the performance of third party service providers	VP, HR & Services or delegate	March, September  December	Mercer Canada Investment Reports  Sun Life
9.	Establishing service standards/benchmarks based on recommendations from P & B Staff	VP, HR & Services or delegate	April & October	Meetings with SASC as required. Mercer provides investment benchmarks and conducts annual and semi-annual investment performance analysis.

No.	Item	Party Responsible	Completion Date	Action Required/ Taken/Comments
10.	Receiving and reviewing reports from P&B Staff regarding investment performance (and or having in-person meetings with provider(s) and consultants)	VP, HR & Services or delegate	Q1- April Q2- July Q3 – October Q4-January 2021          March & September  December	Quarterly Rates of Return/Pension statements provided to all pension plan members with economic outlooks in written & video format. Investment performance posted to HR Pension website and available on Plan member website at SLF. Bi-annual meetings with Mercer (Pension Investment consultant) and subsequent attendance at P & B Committee          Mercer Canada          Annual Pension Report/Meeting with Sun Life
11.	Receiving and reviewing member communication and education initiatives <i>(continued on next page)</i>	VP, HR & Services or delegate	January to December       Ongoing       April       April       May	My Money at Work 2020 Financial Wellness Webinars series (Sun Life)       <a href="#">HR Pension Website Resources</a>       Communication to all Plan Members with resources in response to volatile markets - COVID-19       Pension investment option change campaign- removal of Money Market fund replaced with new Guaranteed Daily Interest Account (GDIA) & Fund Sheet       <a href="#">Pension &amp; Benefits at a Glance</a> ; Non-Union Faculty; Staff –Non-

No.	Item	Party Responsible	Completion Date	Action Required/ Taken/Comments
			<p>June</p> <p>August</p> <p>October</p> <p>Q1- April Q2- July Q3 – October Q4-January 2020</p> <p>November</p>	<p>Union; FA; OPSEU &amp; Executive</p> <p>Presentation deck for 2020 Spring webinar and ancillary materials re: Fund Change from Money Market to GDIA.</p> <p>Targeted communication to members with GIC &amp; GDIA amounts nearing \$100k, for enrolment in SLF Trust to afford protection against unlikely event of SLF default.</p> <p>Presentation deck for 2020 Fall Webinar</p> <p>Quarterly Rates of Return/Pension statements provided to all pension plan members with economic outlooks. Quarterly data posted to Ontario Tech University Pension website.</p> <p>Sun Life Max Review- Financial Literacy e-mail campaign to all members to review pension portfolios (Financial Literacy Month)</p>
12.	Reviewing and approving the annual expense budget	VP, HR& Services/GC <sup>1</sup>	April	In accordance with normal practice

No.	Item	Party Responsible	Completion Date	Action Required/ Taken/Comments
13.	Considering and approving P&B Staff's recommendations with respect to Plan design changes; initiating recommendations with respect to Plan design changes as required.	VP, HR& Services/CFO	2020 N/A	
14.	Considering and approving P&B Staff's recommendations with respect to development of new policies and changes to existing policies; initiating policy development as required.	VP, HR& Services/GC,CFO <sup>2</sup>	February	Statement of Investment Policies & Procedures (SIPP) removing money market fund and adding Guaranteed Daily Interest Account (GDIA)
15.	Dealing with material regulatory issues.	VP, HR& Services/GC	2020 N/A	None
16.	Working with the Audit Committee to address risk management issues	VP, HR & Services/GC <sup>3</sup>	2020 N/A	None
17.	Overseeing governance review using Canadian Association of Pension Supervisor Authorities (CAPSA) governance tool	CFO/ VP, HR & Services <sup>4</sup>	Ongoing and annual review February	SASC meetings  SASC Compliance Certification
18.	Preparing and delivering report(s) to the  a) SLT	GC/ VP, HR & Services <sup>5</sup>	Ongoing Meetings with P & B Staff  February & October  a) Weekly	Updates provided by P & B Staff to AVP HR and SASC  SASC Committee Meeting  Reporting as required

No.	Item	Party Responsible	Completion Date	Action Required/ Taken/Comments
	b) Governance, Nominations & Human Resources Committee		b) March	Money Market fund and replace with Guaranteed Daily Interest Account (GDIA) & Statement of Investment Policies & Procedures (SIPP) approval an; 2019 Annual Pension Governance Report & Certification
	c) Audit Committee		c) October	Pension Financial Statements & Pension Audit Report
	d) Board		d) November	Pension Financial Statements & Pension Audit Report
			d) April	Statement of Investments Policies & Procedures (change from MM to GDIA fund)
			d) November	Pension Financial Statements & Pension Audit Report
19.	Ensuring that the Accountability Tool is completed on an annual basis and maintaining a record of the completed Checklists	VP, HR & Services/CG/CFO	January 2021	SASC annual review and compliance certification to the Board

**Green-** completed, **Yellow-**in progress, **Red-**outstanding

1. New AVP, HR joins the University on December 18, 2017. Prior to this date from April 1, 2011 to Dec 17, 2017 the University's Provost and Vice-President Academics served as the head of HR.
2. GC plays an advisory role on an as needs basis.
3. GC and CFO play an advisory role on an as needed basis.
4. VP, HR & Services plays an advisory role on an as needs basis
5. VP, HR & Services plays an advisory role on an as needs basis
6. Effective June 8, 2019, the Financial Services Regulatory Authority of Ontario (FSRA) assumed regulatory duties of the Financial Services Commission of Ontario (FSCO) and the Deposit Insurance Corporation of Ontario (DICO).
7. New VP, Administration position effective November 19, 2020 incorporates former position of CFO position

The mandate of the P&B Committee includes oversight with respect to the administration, communication and investment management of the Plan. This includes the ability to make recommendations to SASC to amend and interpret the provisions of the Plan as well as to make recommendations to SASC with respect to the specific matters identified in the P&B Committee Terms of Reference.

**January 1, 2020 to December 31. 2020**

Green-completed  
Yellow-in progress  
Red-outstanding



## PENSION & BENEFIT (P&B) STAFF

P&B Staff is responsible for managing the day-to-day operations of the Plan and Fund. Many of the responsibilities in the P&B Staff Checklist may be carried out by third party service providers and in that case P&B Staff's role is primarily one of co-ordination, monitoring and supervision.

P&B Staff is responsible on an ongoing basis for enrolling Plan members, maintaining historical records of individual members, sending each member an annual statement, calculating and processing retirement, termination, marital breakdown and death payments, and responding to questions from members and former members, ensuring contributions are remitted to the custodian, reviewing monthly pension payments from the fund, making recommendations to the VP, HR & Services<sup>1</sup> with respect to service providers, recommending service standards/benchmarks to VP HR & Services, monitoring accuracy and timeliness of major services/investment options against established performance standards, explaining and providing written explanations to members about the Plan provision and members' rights and obligations with respect to the Plan, promoting awareness of the Plan and its provisions among the members and beneficiaries, providing member education programs, assisting the VP, HR & Services and GC in the negotiation of contracts with third party service providers, ensuring that expenses relating to the operation of the Plan are paid within the budget established by the VP HR & Services and CFO, and ensuring that the Plan is administered in accordance with applicable legislation and all filed documents, including interpreting the Plan document as necessary. P&B Staff also ensures that the Accountability Tool is completed on an annual basis and provided to the VP, HR & Services and for maintaining appropriate records.

The attached checklists are intended to assist P&B Staff in carrying out the foregoing responsibilities to form the basis of P&B Staff's report to the VP, HR & Services. They consist of an administrative checklist, a regulatory compliance checklist, a key document checklist, and a service provider checklist and accompanying evaluation forms.

### P & B STAFF ADMINISTRATIVE CHECKLIST\*

**January 1, 2020 to December 31, 2020**

No.	Item	Prepared By	Completion Date	Action Required/ Taken/Comments
1.	Certified copies of all documents that create and support Plan amendments made during the year	P & B Staff	2020 None	

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1. New AVP, HR joins the University on December 18, 2017. Prior to this date from April 1, 2011 to Dec 17, 2017 the University's Provost and Vice-President Academics served as the head of HR.

No.	Item	Prepared By	Completion Date	Action Required/ Taken/Comments
2.	Information with respect to the remittance of employer contributions to the custodian or reallocation of assets within the Fund.	Payroll and verified by HR P & B Staff	<p><b>Full time -2020</b> January to December- Monthly</p> <p><b>Less than Full time or Limited Term-2020</b> January to December Bi-Weekly</p>	<p>Each pay cycle monthly or bi-weekly, as the case may be, payroll deductions are processed by payroll and verified by P &amp; B Staff</p> <p>Cumulative amounts are monitored to ensure CRA limits do not exceed the maximum permitted under the Income Tax Act 2020 maximum \$27,830</p>
3.	Reports and returns filed with the Financial Services Regulatory Authority of Ontario* ("FSRA")* previously know as FSCO and Canada Revenue Agency ("CRA").		<p>November</p> <p>August</p> <p>November</p>	<p>Annual Information Return – filed with FSRA</p> <p>Form 7- Contribution Summary Form reported &amp; filed to Sun Life (SLF)</p> <p>Audited Financial Statements filed with FSRA</p>
4.	Summaries of Pension Adjustments ("PAs").	Payroll	January 2021	2020 Pension Adjustments year-end checked no issues as confirmed by payroll & SLF
5.	Summaries of Pension Adjustment Reversals ("PARs")	N/A	N/A	Applicable to defined benefits plan only. N/A for the University's defined contribution plan.
6.	Annual Information Return	Pension & Benefits Staff	November	Done
7.	Form 7, Summary of Contributions/Revised Summary of Contributions	Pension & Benefits Staff	September	Done
8.	Financial Statements (including auditor's report)	KPMG and Ontario Tech University	November	Done

No.	Item	Prepared By	Completion Date	Action Required/ Taken/Comments
9.	Copy of SIPP as either confirmed or amended by AVP, HR	Mercer Investment Consulting Firm	April	Confirmed & amended to remove Money Market and replace with GDIA fund
10.	Reports on monitoring of investment options	Mercer	April	Q4-2020 DCPD Annual Investment Monitoring & Plan Governance Review @ December 31, 2019
			October	Semi-annual Investment Monitoring Review @ June 30, 2020
		Sun Life	Quarterly & Year End annual reporting	Includes report on the transition of Money Market Assets to GDIA
11.	Information with respect to the monitoring of Plan expenses	Fees paid by members	Reported quarterly on Member pension statements each quarter	Pension Plan statements available online quarterly and mailed to member's home address in January (yearend statement). Former members with assets on deposit also receive same.
12.	Information with respect to the monitoring of fees charges to members	Sun Life	Reported on Member statements each quarterly	

No.	Item	Prepared By	Completion Date	Action Required/ Taken/Comments
13.	Information with respect to the enrolment of new members	Ontario Tech University & Sun Life	<p>1<sup>st</sup> day of hire for full time continuing employees (FTE) or;</p> <p>Less than full time or limited term employees (LTEs) when criteria attained</p> <p>Meeting with each eligible pension plan member for enrolment and information session</p>	<p>All FTEs eligible to join on the date of hire (mandatory)</p> <p>Eligibility (voluntary) for less than full time or LTEs employees 24 months of consecutive employment with the University having attained either:</p> <p>a) 700 hours in each of the 2 years or;</p> <p>b) 35% YMPE in each of the previous 2 years*</p> <p>Prior to or on date of hire for FTEs. For LTEs upon meeting eligibility criteria.</p>
14.	Information with respect to the termination and death benefit payments made from the Fund.	Ontario Tech University and Sun Life	<p>Terminations as occurring</p> <p>2020 deaths -none</p>	Termination reports received monthly & Plan member statement issued annually and targeted communications to reiterate termination options available.
15.	Information with respect to marriage breakdowns	Sun Life	None	
16.	Information with respect to numbers of member and active members	Sun Life	Monthly & at Plan Year (June 30)	Reports available at Sun Life Plan Sponsor website to access current statistics. Plan Year End reports provided directly by SLF for AIR, Form 7, Audit & Financial Statements.

No.	Item	Prepared By	Completion Date	Action Required/ Taken/Comments
17.	Information with respect to the annual statements provided to members, including sample statements.	Ontario Tech University & Sun Life	Ongoing	SLF –quarterly pension statements online at SLF member website. Annual mailing to home address. <a href="#">DCPP Library-How to read my statement.</a>
18.	Information with respect to the written explanations provided to the members about the Plan provisions and the members' rights and obligations with respect to the Plan.	Ontario Tech University and Sun Life	<p>Currently under review for revisions to DCPP Member booklet</p> <p>May</p> <p>Ongoing</p> <p>Ongoing -Less than full time or limited term employees' pension personal sign up virtual meeting date of eligibility</p>	<p><a href="#">DCPP Member Booklet</a> &amp; <a href="#">Retirement Income Options</a></p> <p><a href="#">Pension &amp; Benefits at a Glance</a> ; Non-Union Faculty; Staff –Non-Union; FA; OPSEU &amp; Executive</p> <p>My Money Investment Guide, Sun Life on line retirement and financial literacy tools (risk assessment) and <a href="#">University pension plan website</a></p> <p>Full time continuing Pension and Benefits Personal Sign Up virtual zoom meetings (prior to date of hire</p> <p>Less than full time or limited term employees' pension personal sign up virtual meeting date of eligibility Optional membership in the University's pension plan as per Ontario pension legislation.</p>

No.	Item	Prepared By	Completion Date	Action Required/ Taken/Comments
19.	Information with respect to the educational or other information provided to Plan members about the Plan and financial planning for retirement. <i>(continued on next page)</i>	Ontario Tech University and Sun Life	<p>January</p> <p>April</p> <p>June</p> <p>August</p>	<p>2020 Financial Wellness Seminars - monthly</p> <p>Communication to all Plan Members with resources in response to volatile markets - COVID-19</p> <p>Pension investment option change campaign-removal of Money Market (MM) fund replaced with new Guaranteed Daily Interest Account (GDIA) &amp; Fund Sheet</p> <p>2020 Spring Pension Fund Change – Webinar Replacement of MM fund with GDIA fund</p> <p>One on one sessions with Sun Life representative</p> <p>Post webinar recording of webinar sent to all eligible employees and available to <a href="#">Pension website</a></p> <p>Targeted communication to members with GIC &amp; GDIA amounts nearing \$100k, for enrolment in SLF Trust to afford protection against</p>

No.	Item	Prepared By	Completion Date	Action Required/ Taken/Comments
			November	unlikely event of SLF default.
			November	2020 Fall-Webinar – Virtual Presentations <a href="#">Investing the Essentials</a> One on one sessions with Sun Life representative Post webinar recording of webinar sent to all eligible employees and posted to <a href="#">Pension website</a>
			November	Sun Life Max Review e-mail Financial Wellness campaign to all members to review pension portfolios (Financial Literacy Month)
			Ongoing	Quarterly investment Performance reports, economic outlooks video & print  <a href="#">Retirement and Financial website references</a>
20.	Information with respect to any regulatory or other administrative issues that arose during the year.		None	
21.	Information with respect to member complaints	Sun Life	None	

No.	Item	Prepared By	Completion Date	Action Required/ Taken/Comments
22.	Reports on retention of new service providers/copy of completed third party evaluations		December	Request For Proposal (RFP) for Pension Investment Consultant- Mercer Canada awarded contract
23.	Copies of any legal opinions obtained during the year.	N/A	N/A	None
24.	Copy of completed regulatory compliance checklist	Ontario Tech University	December	
25.	Report on the results of the reviews of and/or amendments to any Key Plan Documents	Ontario Tech University & Mercer	Ongoing  January	As required no pension plan text amendments  SIPP

\*YMPE (Year's Maximum Pensionable Earnings)/35% of YMPE

- 2018 YMPE \$55,900/\$19,565
- 2019 YMPE \$57,400/\$20,090

**Green**-completed

**Yellow**-in progress

**Red**-outstanding



**P&B STAFF REGULATORY COMPLIANCE CHECKLIST**  
**January 1, 2020 to December 31, 2020**

**P & B STAFF: REGULATORY COMPLIANCE CHECKLIST**

This checklist is intended as a guide to the regulatory responsibilities of Ontario Tech University as the administrator of the University of Ontario Institute of Technology Pension Plan (the “Plan”), an Ontario registered pension plan.

For the purpose of this checklist the following abbreviations are used:

Pension Benefits Act (Ontario)	PBA
Regulations under the Pension Benefits Act (Ontario)	PBA Reg.
Federal Investment Regulations (i.e. sections 6, 7, 7.1 and 7.2 and Schedule III to the PBSA Regulation, 1985 (Canada)	FIR
Income Tax Act (Canada)	ITA
Regulations to the Income Tax Act	ITA Reg.
Financial Services Regulatory Authority (previously FSCO)	FSRA
Canada Revenue Agency	CRA

*\*Effective June 8, 2019, the Financial Services Regulatory Authority of Ontario (FSRA) assumed regulatory duties of the Financial Services Commission of Ontario (FSCO) and the Deposit Insurance Corporation of Ontario (DICO).*

**P&B STAFF REGULATORY COMPLIANCE CHECKLIST**  
**January 1, 2020 to December 31, 2020**

	Legislation	Time Limit (if any)	Person Responsible	Comments
<b>(a) Filing of Plan Documents</b>				
<input type="checkbox"/> File certified copy of plan amendments with Superintendent along with Form 1.1.	PBA s.12(1), (2)	Within 60 days after the date on which the plan is amended.	P & B Staf	2020 None
<input type="checkbox"/> File with Superintendent certified copies of each document that changes the documents that create and support the plan or pension fund (e.g. trust documents). File with CRA as appropriate.	PBA s.12(3) ITA Reg. 8512(2)	Within 60 days after the date on which the plan is amended.	AON Hewitt  July 24, 2003  September 13, 2004	Done  UOIT (Ontario Tech University) DCP FSRA – Plan registration  CRA – Plan registration
<input type="checkbox"/> File explanation of amendment transmitted to members with Superintendent.	PBA s.26(3) Reg. 3(4)	Within 6 months after registration of the amendment. (If amendment is adverse (i.e. reduces benefits or rights on a go forward basis), Superintendent may require explanation to be provided prior to registration.)	P & B Staff	None
<input type="checkbox"/> If Superintendent dispenses with notice of the amendment required under s. 26(3) of the PBA, then must provide notice of amendment with next annual statement to members.	PBA s.26(4), 27 Reg. 39(2)		P & B Staff	None
<input type="checkbox"/> File copy of notice of adverse amendment provided to members (if such notice was required) with Superintendent and certify details as to classes of persons who received notice, date when last such notice given and that notice was provided as required.	PBA s. 26(1) Reg. 3(3)	Within 30 days after the date on which the last of the notices was transferred.  See under section (c) below regarding required disclosure of adverse amendments to members.	P & B Staff	None
<input type="checkbox"/> File certified copy of amendments	ITA 147.1(4) ITA Reg.	Within 60 days after the date, the amendment is	P & B Staff	None

**P&B STAFF REGULATORY COMPLIANCE CHECKLIST**  
**January 1, 2020 to December 31, 2020**

with CRA along with form T920.	8512(2, (3)	made.		
	<b>Legislation</b>	<b>Time Limit (if any)</b>	<b>Person Responsible</b>	<b>Comments</b>
<b>(b) Reporting Requirements</b>				
<input type="checkbox"/> File an annual information return.	PBA s.20(1) Reg. 18(1), (6), (7) Reg. 37 ITA Reg. 8409(1), (2)	9 months after the plan's fiscal year end.  November	P & B Staff	Done -filed with FSRA
<input type="checkbox"/> File financial statements (including auditors' report where plan assets exceed \$3 million)	Reg. 76	By June 30 of the year following the plan's fiscal year end.  November	Finance and P & B Staff	Financial Statements filed with FSRA
<input type="checkbox"/> Review SIP&P and amend/confirm annually.	Reg. 79 FIR, s.7.2(1)	April	SASC , P & B Staff in consultation with Mercer Investments	Amended to remove Money Market and replace with Guaranteed Daily Investment Account fund with FSRA.
<b>(c) Disclosure to Members</b>				
<input type="checkbox"/> Explain plan provisions to employees who will become eligible to join the plan.	PBA s. 25(2)(b) Reg. 38	At least 60 days before employees become eligible.  Date of Hire or date employee meets with part-time pension eligibility criteria	Payroll and P& B Staff	Full time continuing Pension and Benefits Sign Up meeting (prior to date of hire)  Less than full time or limited term employees' pension sign up once eligibility criteria met and if member elects to join

**P&B STAFF REGULATORY COMPLIANCE CHECKLIST**  
**January 1, 2020 to December 31, 2020**

	Legislation	Time Limit (if any)	Person Responsible	Comments
<input type="checkbox"/> Explain Plan provisions to persons who become eligible for plan membership upon becoming employed.	PBA s. 25(2)(c) Reg. 38	<p>Within 60 days after employees, commence employment.</p> <p>Every eligible employee meets with P &amp; B Staff for sign up</p> <p>Pension and Benefits Sign up meetings prior to date of hire for full time continuing employees.</p> <p>For less than full time employees - on or near the date in which the employee has met the required criteria to join the pension plan</p>	P & B Staff	<p>Eligibility for less than full time or Limited Term –Optional membership</p> <p>Employees 24 months of consecutive employment with the University having attained either:</p> <p>a) 700 hours in each of the 2 years or;</p> <p>b) 35% YMPE in each of the previous 2 years*</p>
<input type="checkbox"/> Provide notice and explanation of non-adverse amendments to affected members.	PBA s. 26(3) Reg. 39(1)	Within 60 days after provincial registration.	2019 N/A	None
<input type="checkbox"/> Provide notice and explanation of adverse amendments to affected members if Superintendent requires.	PBA s.26(1), (2) Reg. 3(3), (4)	At least 45 days prior to registration of the amendment.	2019 N/A	None
<input type="checkbox"/> Provide annual statement of benefits as prescribed.	PBA s.27 Reg. 40(1), (2)	6 months after the plan's fiscal year end.	Sun Life	<p>Quarterly Pension Statements on line at <a href="http://mysunlife.ca">mysunlife.ca</a></p> <p>Pension Statements mailed annually to home address in January following year end</p>

**P&B STAFF REGULATORY COMPLIANCE CHECKLIST**  
**January 1, 2020 to December 31, 2020**

	Legislation	Time Limit (if any)	Person Responsible	Comments
<input type="checkbox"/> Make documents that create and support the pension plan and other prescribed information available for inspection by members and others as entitled.	PBA s. 29, 30 Reg. 45	Within 30 days after receipt of written request.	P & B Staff	None
<input type="checkbox"/> Provide termination statement containing prescribed information for termination of employment in situations other than retirement or death.	PBA s. 28 Reg. 41(1), (2), 42	Within 30 days after termination of employment or, where notice of termination is not provided to the administrator prior to the event, within 30 days after receipt of such notice.	Sun Life	Termination statements are issued in 2 weeks from date of departure from the University
<input type="checkbox"/> Where a plan member who is not entitled to a pension or deferred pension terminates employment in situations other than retirement or death, the administrator must pay any refund to which the member is entitled.	Reg. 42(3), (4)  42. revoked: O. Reg. 178/12, s. 40	Within 60 days after termination or, where a member has an option for receiving a refund, within 60 days after receipt of a direction from the member.	Sun Life	Payments made within 30 days upon receipt of member's election to transfer assets out of the Ontario Tech DCP.

**P&B STAFF REGULATORY COMPLIANCE CHECKLIST**  
**January 1, 2020 to December 31, 2020**

	Legislation	Time Limit (if any)	Person Responsible	Comments
<input type="checkbox"/> Provide retirement statement and options for payment of pension.	PBA s.28 Reg. 44	<p>At least 60 days prior to the member's normal retirement date or the date at which the member has indicated he or she intends to retire.</p> <p>If the administrator does not receive adequate notice of the intended retirement to comply with the 60 day time requirement, the administrator shall provide the required information within 30 days following receipt by the administrator of a completed application for commencement of the pension.</p>	<p>Sun Life</p> <p>N/A</p>	<p>Sun Life transfers the value of the member's pension account in accordance with the member's election within 30 days of the receipt of the member's direction to transfer to a retirement income option.</p> <p>Commencement of pension not directly paid from UOIT DCPN N/A</p> <p>Member direction required to SLF to transfer assets out of the Plan</p>
<input type="checkbox"/> Provide statement of benefits payable upon death to spouse, beneficiary or estate.	PBA s.28 Reg. 43(1)	Within 30 days after receipt of notice of death of member or former member.	Sun Life	None
<input type="checkbox"/> Comply with surviving spouse's election regarding pre-retirement benefits.	Reg. 43(3)	Within 60 days after receiving direction from spouse or same-sex partner.	Sun Life	None

**P&B STAFF REGULATORY COMPLIANCE CHECKLIST**  
**January 1, 2020 to December 31, 2020**

	Legislation	Time Limit (if any)	Person Responsible	Comments
<input type="checkbox"/> In cases of marital breakdown, calculate the value of the pension, as requested by the member and/or spouse using Superintendent of Financial Services approved forms throughout the process.	PBA s. 67.1 – 67.6 Ont. Reg. 287/11 (Family Matters)	Within 60 days of receiving a completed application	Sun Life	None
(d) Miscellaneous				
<input type="checkbox"/> If benefit transfer request made within 60 days of termination of employment, pay in accordance with request. Must ensure that transfers to retirement savings arrangements or deferred life annuities will be administered as pensions or deferred pensions.	PBA s.42(1), (5), (6), (7) Reg. 20	Within 60 days after request.	Sun Life	Processed upon receipt of completed termination option statement received from members by Sun Life.
<input type="checkbox"/> Ensure all contributions are paid when due.	PBA s.56(1) Reg. 4(4) Reg. 5(1)	Employer contributions in respect of normal costs: within 30 days after the month for which contributions are payable.	Payroll, P & B Staff	Contributions are invested by pay date.  Contributions received before 2p.m. invested same day after 2p.m. next day
<input type="checkbox"/> Report to Superintendent if contributions are not made when they become due.	PBA s.56(2) Reg. 6.1	Within 60 days after the day on which the contribution was due.	Sun Life	None reported
<input type="checkbox"/> Provide pension fund trustee with a summary of contributions required to be made.	PBA s.56.1(1) Reg. 6.2(1)	Within 90 days after the pension plan is established for the first fiscal year and within 60 days after the beginning of each subsequent fiscal year.	N/A	Applicable when a contribution is <u>not</u> remitted  No delays to report
<input type="checkbox"/> Provide pension fund trustee with a revised summary of contributions required to be made.	Reg. 6.2(2)	Within 60 days after becoming aware of a change in contributions.	N/A	Applicable when contribution is <u>not</u> remitted  No delays

**P&B STAFF REGULATORY COMPLIANCE CHECKLIST**  
**January 1, 2020 to December 31, 2020**

	Legislation	Time Limit (if any)	Person Responsible	Comments
<input type="checkbox"/> Pension Adjustments must be reported to CRA in the appropriate manner.	ITA Reg. 8401	On or before the last day of February of the year following the end of the calendar year.	Payroll	Reported by payroll on the T4 prior to Federal tax deadline of each year
<input type="checkbox"/> Pension Adjustment Reversals must be reported to CRA.	ITA Reg. 8402.01	When the Termination occurs in the 1 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup> quarter of the calendar year, within 60 days after the last day of the quarter in which the termination occurs. When the termination occurs in the 4 <sup>th</sup> quarter, before February 1 of the following calendar year.	N/A	This applies to DB plans only and not the University's defined contribution pension plan.  No action required
<input type="checkbox"/> Where there is a change in the name or address of person who is administrator or persons who constitute the body that is the administrator, inform the Minister of National Revenue in writing within 60 days after the change.	ITA 147.1(7)(c)		2020 N/A	No change

**Green**-completed

**Yellow**-in progress

**Red**-outstanding



## P&B STAFF: KEY PLAN DOCUMENT CHECKLIST\*

This checklist is designed to ensure that a complete record of the key documents used in the administration of the Plan and the administration and investment of the Fund is maintained in an accessible manner and that reviews of the key documents are carried out at regular intervals to ensure they are updated to reflect current information and practices.

## P&B STAFF: KEY PLAN DOCUMENT CHECKLIST

**January 1, 2020 to December 31, 2020**

No.	Document	Last Review Date	Next Scheduled Review Date, if any	Review Completed By	Action Required/ Taken/Comments
1.	Plan text		None	SASC & P & B Staff	
2.	Custodial Agreement (under Group Annuity Contract)	November 2017	2022	N/A	RFP conducted Sun Life appointed Effective April 1, 2018
3.	Record-keeping Agreement (Sun Life Service Fee Agreement)	November 2017	2022	VP HR & Services	RFP conducted Sun Life appointed Effective April 1, 2018
4.	Insurance Policy Sun Life Group Annuity Contract	November 2017	2022	VP HR & Services	RFP conducted Sun Life appointed Effective April 1, 2018
5.	Statement of Investment Policies and Procedures	September	As required	SASC P & B Staff	
6.	Investment Consulting Agreement	December 2020	2025	VP HR Services	Mercer Canada appointed effective January 1, 2021
7.	Governance Documentation (including Board resolution approving UOIT Pension Plan Governance Structure and Functions Chart and Accountability Tool)	January 2017	TBD	SASC	SASC annual certification, review and approval of Governance Documentation

\*Key documents is retained in Human Resources by P & B Staff

Green-completed  
Yellow-in progress  
Red-outstanding

No.	Document	Last Review Date	Next Scheduled Review Date, if any	Review Completed By	Action Required/ Taken/Comments
8.	Employee Booklet	Expected completion date for revisions April 2021	N/A	VP HR & Services and P & B Staff	Draft version revised for CRA limits and definitions & addition of definition of continuous service
9.	Service Provider Benchmarks	November 2017	Pension & Benefits Provider 2022 Pension Investment Consultant 2024	SASC	

## P&B STAFF: THIRD PARTY SERVICE REVIEW

This checklist is designed to ensure that agents and advisors retained by the Plan are meeting the performance standards expected by the Plan administrator. This is a particularly critical component of the governance system in the case of agents of the Plan administrator. For PBA purposes, an agent is a service provider that is performing a function that the administrator would otherwise have to perform itself (e.g., a record keeper or investment manager) and therefore it is particularly important to ensure the agent is meeting the PBA fiduciary standard of care (as the Plan administrator will be liable if it does not). Advisors fall into a different category since they only give advice to the administrator who makes the ultimate decision on the matter as part of its functions. Nonetheless it is important for the ongoing operations of the Plan that advisors are evaluated to ensure that they are providing their services to the expected standards. Finally, the external auditor falls into its own category in that it is performing specific functions under the PBA. Nonetheless, again, it is important for the Plan administrator to be satisfied that the external is providing its services to the expected standards and to report any issues to the Audit Committee.

A review of the services provided by employees of the Plan administrator should also be undertaken. This review generally occurs as part of the normal course HR processes. Board and management committees should perform self-evaluations at specified intervals (this should be addressed in a governance policy) or from to time may wish to commission third party evaluations of their governance of the Plan.

### P&B STAFF: THIRD PARTY SERVICE REVIEW January 1, 2020 to December 31, 2020

No.	Item	Reviewed by	Completion Date	Action Required/ Taken/Comments
1.	Performance Review of Trustee/ Custodian	Mercer	November 2017 Effective April 1, 2018	Market Review Sun Life Next review 2023
2.	Performance Review of Investment Manager, i.e., provider of investment platform for the Plan	P & B advisory committee V.P. HR & Services	September 2017 Effective April 1, 2018	Market Review Sun Life Next review 2023
3.	Performance Review of Record-Keeper	P & B advisory committee V.P HR & services	September 2017 Effective April 1, 2018	Market Review Sun Life Next review 2023
4.	Performance Review of Investment Consultant	CFO, V.P. HR & Services, P & B Staff	December 2020 Effective January 1, 2021	Effective January 2021 Contract awarded to Mercer –next review 2025
5.	Performance Review of External Legal Counsel	N/A	N/A	None required
6.	Performance Review of External Auditor	N/A	N/A	None required

**Green**-completed

**Yellow**-in progress

**Red**-outstanding